

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

68th Legislative Day

June 30, 1989

Speaker Giglio: "Ladies and Gentlemen, the hour of ten o'clock having arrived, the House...is now ready to do its business. The Chaplain for today will be Pastor Patricia Fouts from the First Presbyterian Church in Braidwood. Pastor Fouts is a guest of Representative Weller. The guests in the gallery may please rise for the invocation."

Pastor Fouts: "Let us pray. Gracious God, for Your many blessings to us, our nation and this State we thank You. We pray that during this session each word spoken and vote taken will be done with compassion, intelligence and a sense of justice. And as this work is finished, each of us have safe travel and true recreation. Amen."

Speaker Giglio: "Representative Weller, Pledge of Allegiance."

Weller, 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 Giglio: "Roll Call for Attendance. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. First, a little history. I understand the last time we adjourned on June 30th was in 1957. Good luck to all of you today. Second, Ralph Capparelli again is an excused absence. Thank you."

Speaker Giglio: "Representative Piel."

Piel: "Good morning, Mr. Speaker. All present and accounted for."

Speaker Giglio: "Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I beg to differ with my senior colleague, but I recall adjourning on June 30th 2 years ago. Of course we were in a Special Session the next day."

Speaker Giglio: "Mr. Clerk, take the record. 114 being

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present...117 being present, a quorum is present. The House is ready to do its business. Agreed Resolutions."

Clerk O'Brien: "House Resolution 805, offered by Representative Satterthwaite. 806, Wojcik. 807, DeJaegher. 808, DeJaegher. 809, DeJaegher. 810, DeJaegher. 811, DeJaegher. 812, Wennlund. 813, DeJaegher. 814, DeJaegher. 815, DeJaegher. 816, DeJaegher. 817, Leverenz. 818, Balanoff and 819, Ryder."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, both sides of the aisle have examined the Resolutions. They are agreed to. I move the adoption of the Agreed Resolutions."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Resolutions are adopted. Representative Tate, for what purpose do you seek recognition, Sir?"

Tate: "Thank you, Mr. Speaker. I rise on a point of personal privilege. There's many people that this year were real excited about the Chicago Cubs and there are a lot of us that kept saying, 'Wait till June's over', and just on a point of personal privilege, I'd like to make note that the Cubs have now lost 7 in a row, and it is still June."

Speaker Giglio: "Alright, the Chair will now go to the Order of Concurrences on page 2. Concurrences, State and Local Government. House Bill 112, Representative Cullerton. Out of the record. House Bill 164, Representative Monroe Flinn. Representative Flinn?...Okay. Representative Hensel, 397. Out of the record. Representative Levin. Out of the record. Representative McPike. Out of the record. Representative Krska. Is Representative Krska in...the Chamber? Out of the record. Now we find on page 3 of the Calendar on Conference Committee Reports appears

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House Bill 113, Representative Keane. Representative Keane in the Chamber? Out of the record. Representative Giorgi, 2212...227. House Bill 227 on the Order of Concurrence. Conference Committee Reports. Representative McNamara. Representative McNamara in the Chamber? Out of the record. Representative...Supplemental Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #1 has been distributed. Supplemental Calendar #2 is being distributed."

Speaker Giglio: "The Chair would like to just read the list of Sponsors on the Supplemental Calendar and perhaps we could arouse your attention and you may want to call the Bill so we could run your Bills this morning and perhaps adjourn at a reasonable hour tonight. Representative Curran on House Bill 42. Representative Countryman, House Bill 643. Representative Novak on 779. The Chair would also like to announce that all those personnel not entitled to the House floor, please remove themselves. Lobbyists...those people that are not entitled to the House floor, who have no business and no jurisdiction on the House floor, please retire to the gallery. Representative Novak, House Bill 779. Representative Pullen, House Bill 1876. Representative Regan, 1883. Representative Munizzi, 2059. Representative Preston, Representative Matijevich on Senate Bill 112. Representative Levin, Representative Anthony Young, Representative Giorgi, Representative Keane, Representative Laurino, Granberg and Representative Sutker. These Bills are listed on Supplemental Calendar #2, Conference Committee Reports. Representative Curran. Representative Curran in the Chamber? Out of the record. Representative Countryman. The Gentleman from DeKalb, Representative Countryman. Out of the record. Representative Novak. Out of the record. Representative Pullen, the Lady from Cook. Out of the record. 1776...

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1876. Supplemental Calendar #2. Out of the record. Representative Regan. Representative Regan, you wish to call your Bill? 1883? The Gentleman from Cook, Representative Regan."

Regan: "Thank you Mr. Speaker, Members of the House. Conference Committee Report 1883 deals with the ritualistic crime of coercion of suicide. The Senate did put an Amendment on that was not popular with the pro-life people. They've got an agreement, the Amendment has been removed and in addition we've added some good law and order Bills. Aggravated battery as defined in subsections...Class I felony. If a person is sentenced to a term of imprisonment shall be sentenced to a term no less than 4 years, no more than 30 years. Also aggravated battery with a firearm. Person committing a battery and knowingly causes an injury to another by means of discharging a firearm commits an aggravated battery with a firearm and I move to accept the Conference Committee report to 1883."

Speaker Giglio: "Any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you Mr. Speaker and Ladies and Gentlemen. You'll have to excuse me, I was...just ran up the steps and I just walked in a little out of breath here, but...I wanted to rise because I feel it's important to do so to point out to the body what is being purported to be done in this Conference Committee Report. The current law, with respect to battery and aggravated battery has been exacerbated over a course of the last several years by legislation which has practically removed every simple battery and made it an aggravated battery, a Class III felony. There is hardly any misdemeanor battery left because of the additions. Initially we had aggravated battery where there was great bodily harm. Battery where there was a great bodily harm

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was aggravated battery and a Class III felony. We also said battery with a police officer was aggravated battery. Then we added firemen. Then we added public aid workers, then we added judges, then we added State's Attorneys, then we added public aid caseworkers, then we added DCFS caseworkers, then we added senior citizens, then we added children, then we added people who were battered on public ways, until now it would be almost conceptionally impossible to conceive of a simple battery that would not have been elevated to an aggravated battery by virtue of this trend that has taken place over the last several years. That, coupled with the problems...the severe overcrowding problems in the prison...has resulted in a crisis where we as Legislators are now being asked to take a responsible position to prioritize what we do in the criminal laws so that we make sure that it is truly the violent repeat offender that is being held behind bars. The kind of legislation that has been added to this Bill makes, frankly, a continued mockery of our aggravated battery statute. It would say that now the traditional concept of aggravated battery, which is a battery that causes great bodily harm or disfigurement, would no longer be a Class III felony, but rather would be elevated...enhanced...not just one notch as is usually the case here, but would go from a Class III to a Class I. It would also take up to a Class I from a Class III a simple battery committed with a dangerous weapon other than a firearm and then would create a special category of Class X offenses where there is a aggravated battery with the discharge of a firearm. I would submit to you that this would be not a responsible vote. It's the type of measure that should be subjected to the committee structure and not on June 30th in a Conference Report. There has to be some

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limit. I would hope that those recognize that this speaker is not one who has spoken frequently against Bills that are... that are perceived as tough law and order Bills. However, I think that there's a point at which we cross that threshold and we have to be responsible. To adopt this kind of legislation would place out of kilter a Criminal Code that is already dangerously leaning in that direction because of a haphazard course of conduct by this General Assembly that selectively and persistently enhances penalties without regard for the consequence to our prison overcrowding or...or consequence for the relative severity of criminal offenses as they relate to one another. This measure should not be taken on June 30th in the form of a Conference Report. It's not needed, it's not necessary and I would submit to you that I have not heard from one State's Attorney or one judge in the State who have said to me that the current Class III felony for aggravated battery is woefully deficient. I don't think there's any evidence out there that defendants are being sentenced to the maximum penalty now. What this legislation would do would be to change from a Class III felony aggravated battery to a Class I felony and relegate it to a position with other crimes that this Legislature has deemed sufficiently heinous to be included in the Class I category. I don't think we're ready for that step. I don't think it's a responsible vote to make and I would urge a rejection of this Conference Committee Report."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. As is usually the case with criminal law Bills, we find a lot of discussion about whether or not the committee process has been involved. I

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do have to agree, as the spokesman on the committee..."

Speaker Giglio: "Excuse me, Representative Countryman. Excuse me. Representative Regan. Representative Regan, are you seeking recognition? The Sponsor of the Bill..."

Regan: "Take it out of the record, please."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 2059, Representative Munizzi. Are you ready? Out of the record. Representative Preston, 2729. House Bill 2729, Sir. Proceed."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in Conference Committee #1 to House Bill 2729. What this Bill does is to create a lien for clinical psychologists that's very similar or identical to the lien that physicians have for any treatment that is given pursuant to an injury where there is a claim against a third person, either directly or through insurance proceeds for the...the cost of that clinical psychologist's therapy. The Conference Committee took care of some technical language changes only. It's exactly the Bill in concept and in substance that passed out of the House and Senate and I'd ask for your 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment...first Conference Committee Report to House Bill 2729?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 105 voting 'yes', 4 voting 'no' and 4 voting 'present' and the House does accept Conference Committee Report to House Bill 2729 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Matijevich. Gentleman in the chamber? Out of the record."

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Representative Levin. Representative Ellis Levin. Out of the record. Representative Didrickson, Senate Bill 127. Representative Didrickson, the Lady from Cook. Representative Didrickson."

Didrickson: "Isn't Young..."

Speaker Giglio: "Senate Bill 127."

Didrickson: "Senate Bill 127 is the Conference Committee Report that deals with the Minority Female Business Enterprise Program that we have in the State of Illinois. It is a...agreed to Bill that has been put together with the blessing of the Governor's Office along with... Representative Anthony Young worked on this. Representative Williams, Representative Currie, Representative Breslin, and I would ask for an 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Hultgren...excuse me, from Warren, Representative Hultgren."

Hultgren: "That's alright, Mr. Speaker, it was a long night last night. Has this one been distributed? I don't have it at my desk."

Speaker Giglio: "Mr. Lee. Representative...the Gentleman informs the Chair that it has been distributed."

Hultgren: "We're advised on this side of the aisle...we haven't received it over here yet. Can we take it out of the record until we have a chance to look at it? Ten minutes?"

Speaker Giglio: "Take it out of the record, Mr. Clerk. Representative Matijevich, Senate Bill 112."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 112 as it passed out of the House had removed some language would have mandated state funding for the admission standards which included vocational education. The Conference Committee Report does not provide any mandates when allocating funds but it has language where

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the local boards of education shall recognize their obligation to their students to offer required course work. I believe that the Conference Committee is a good report and I just heard now it's not printed. Alright. Mr. Speaker, I'm informed the Conference Committee Report is not printed and distributed. Take it out of the record until it is distributed. Thank you, Mr. Speaker.

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Levin, Senate Bill 116. Representative Levin, the Gentleman from Cook, Senate Bill 116."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to adopt the first Conference Committee Report on Senate Bill 116. I believe that report has been distributed. This report simply corrects certain inadvertent language that was in...was not changed in the Amendment that we adopted here in the House a few days ago. It has been signed off on by the State Board of Higher Education and the..."

Speaker Giglio: "Excuse me, Representative Levin. Representative McCracken, for what purpose do you rise, Sir?"

McCracken: "Sir, we are going to require the one hour rule be observed, so please don't call them if it hasn't been out for an hour. This has been out for half an hour. We have not looked at it yet. Take it out of the record."

Speaker Giglio: "We'll check and see, Representative McCracken, what time these were distributed. Representative McCracken, the Conference Committee Report was delivered at 9:45. We'll get back to it in ten minutes. Representative Countryman, House Bill 643. Would you like to go to that one, Sir? The Gentleman informs me this has been distributed over an hour, so it's out. You ready? Representative Countryman on House Bill 643."

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

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House, the underlying Bill here was a Bill we'd worked out with the Supreme Court and the appellate defender's office to provide for post conviction counseling for indigent defendants in the case where the death penalty has been imposed. And what it did was say that the Supreme Court would have a list of attorneys capable of handling those persons and upon determination that appointment of counsel was appropriate, they would appoint people from that list and the appellate defender would, on a contractual basis, see that those people were compensated. This came out of a project of the Illinois State Bar Association and other groups which had written a voluminous report. That was the underlying Bill which passed the House by almost unanimous vote, as I recall. Yeah, it was 116 to nothing, and when it got over to the Senate, Senator Barkhausen put on an Amendment dealing with video tape testimony for a child victim's statement. That's been an issue which Representative Preston has had a great deal of interest in over the years and it was determined by him that when...if we're going to take the time to rewrite that law it should go through committee. I asked Senator Barkhausen to recede and he didn't do so, so he sent it to conference. Now the Amendment is off, so it's just the underlying Bill and I ask for your approval. Thank you."

Speaker Giglio: "Any discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Is the Gentleman asking for a second Conference Committee? I didn't hear."

Countryman: "No. I'm asking that we approve this report. This goes back to the underlying Bill and that's it. It takes off the Amendment which Representative Preston opposed..."

Dunn: "What does the Bill do now, then?"

Countryman: "Well, I just said it. But the Bill is the same as

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the underlying Bill. It provides that the Supreme Court shall maintain a list of counsel able to represent indigent defendants in cases involving the death penalty for post conviction proceedings."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I promise to support this Bill if Representative Countryman promises not to criticize our Republican law and order Bills. Let's call a truce today."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Question for the Sponsor."

Speaker Giglio: "Proceed."

Homer: "Representative Countryman, there is a great concern among, I think, citizens in general about the amount of litigation that follows the sentencing of a...of a defendant to the death penalty until the death penalty sentence is applied. What, if anything, will your proposal do with respect to the layers of litigation that now exist?"

Countryman: "It really does nothing with respect to the layers of litigation. As you well know, but many of the Members might not be aware, there are automatic rights of appeal in a death sentence case. So a death sentence case goes automatically to the Illinois Supreme Court. Generally these people are without funds, so the state appellate defender's office defends them. If that appeal is lost, then they have certain rights for post conviction proceedings, both in federal court and state court to say that their constitutional rights were violated. One of the constitutional rights that they can claim is violated is that they didn't have the effective assistance of counsel. For that reason, it's necessary to appoint counsel

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independent of the...generally, the state appellate defender, because they've represented them in the prior proceeding and in order to maintain objectivity, they have to establish the...the attorney handling the case has to review that other counsel's work and establish that it was faulty in some significant way. This process, by this Bill, we will speed up the process by which these appeals...counsel are appointed. However, we do not in this Bill call for a right to that counsel automatically and they must have a case in which their original petition makes forth a prima facie showing that they're entitled to a post conviction proceeding before they can have the right to have a counsel appointed. However, I think in the long run it'll speed up the process and I think that's good for everybody concerned."

Homer: "Given that explanation, I support the Gentleman's Bill."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Preston: "Representative Countryman, I was off the floor when you made your initial comments. Do I understand correctly that the Conference Committee Report no longer has a video tape testimony provision in it?"

Countryman: "That's correct, Representative. I stated it in my remarks and mentioned your name that you had indicated to me that you did not want that to be voted on without having the benefit of a committee hearing and that I concurred and agreed with you on that and that we've taken this process in order to get that Amendment off."

Preston: "Well Representative, thank you for your courtesy and I'm pleased to support this Conference Committee Report."

Speaker Giglio: "Representative Countryman to close."

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Countryman: "Thank you, Mr. Speaker. I think I've explained it well enough and I'd ask for your favorable vote."

Speaker Giglio: "The question is, 'Shall the House adopt Conference Committee to House Bill 643?' All those in favor signify by voting 'aye', opposed 'no'. The voting is open, this is final action. Have...Mr. Clerk. Have all vote...All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. 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 106 voting 'yes', none voting 'no'... Representative Ropp, 'aye'...107 voting 'yes', none voting 'no' and 3 voting 'present' and the House does adopt Conference Committee Report to House Bill 643 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Laurino. Is Representative Laurino in the chamber? Out of the record. Representative Laurino has returned. Senate Bill 922. The Gentleman from Cook, Representative Laurino."

Laurino: "Thank you, Mr. Speaker. I move for the adoption of Conference Committee Report #1. In essence, what it does is brings into compliance the leased vehicles and rental vehicles with the statute on insurance for passenger cars, and I move for the adoption."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too, rise in support of Senate Bill 922. In talking to some of the people involved with this Bill it seems like most everybody is agreed that this is going to be good legislation. So I rise in support of Senate Bill...Conference Committee Report on Senate Bill 922."

Speaker Giglio: "Further discussion? The question is, 'Shall the

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House adopt Conference Committee Report to Senate Bill 922?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Edley, 'aye'. 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 108 voting 'yes', none voting 'no', and none voting 'present' and the House does adopt Conference Committee Report to Senate Bill 922 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Keane, 692. Senate Bill 692. The Gentleman from Cook, Representative Keane."

Keane: "Mr. Speaker, has that report been distributed?"

Speaker Giglio: "Yes."

Keane: "Thank you. Conference Committee Report #1 on Senate Bill 692 deals with research and development investment credit against the state income tax. The taxes...the credit is prospective and effective for tax years ending after July 1, 1990. It equals six and a half percent of qualifying expenditures for increasing research activities in Illinois. Qualifying...it qualifies the research as defined in Section 41 of the Internal Revenue Code. That is, research which is technical in nature and is intended to be useful in the development of new or improved business components. It must relate to new or improved function performance, reliability or quality. It also is limited to expenditures which qualify are those which increase research activity and means the excess of such expenses for the taxable year, which incurred over such expenditures as average for the 3 taxable years immediately preceding this expenditure year. There's a 5-year carry forward. The credit expires December 31st, 1994, unless extended by law.

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The Bill also amends the Motor Fuel Tax Law by increasing the monthly Transfer Boating Fund from 336,000 to 420,000. It increases the monthly transfer to grade crossing protection funds from a million dollars to a million and a half. It mandates that not less than six million annually shall be used for construction or reconstruction of rail highway grade separation structure and it increases annual transfer to the Transportation Regulatory Fund from a half a million to three-quarters of a million. Basically, what the research and development credit does is, it is a means that we're sort of copying from the State of Iowa. They've provided a ten percent credit. It's a way of attracting people who work on research. It's aimed more at bringing in people, jobs that deal with research and development, new products. It's an economic development thrust. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hultgren: "Representative Keane, do you have an estimate as to the fiscal impact of the tax credit?"

Keane: "No, we don't. It will...None of the existing...nothing exists...no existing research will be included. As I mentioned, the Bill doesn't go into effect until 7-1-90, so it would only apply to research that starts after July 1, 1990."

Hultgren: "But in the meantime..."

Keane: "We also put it on...what's going to happen is that the...what's going to happen...Mr. Speaker, the Gentleman's having a difficult time hearing me. What's going to happen is is that the economic and fiscal has agreed to monitor,

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on an annual basis, this credit and in 1994, if it isn't working it automatically sunsets in '94, so we really have like a three and a half year period to track it...see if it pays off. If it pays off either expand the program or just amend it or forget about it."

Hultgren: "So if it has a fiscal impact beyond our wildest expectations, at least it's only for 3 years and then we can get out of the deal."

Keane: "Or we'll be back. You know, if it has tremendous...if it has tremendous fiscal implications, all that means is that we're getting a lot of new product development which means that we'll be getting money elsewhere."

Hultgren: "Thank you, Representative Keane, for responding to my questions."

Speaker Giglio: "The question is, 'Shall the House adopt Conference Committee Report to Senate Bill 692?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. 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 101 voting 'yes', 7 voting 'no', 4 voting 'present' and the House does adopt Conference Committee Report to Senate Bill 692 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Levin. Is Representative Levin in the Chamber? Senate Bill 116. The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House do adopt Conference Committee Report #1 on Senate Bill 116. The underlying Bill...some of the recommendations of the Joint Committee on Minority Access for Higher Education...and you should've received in your office yesterday the full text of the

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final report of our Joint Committee. The Conference Committee Report simply corrects certain inadvertent language errors in the Amendment that we had adopted to Senate Bill 116 here in the House about a week ago. This...the language changes were signed off on by the State Board of Higher Education, the University of Illinois and all the parties, so I would simply encourage the adoption of this first Conference Committee Report."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "What time do your records show this was distributed? Ours show ten o'clock."

Speaker Giglio: "This was distributed at 9:45."

McCracken: "Okay."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

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

Speaker Giglio: "He indicates he will."

Cowlshaw: "According to this Conference Committee Report, there are 4 places in the original language of the legislation in which the word 'may' has been changed to the word 'shall'. What do those 4 changes apply to? What is now required that previously was optional?"

Levin: "Representative, the first is that they shall adopt guidelines and plans for minority recruitment and retention at each of the campuses. They shall report to the General Assembly financial information on minority student programs. They shall do the reports that we talked about when we debated this earlier last week, to the high schools. And they shall include in that report information about the students enrolled."

Cowlshaw: "I'm sorry Mr. Speaker, I was able to hear all of the first 3 of those answers, but I was not able to hear the

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fourth one."

Speaker Giglio: "Representative Levin, could you explain the fourth one, please?"

Levin: "Yeah. They shall...the fourth one, Representative Cowlshaw, is that they shall provide summary information of the achievement of the students enrolled in their programs to the high schools."

Cowlshaw: "Thank you very much."

Speaker Giglio: "Is there further discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report Senate Bill 116?' and on that question, all those in favor signify by voting 'aye', those opposed 'nay'. 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 89 voting 'yes', 20 voting 'no' and 2 voting 'present' and the House does adopt Conference Committee Report to Senate Bill 116 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Anthony Young, Senate Bill 127. Representative Didrickson, 127."

Didrickson: "Thank you, Mr. Speaker, Members of the House. The Conference...I move to concur with Conference Committee Report to Senate Bill 127. Again, this deals with the MFBE Program, or the Minority and Female Business Enterprise Act. This is a proposal and an agreement that has been crafted to include language with regards to the Illinois Department of Transportation that tracks federal language. This also has been endorsed and signed off by the Governor. It sets goals, it doesn't set limits. I think this is about as close as we can get to crafting language that would be supported in our judicial system and I move for its adoption."

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Speaker Giglio: "Any discussion? The Lady moves to adopt the first Conference Committee Report to Senate Bill 127 and on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 6 voting 'no' and 1 voting 'present'. Representative Parke?"

Parke: "May I be recorded as 'aye' on this Bill?"

Speaker Giglio: "Vote...Record the Gentleman as voting 'aye', Mr. Clerk. Representative Parke. On this question there are now 105 voting 'yes', 6 voting 'no' and 1 voting 'present' and the House does adopt Conference Committee Report to Senate Bill 127 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Granberg. Is Representative Granberg in the chamber? Senate Bill 1094. Would you like to proceed? 1094. Senate Bill. Out of the record. Representative Regan, 1893. Representative Davis, for what purpose do you seek recognition?"

Davis: "Thank you, Mr. Speaker. I'd like to make a Motion to put House Bill 2756 in Interim Study."

Speaker Giglio: "Lady asks leave to put House Bill 2756 in Interim Study. Does the Lady have leave? Leave is granted by the Attendance Roll Call, the Bill will be placed in Interim Study."

Davis: "Thank you, Sir."

Speaker Giglio: "Alright, we're going to on page 2 of the Calendar under Concurrences, Representative Cullerton. Is Representative Cullerton in the chamber? Out of the record. Representative Hensel, 397. Out of the record. Representative Levin, 497. On the order of Concurrence,

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House Bill 497 amends the Public Utility Act. Representative Levin. Out of the record. Representative Krska. Is Representative Krska in the chamber? Representative...Out of the record. On page 3 of the Calendar appears House Bills Conference Committee Reports. Representative Keane. Alright, I'd like to read the list of Bills and Sponsors and perhaps you could be prepared. Representative Keane, Representative Steczo, Representative McNamara, Representative Wennlund, Representative Breslin, Representative Piel, Representative Martinez, Representative Pullen, Kubik, Kirkland, Representative Hannig, Stephens, Virginia Frederick, DeJaegher, Preston. Those Ladies and Gentlemen that I have just read your names off, your Bills will be coming up for consideration under Concurrence. And on that Order on page 3 appears House Bill 113, Representative Keane. Representative Jim Keane in the chamber? Out of the record. Representative Steczo, 2...Out of the record. Representative McNamara. Representative McNamara, 514, Sir. The Gentleman from Cook, Representative McNamara on House Bill 514."

McNamara: "Thank you, Mr. Speaker. House Bill 514 is the Child Protection Law for volunteer organizations in which a volunteer must sign an affidavit."

Speaker Giglio: "Excuse me, Representative McNamara. Ladies and Gentlemen of the House, could I have your attention for a minute, please? Ladies and Gentlemen of the House, there is an awful lot of noise in the chamber. Now, I would ask those of you who are not entitled to the House floor, please remove yourself and if you care to witness the proceedings, please go up to the gallery. The people who are sponsoring the Bills and the people who would like to ask questions cannot communicate across the aisle. I would ask you to refrain from using your voice in a loud tone."

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We cannot hear the proceedings and we'd like to continue and we would like to adjourn at a reasonable hour. I would ask for your consideration to be concerned and therefor pay attention and have some concern about the other people. Representative McNamara, continue."

McNamara: "Thank you, Mr. Speaker. As I said before, House Bill 514 is a Bill which allows a volunteer organization to ask a person to sign that they have not been guilty of a child abuse and in the future in order to screen potential volunteer people. We passed it through the House, the Senate put on an Amendment that effectively gutted the Bill. What this Conference Committee Report does is it puts it in its original state and then at the end of the Bill it says that it may not be the sole purpose for disbarring a person from volunteering his services. I urge for the adoption of the Conference Committee Report."

Speaker Giglio: "Representative McNamara, the Clerk informs the Chair that this has not been distributed, so...Mr. Clerk, take it out of the record. Representative Homer, for what purpose do you rise, Sir?"

Homer: "Mr. Speaker, during the lull, I would like to extend an invitation to all you fruit lovers that...Well, let me rephrase that...anyone wishing a vitamin C fix, I have just the thing for you over here and you're welcome to join my wife's 4th annual fruit basket here...survival basket, and it always goes to waste, so I hope you'll come over and share in the goodies."

Speaker Giglio: "Alright, Ladies and Gentlemen, on page 3 of the Calendar under Conference Committee Reports appears House Bill 514. Representative Hultgren, your inquiry that the report was distributed...it was distributed at 10:43, however, yesterday. All the Conference Committee Reports were distributed yesterday under this Order of Business.

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Representative McNamara, proceed on House Bill 514."

McNamara: "Thank you, Mr. Speaker. The same explanation as before. I believe that there's no opposition to this Bill and I urge for its approval."

Speaker Giglio: "Any discussion on the Gentleman's Motion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Mr. Speaker, this arrived on my desk 4 minutes ago according to the clock up there, at 11:14. Do you think you could give me a couple of minutes to read it?"

Speaker Giglio: "Sure. How about Representative Wennlund on 10...1085? Representative Wennlund? Would you like to proceed with this Bill? House Bill 1085? Representative Wennlund, Republican. Press your button, Sir."

Wennlund: "Mr. Speaker, the...it has not been distributed?"

Speaker Giglio: "These reports have been distributed yesterday under this Order of Business, Representative Wennlund. The Clerk informs the Chair that all these Bills under Conference Committee Reports starting from page...starting on page 3 of the Calendar with House Bill 113 were distributed yesterday."

Wennlund: "Will you take this out of the record until I can check with the Clerk and find out? Mine is...but we just checked with the Clerk a few minutes ago and they said it was not printed at this time."

Speaker Giglio: "The Gentleman that looked it up informed the Chair that they misinformed the Chair, these were distributed and printed yesterday. The time was 10:43 yesterday, Representative Wennlund. Not today."

Wennlund: "Can we take this out of the record, Mr. Speaker?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Breslin. The Lady from LaSalle, Representative Breslin. Out of the record. Representative Piel, 1778. Is Representative Piel in the chamber?"

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Representative Piel, would you like to call House Bill 1778, Sir?"

Piel: "One second, Mr. Speaker."

Speaker Giglio: "Supplemental Calendar Announcements."

Clerk Leone: "Supplemental #3 to the House Calendar is now being distributed."

Piel: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I'll wait till the board gets ready."

Speaker Giglio: "Proceed, Representative Piel."

Piel: "First Conference Committee Report on House Bill 1778 is in the exact position it was when it left the House of Representatives. It passed out of here unanimously. It was amended over in the Senate. We refused to recede...we refused to concur with the Senate Amendment. Initially they refused to recede and the way it is right now, the Senate has receded from Senate Amendment #1 and so the Bill is exactly the same position that it was when it left the House of Representatives when it passed unanimously the first part of June."

Speaker Giglio: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. I don't think this one has been distributed yet. Don't have it here."

Speaker Giglio: "Representative Wennlund, I don't know what's happened on your side of the aisle, but these reports, according to the Clerk, have been distributed yesterday."

Hultgren: "Mr. Speaker. Mr. Speaker...Mr. Speaker."

Speaker Giglio: "Proceed."

Hultgren: "I'm taking a look at Rule 79 and it indicates that these are supposed to be on the Member's desks. It is not on the desks and our pages don't have it in the rolodex. Now, are we going to follow the rules or aren't we going to follow the rules? Mr. Speaker, I asked a question."

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Speaker Giglio: "We're going to follow the rules, Representative."

Hultgren: "Okay."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Hannig, for what purpose do you rise, Sir?"

Hannig: "Yes. Well, thank you, Mr. Speaker. I've just been notified that a Conference Committee Report, House Bill 2634, a Bill of mine has failed in the Senate and so I would ask that we not accept that report here in the House and that a second Conference Committee be appointed. Would that be in order to do?"

Speaker Giglio: "It's in order. You've heard the Gentleman's Motion. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, and the Gentleman's Motion is carried. Representative Hannig, what was the number again, Sir?"

Hannig: "Yes, Mr. Speaker. That was House Bill 2634."

Speaker Giglio: "2634. The Gentleman has moved that a second Conference Committee Report be appointed. On page 5 of the Calendar, the following Bills, the Clerk advises the Chair that these have been distributed, so therefor we could proceed if the Sponsor so wishes to do so. Representative Pullen, Representative Kirkland and Representative Virginia Frederick. The first Bill is House Bill 1871. The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to adopt the First Conference Committee Report on House Bill 1871. This is the Bill which would make it a felony to transmit...to participate in activity which can transmit the AIDS virus if the person knows that he or she is infected. And the only purpose for the Conference Committee was to make a technical change in a definition and that change is acceptable to me, I think it

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improves the Bill and I urge adoption of the First Conference Committee Report."

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

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. I would rise in opposition to the adoption of this First Conference Committee Report. What we have here is a Bill that basically says, let's discriminate against people who are sick. Let's make it a crime to be sick. Next we're going to say, let's make it a crime to have a cold and to touch anybody if you have a cold. This is a silly Bill. You know, at some point you need to say enough is enough and I urge that we do not adopt this First Conference Committee Report."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr...Mr. Speaker, Ladies and Gentlemen of the House. We're not talking about a common cold here, Representative. We're talking about a disease that kills. Why don't you just understand that once and for all? Quit the...demagoguery on the issue. This is an important Bill to save Illinois lives, absolutely ridiculous to stand in opposition to this Bill. This is a good Conference Committee Report, vote 'yes', and let's get on with the business of the state."

Speaker Giglio: "Any further discussion? The Lady from Cook, Representative Pullen, to close."

Pullen: "Mr. Speaker, I think everyone understands the issue quite well and I simply urge adoption of this Conference Committee Report on House Bill 1871."

Speaker Giglio: "The question is, 'Shall the House adopt the Conference Committee Report on House Bill 1871?' And on that question all those in favor vote 'aye', those opposed

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'nay'. The voting is open. This is final action. 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 88 voting 'yes', 20 voting 'no', and 5 voting 'present' and the House does adopt the Conference Committee Report to House Bill 1871, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Kirkland, House Bill 2293, Sir? The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. I move for approval of Conference Committee Report...passage of Conference Committee Report #1, first Conference Committee. The Bill now removes the sentence of community service for abused, neglected or dependent children in the various parts of the Juvenile Act and allows the term, 'court services department' to be used interchangeably with 'probation department', for purposes of the Act."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to House Bill 2293?', and on that question all those in favor vote '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? Mr. Clerk, take the record. On this question there are 106 voting 'yes', 9 voting 'no' and 1 voting 'present' and the House does adopt Conference Committee Report to House Bill 2293 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2785, Representative Virginia Frederick, the Lady from Lake."

Frederick: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move the House adopt first Conference Committee report on House Bill 2785. It encompasses a number of changes. As a matter of fact, the underlying Bill included

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things like increasing the Vendor's Tax, paper credit memos and numerous other technical changes. It now encompasses the provisions of House Bill 2786, which passed this House unanimously and deals with the Property Tax Technical Cleanup Bill. It also encompasses the provisions of Senate Bill 1322, which also passed the House unanimously and is the Department's tax enforcement cleanup Bill. It adds technical cleanups of Telecommunications Excise Tax, which have been agreed to by MCI and Sprint and Bell Telephone and it provides for changes in the Service Occupation Tax Act, which have been agreed to by all the health professions. The Illinois Med Society, IRMA and the Department of Revenue. Finally, it clarifies the Sales Tax on photo processing and states that it does not include the products for motion pictures or printing press operations. I move adoption of the first Conference Committee Report of House Bill 2785."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to House Bill 2785?' and on that question all those in favor vote '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? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt Conference Committee Report to House Bill 2785 and this Bill having received the required Constitutional Majority is hereby declared passed...from DuPage, for what purpose do you rise, Sir?"

Hensel: "Thank you, Mr. Speaker. I wish to have been recorded 'yes' on House Bill 2785. I missed the switch and didn't get the green button pushed in time."

Speaker Giglio: "Mr. Clerk, let the record so indicate the

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request from Representative Hensel. Alright, the Chair would like to proceed to Supplemental Calendar #3 and those Bills that have been distributed, I'll read the following Sponsors. Hopefully, you'll be prepared. Representative Brunsvold on 594, Representative McGann on House Bill 1718 and Representative Novak on 365. House Bill 594, Representative Brunsvold. Representative Brunsvold in the chamber? Out of the record. House Bill 1718, Representative McGann. Representative Andy McGann. Out of the record. Representative Novak, House Bill 365."

Novak: "Thank you, Mr. Speaker. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 365, in its first corrected Conference Committee Report leaves the original House Bill intact. House Bill 365 allowed townships and counties of 125,000 or less that have forest preserve districts to petition out by referendum. This Bill passed with a substantial margin. The Senate attached 2 Amendments on it. One was tabled, the other one remained on and now the Senate has signed off to recede from our action to take the other Amendment off and I move for its adoption."

Speaker Giglio: "Any discussion of the Gentleman's Motion? Hearing none, the question is, 'Shall the House...' Representative Hultgren."

Hultgren: "Can we have a couple of more minutes? This has only been on our desks for about 10 minutes. Just give me 10 minutes and I'll be ready to go."

Speaker Giglio: "Alright, take the Bill out of the record, Mr. Clerk. Representative McCracken."

McCracken: "Speaker, I'm not agreeing to just 10 minutes. If it hasn't been on our desk for an hour, we don't want it called."

Speaker Giglio: "We're not doing that, Representative."

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There's...there must be by the time it gets from there to there, but we have the list here and that was out for an hour and the other 2 that I read off were out for an hour, so we went down the line and as a courteous to the..to your side of the aisle, we just took it out of the record. Representative McGann, are you ready on House Bill 1718, Sir?"

McGann: "Out of the record."

Speaker Giglio: "Out of the record. The Chair would like to return to the Order of House Calendar Supplemental #2 and on that Order appears House Bill 42, Representative Curran. Representative Mike Curran, House Bill 42. The Gentleman from Sangamon."

Curran: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill on House Bill 42 is a very simple Bill we passed out of here, I think 118 to nothing. It simply said that it..in community colleges, if somebody wanted to run for the non-voting member of the community college board, they could do so 2 years in a row. There's an additional part of this legislation that is important to Representative Ropp and Representative Ewing. Are Representative Ropp or Ewing here? Representative Ewing, would you like to explain your part of the Conference Committee Report on House Bill 42?"

Speaker Giglio: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, as this Conference Committee Report is consisted...consists today, it's just like the Bill came over from the Senate. It does provide the needed language for the creation of the new Junior College District, but there is no provision in that, this Bill now, for electing the..."

Speaker Giglio: "Excuse me. Excuse me, Representative Ewing."

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Representative Wolf, for what purpose do you rise, Sir?"

Wolf: "Mr. Speaker, has this Conference Committee Report been distributed yet?"

Speaker Giglio: "Yes, it has. For over an hour, Representative Wolf."

Ewing: "Mr. Speaker, may I continue?"

Speaker Giglio: "You may proceed, Sir."

Ewing: "Originally, the legislation had in it that the trustees would be elected by districts. That is not in this Bill. This is agreed language by all parties. As far as I know, there should be no disagreement on the provisions for this junior college. No districts."

Speaker Giglio: "Is there further discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to House Bill 42?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Johnson, 'aye'. There are now 113 voting 'yes', 4 voting 'no' and none voting 'present', and the House does adopt the First Conference Committee Report to House Bill 42 and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 779, Representative Novak. Out of the record. House Bill 1876, the Lady from Cook, Representative Pullen. Representative Pullen in the chamber? The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to adopt the First Conference Committee Report on House Bill 1876. This Bill, when it originally passed the House, required the Department of Public Health to provide HIV testing for clients, the patients of sexually transmitted disease clinics run under the

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Department of Public Health and its grantees. When the Bills went to the Senate, there were several that were not heard in Senate Committee because of their time crunch, and by agreement with the Senate Committee Chairman, those Bills were offered as Amendments to this Bill on the Senate floor. All of those Bills had passed the House by very strong margins. One of them requires the testing of...of inmates of state correctional institutions before they are released and requires the Corrections Department to notify the spouse of an inmate who's found to be infected with the HIV virus. Another one...that would be effective on May 1st, 1990. Another one requires that the Department of Public Health request information from the federal government in order to be able to provide follow-up services to HIV infected people found by federal testing. Another one requires the Department of Alcoholism and Substance Abuse to routinely test the intravenous drug addict clients of their centers. Additionally, there is a requirement that the Department of Public Health report certain statistics on HIV monthly and that...and there is an additional provision that sets up a bulk purchasing of HIV tests program under...under the Department of Central Management Services in order to provide quality control and cost effectiveness for the various state HIV testing programs. This is an important Bill for the management of the HIV epidemic in Illinois, and I moves its adoption."

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

Levin: "Mr. Speaker, one of the items that we're going to be taking up a little later is an Income Tax increase. And if we pass House Bill 1876, I think we're going to definitely have to have, not only one increase of the Income Tax, but another one. All of these mandates that the Lady would

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impose are costly, in excess of a million dollars for this test and that test, which the General Revenue Fund would be required to pick up. We're going to test prisoners. We're going to test everybody, it seems like, in the world. Maybe we ought to test Legislators. But, it seems to me that there's a better use of some of our resources than spending millions of dollars to test everybody. I would suggest, particularly those who are not planning on voting for the Income Tax increase, to not vote for House Bill 1876, unless you're prepared to vote for some other tax to fund the rather excessive increases in cost that this legislation would impose."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. That's the second ridiculous argument I've heard today. Every child that we prevent from getting Aids saves the State of Illinois four hundred thousand dollars. Every adult that we prevent from getting aids saves the State of Illinois one hundred thousand dollars. That's a lot of money saved, not spent. If you want to keep from wasting Illinois tax dollars, if you want to prevent a tax increase, support legislation like this that can save hundreds of millions of dollars in the long run. This is a good package, it needs to be supported. 'green' votes."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Pullen, to close."

Pullen: "You know, Mr. Speaker and Ladies and Gentlemen of the House, it's really interesting. We hear from some people for years, you're testing the wrong people. You're testing this, you're testing that, you're testing the wrong people. So when we have a Bill to test clients of sexually transmitted disease clinics, certainly a high risk

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population, and to test...IV drug addicts at DASA facilities, certainly a high risk population, so that we can help these people be diagnosed so that they do not unknowingly transmit this deadly virus to someone else, now we're told you shouldn't do this either. I guess the AIDS virus itself is what is being protected by some people around here, but I don't think that the majority in this House has that kind of attitude. This Bill is very much needed. It is cost effective. It is timely. In fact, it's past time that we do this and I urge adoption of this report."

Speaker Giglio: "The question is, 'Shall the Conference Committee Report be adopted?' 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? Mr. Clerk, take the record. On this question there are 87 voting 'yes', 20 voting 'no' and 6 voting 'present'. And the House does adopt Conference Committee Report to House Bill 1876 and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 1883, Representative Regan. Are you ready with House Bill? Out of the record. How about House Bill 2059? The Lady from Cook, Representative...Munizzi. Representative Matijevich, House Bill 112. Are you ready, Sir? The Gentleman from...Senate Bill 112, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 112 refers to the admissions standards to our colleges and universities. The Conference Committee Report on Senate Bill 112 stipulates that this is not a mandate, but when allocating funds, the local boards of education shall recognize their obligation to their

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students to offer required course work. This provides strong language that we believe that education ought to provide funds for the courses such as vocational education. The Bill was a Bill sponsored by the Illinois Vocational Association. I would now move the adoption of Senate...the Conference Committee Report on Senate Bill 112."

Speaker Giglio: "Hearing the Gentleman's Motion, any discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to Senate Bill 112?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. The...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 115 voting 'yes', none voting 'no' and 1 voting 'present'. The House does adopt Conference Committee Report to Senate Bill 112 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Giorgi, Senate Bill 384. Representative Giorgi. Out of the record. Representative Granberg. Representative...Kurt Granberg. Senate Bill 1094. Senate Bill 1094, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. The First Conference Committee Report on Senate Bill 1094 merely asks that the House recede from House Amendment #2. At the request of Representative Black, we put House Amendment #2 on this Bill before it passed. In deference to Representative Black, he has requested that we now delete House Amendment #2 to Senate Bill 1094 and keep the Bill intact as the way it was when it passed the Senate and passed this House unanimously. And I would ask that we adopt Conference Committee Report #1 to Senate Bill 1094."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

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Black: "Well, thank you very much, Mr. Speaker. Let me just thank the Sponsor, Representative Granberg, for his kindness. We had to withdraw the Amendment. We just simply couldn't get some language worked out, but I simply rise in support of the Gentleman's Motion and thank him for his willingness to try and help the people in the 105th District."

Speaker Giglio: "The Lady from Lake, Representative Virginia Frederick."

Frederick: "Yes, thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Frederick: "Representative Granberg, could you tell me what specific parcel of property that you would be applying this economic incentive to?"

Granberg: "Representative, that'll be up to the local unit of government in dealing with property tax. That'll be up to the...given to the local unit of government, whatever they decide upon regard to the property tax."

Frederick: "Would this be an expansion of the definition of TIFS as we understand it?"

Granberg: "No, it's not my understanding, Representative."

Frederick: "In other words, the local government can simply pick out a parcel of property and give them some tax breaks or other economic incentives under your Bill?"

Granberg: "It would have to be a not-for-profit corporation that would be set up. They'd issue shares. It'd be similar to what they did in St. Louis, which the Laclede Landing area. It'd be strictly not-for-profit...It'd be strictly not-for-profit and it would be up to the local unit to decide..."

Frederick: "Is that okay? Okay, thank you."

Speaker Giglio: "Further discussion? The question is, 'Shall the

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House adopt Conference Committee Report to Senate Bill 1094?' And on that question all those in favor vote '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? Mr. Clerk, take the record. On this question there are 115...115 voting 'yes', none voting 'no' and 1 voting 'present'. And the House does adopt Conference Committee Report to Senate Bill 1094 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Giorgi, Senate Bill 384. Out of the record. Representative Novak, House Bill 779. The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House of Representatives move on...do not pass...do not adopt on the Conference Committee Report. We are...The Conference Committee Report's been drafted and circulated and we are rewording it, so we're going to go into another Conference Committee Report. I ask for your approval. Thank you."

Speaker Giglio: "The Gentleman moves that the House do not adopt Conference Committee Report to House Bill 779. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. The House does not adopt the First Conference Committee Report and the Gentleman now moves that a Second Conference Committee Report be convened. The Lady from Sangamon, Representative Hasara, for what purpose do you rise?"

Hasara: "Thank you, Mr. Speaker. I would like to have the record reflect that I would have voted 'yes' on the Conference Committee Report to House Bill 1094."

Speaker Giglio: "Mr. Clerk, let the record so reflect the request

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of Representative Hasara. Representative Stephens, for what purpose do you rise, Sir?"

Stephens: "Well, thank you, Mr. Speaker, on a point of personal privilege. It's come to my attention that a dastardly deed was done in the City of Chicago. It seems that Don Zimmer had glued the pages of the calendar together in order to fool the team into thinking that it was not proceeding along in a chronological order, and they didn't know it was June until last week. A week ago today they found out it was June, they lost the last seven games. The June Swoon came a little late this year, but it finally arrived. It's time to get out of here and go home, and the Cardinals however still struggling, but headed in the right direction. So I'm glad that we straightened that out here on the House floor."

Speaker Giglio: "Senate Bill 13...1375. Representative Munizzi, are you ready with 1375? The Lady from Cook...Out of the record. The House will now go to Supplemental Calendar #3 - Conference Committee Report appears House Bill 365. Representative Novak, House Bill 365. The Gentleman from Kankakee, proceed."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we adopt the First Conference Committee Report on House Bill 365. Essentially, this Conference Committee Report has the Senate recede from Senate Amendment #3, and it leaves the Bill intact as it was when it left the House of Representatives. The Bill essentially allows townships in counties of 125,000 or less that are in forest preserve districts to petition out by referendum. And I move for its adoption. Thank you."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to House Bill 365?' And on

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that question all those in favor vote '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? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does adopt Conference Committee Report to House Bill 365 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Brunsvold, 594. The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in the First Conference Committee Report to House Bill 594. The provisions of the Conference Committee Report include the original language on the Bill which contained the provisions requested by Representative Wojcik, dealing with county municipal interaction on 911 service. It also had some technical cleanup language in it, passed out of the House with a large majority. The new language that was added in the Conference Committee Report contains language dealing with the Citizens Utility Board and how they should disburse their lists of their members to elected individuals. Evidently, there's been some problem with candidates getting lists of the CUB members. That language is spelled out and I...it's indicated that CUB agrees with this language. Another provision would eliminate mobile phones from the 911 charge. And lastly, in 1987, we passed a funding Bill for 911 which required a referendum state-wide and certain language dealing with what the money could be used for. The change in this would remove referendum requirement for Chicago, cities over five hundred thousand, but it would place a cap of \$1.25 on a surcharge on a...for 911 service. The downstate referendum remains...as was in the original language, there is no cap

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on the referendum. The language that was changed that would address both downstate and Chicago would now allow the 911 boards to use the money for facilities, housing of the 911 service and certain very definitely described personnel. So, that's the...what is contained in House Bill 594 and ask the adoption of the Conference Committee Report #1."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Giglio: "Proceed."

Harris: "Representative, did I hear you...did I hear you correctly that...that the City of Chicago does not have to hold a referendum to impose this...this fee, this surcharge, on the telephone bills?"

Brunsvold: "The City of Chicago would be required...The city council would be required to vote on the charge up to \$1.25. That's the only area of cities over five hundred thousand that would...would not have the front door referendum. The city council action would have to take place before the surcharge could be placed on a phone bill."

Harris: "Does every other community in the State of Illinois have to have a referendum?"

Brunsvold: "Right now, they do."

Harris: "Why are we exempting Chicago from this requirement?"

Brunsvold: "Referendums, I think, looking at this I asked the same question, Representative, looking at the referendum situation downstate as versus a very large metropolitan area is a little different animal. And sometimes the situation in a very, very large metropolitan area, it's not very effective to get out and try to pass a referendum. I mean it's just...it's just too burdensome and too big a

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process to go through for a community that's over four million."

Harris: "Yes, the voting process is certainly cumbersome sometimes..."

Brunsvold: "No, I'm not referring to that but I think you understand what I mean that..."

Harris: "Well, I appreciate it, but Ladies and Gentlemen of the House. To the...to the Bill, we are...we are once again giving an exemption to the City of Chicago. Every other municipality, every other constituent of ours in the State of Illinois is subject to or has the opportunity to vote, be a referendum on the 911 surcharge, and for whatever reason we are saying well, let's just take Chicago out of this requirement. Just so that you know what you're voting on. Thank you."

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

Levin: "Would the Gentleman yield?"

Speaker Giglio: "He indicates he will. Representative Brunsvold. Representative Brunsvold, Representative Levin would like to ask you a question."

Brunsvold: "Proceed, yes."

Levin: "With respect to the language relating to the Citizens Utility Board."

Brunsvold: "Yes."

Levin: "I'm aware that when there was a Bill...House Bill in the Senate that CUB had agreed in the context of that Bill to language similar to the language relating to them here. Have they signed off on this language as it is in this Bill?"

Brunsvold: "Correct."

Levin: "Alright. Because we have not had the opportunity to find the representatives of CUB. But you say they have signed

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off with it...being on this Bill?"

Brunsvold: "It's my information from the Senate...from the Senators that put the language in, that CUB has agreed to this language."

Levin: "Okay. Thank you."

Speaker Giglio: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Would the Sponsor yield for a question, Mr. Speaker?"

Speaker Giglio: "Indicates he will."

Klemm: "One question I have on page 4 of your Conference Committee Report, Representative. That's line 16 through 18. It says, 'the corporation and its directors and employees may not in their official capacities make statements which are intended to influence elections.' Would that apply to the newsletter, let's say, CUB sends out about voting positions of people in the General Assembly on specific Bills?"

Brunsvold: "I think some of the Senators, Representative Klemm, have had some situations where the CUB Board of Directors has come out and actually attacked candidates for office when, in fact, the General Assembly in the House here and the Senate actually created CUB. And a couple of the Senators felt they should not be doing that as a creation of, basically, this Body."

Klemm: "Well, I think we all agree with that but my point was that statements which are intended to influence elections, would that also include then the scoreboard that is usually put out by the CUB's about specific Bills that they sponsored or were in..."

Brunsvold: "I'm having trouble hearing, Representative."

Klemm: "Well, I don't know what I can do about it. Would it affect the scoreboard that is usually put out in the CUBs annual letter, let's say, about specific legislation that

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how you voted and how I voted and other people had voted on the Bills that they were supporting. If they do that, that is the influence people on...influence on elections. And I was wondering is that the intent to eliminate that type of thing?"

Brunsvold: "I don't...I don't believe that was the intent of this language. I think the statements made in flyers, et cetera, putting on the scoreboard of how we voted down here, I don't think that is included in what this language says."

Klemm: "But...but won't that, in effect, try to be to influence electors?"

Brunsvold: "I personally don't think it does. I think they are referring to other statements, more political statements made. A reporting of the voting records and Springfield, I don't think is that...hardly is that situation."

Klemm: "So then the reporting would be proper but comments or statements about that would not be proper, was that what your trying..."

Brunsvold: "That's my...that's my interpretation from what the Senator said."

Klemm: "Okay. I was just trying to find out how far this was going because you could interpret this a number of different ways. Thank you very much."

Speaker Giglio: "Further discussion? The Gentleman from Rock Island, Representative Brunsvold, to close."

Brunsvold: "Ladies and Gentlemen, referring to the referendum, removal for Chicago, we also realize that we did not want to open this thing up to much taxation, so we put a cap on it. We put a cap of \$1.25. That is not out of line in this state. For example, I'll go through some of the referendums. Northbrook is \$1.00. Niles is \$1.00. Sauk Valley or Sauk Village, excuse me, not Sauk Village,

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Dixmoor was \$1.25. Barrington Hills \$1.50. Mason County just north of us is \$1.85 on their referendum. So, this...this is not out of line for \$1.25 for the City of Chicago, and I would ask for the adoption of Conference Committee Report #1."

Speaker Giglio: "The question is, 'Shall the House adopt Conference Committee Report to House Bill 594?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 109 voting 'yes', 5 voting 'no' and none voting 'present'. And the House does adopt Conference Committee Report to House Bill 594 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Hartke, 1404. Representative Hartke in the chamber? Out of the record. Representative McGann, 1718. Out of the record. Senate Bill 789, Representative Williams. The Gentleman from Cook, Senate Bill 789."

Williams: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Assembly, this, as we all know, I hope we know, is the Bill that deals with the judicial election and selection in Cook County. Over the past year, myself, Representative Young like to commend the Members of the Caucus, have worked steadfast to try to bring about what we feel is fairness in the Judiciary in Cook County. We've worked, we've sweated, principally to bring about something which we feel is always right which is confidence in the Judiciary on the part of our community. If you know what it's like to stand in front of a judge or a jury and not believe that that system that you're...not believe that you're involved in that system, then you would understand the feelings of our

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community as they face the potential, what I would call this, the potential effects upon their lives being weighed by someone that they feel that they have no connection with or connection to. This is very important, not just for our community but for the stability of the entire court system in Cook County, because it does bring about some form of belief that the system is fair and that the system represents them as well as others. What the Bill does principally is that we split Cook County into 15 Judicial Districts for the purpose of electing nine Judges each. We use the 56 present...we take the 56 present City Judges and 27 County Judges, we combine them. We add seven new Judges to that figure to create...to put those 90 Judges into 15 Judicial Districts and then we reduce the number of associates as vacancies occur by 45 Judges, which would make a total of 135 Judges being put into Judicial Circuits. We also create five Appellate Circuits...Appellate Districts from which two Appellate Judges will be elected each, and we also try to provide a orderly system for this change to take place over a period of time. The map will be drawn here in Springfield effective July 1...by July 1, 1991, using the 1990 census. Even more important than this particular aspect, which I believe most of you are familiar with now, I want to talk to what I call the real, the...just basically what really brought about this compromise of this Bill that we have here today. First of all, I want to commend my fellow Caucus Members, because without your support, without the steadfast willingness to do what we had to do, we would not have gotten to this point today. I want to take a special moment to commend my Assistant Majority Leader, Representative Young, who has worked endless hours with me, both in the lawsuit, both in the negotiations along with

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Representative Shaw, along with others who have worked steadfast to bring this about. I want to commend those Gentlemen from the other side of the aisle who are willing to work with us to bring about what we have here today, and I want you to know that it shows that this Assembly can accept people working in their own best interest to bring about what is fair to all. And I want to commend the Speaker and the Democratic Party that their willingness to work out what we believe is a fair and equitable solution. The righteousness of this, I believe, is just in the fact that we must make our government accessible to all segments and all aspects of our government. So with that, I just want to thank everyone who's worked on this legislation, who's worked with us and I would urge and hope that we can pass this piece of legislation which will be historic in reforming the Judicial System in Cook County. Again, I want to thank all parties involved. Jack Kubik worked hard negotiating and working with us. Representative Cullerton who worked hard with us. Representative Young and Shaw and my colleagues from both sides of the aisle. I believe we've reached what is a good and fair and equitable solution to what is a problem in Cook County and I urge an 'aye' vote on Senate Bill 789."

Speaker Giglio: "Gentleman from Cook, Representative Anthony Young."

Young: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in support of this piece of legislation. I, too, want to thank everybody involved, particularly my colleagues on the other side of the aisle, who without their help, we would not be voting on this issue today. But as it is before the entire Body today, I want to make one point and that this Bill is an excellent Bill for every person who represents any part of Cook

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County and that this Bill is an excellent Bill for the citizens of Cook County. We've heard a lot about how this Bill will increase the number of minority Judges and the number of Republican Judges and it will, in fact, do that. But what else this Bill will do, the most important thing this Bill will do, it will allow people in Cook County to elect Judges of their choice. No longer will we be swamped with ballots so large that even people who have been part of the Judicial System, who have practiced for well over ten years as I have and who do not recognize names placed on the ballot. This Bill will give people the opportunity to cast intelligent votes, based on people they will meet who will come and campaign and they'll be able to judge integrity, honesty and independence on their own. In that respect, if we pass this legislation today, we do a benefit to all people who want an honest court system that will be responsible to individuals and not to machines and I do urge an 'aye' vote."

Speaker Giglio: "Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 789 and would urge all my colleagues, especially my colleagues on the Republican side of the aisle, to support this legislation. First of all, let me say that I'm not deliriously happy with this Bill, but as with most compromises, I think it is a step in the right direction in providing opportunities for minority in the Judiciary. I, too, would like to thank my colleagues, both Representative Pullen, Leader Daniels on my side of the aisle and all of my colleagues on this side of the aisle and, of course, Representative Young, Representative Williams and Representative Shaw for negotiating this particular agreement in good faith. I also have to congratulate Representative Cullerton and

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Representative Lang for being agreeable in sitting down and working out this compromise. Ladies and Gentlemen, I want to express that I think this plan is a good plan because it provides opportunities for people throughout Cook County. It provides opportunities for minorities both Black, Hispanic, Independent Democrats and minority Republicans. So I think it's a good plan. It provides for more suburban representation in the Circuit Court and on the Appellate Court. Presently in suburban Cook County, we have 27 Circuit Court Judges elected from suburban Cook County. Under this Bill, there may be as many as 40 to 45. For those of us who are Republicans and those lawyers and Judges who are registered as Republicans, this gives an opportunity to move forward to the Appellate Court in which the Republican Party have no members. It would give us an opportunity at possibly having as many as three to four seats on the Appellate Court. So from the standpoint of the suburbs, the standpoint of Republicans, I think this is a good plan. For those, not only perhaps in this chamber, but in the media who say that this plan...that we ought to move toward merit selection in this state. I'd like to address that issue because I think it is an important issue. The fact of the matter is, merit selection is not before us at this time. It won't be before us. This plan is before us and I think it moves us in the right direction. I could support a good merit selection program. We're not going to see one on this House floor. But we are...what we have here is a plan that's fair and provides representation for all people. And I think that it also allows for, as Representative Young points out, an opportunity for those of us in Cook County, and for you in downstate, you have to recognize Cook County has got five million people in it and we have...the ballots for judicial

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elections and retentions are a nightmare for the average voter. This will give those voters an opportunity to look at their candidates closely, examine their records, examine their background and look at the work that they've done in their community before deciding whether they should cast a vote in favor. So it's a good plan for those who aspire to go to the Judiciary and a good plan for the average voter in Cook County. I would say that this plan will increase participation by all people and for that reason, I think it's an excellent plan. I would urge all of you to look at this carefully, understand that it is a compromise, understand that it gives representation to lawyers who are Black, Hispanic, Independents and Republican. There are qualified lawyers in those categories and Ladies and Gentlemen, this particular Bill will give them an opportunity to move into the Judiciary. It is a first step, in my judgment, it is a step in the right direction. This compromise was forged with the Members of the Black Caucus and the Democratic Party and I think it's a good compromise, it's a move forward. For those on the other side of the aisle, I say it was good to work with you and let's do it again. Please cast an 'aye' vote for the First Conference Committee Report on Senate Bill 789."

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

Currie: "Thank you, Mr. Speaker and Members of the House. I'm not a fan of a system of election for Judges. I'm not a fan of the present system of election of Judges and I don't expect that I'll be much more a fan from a structural perspective of a system of electing Judges in Cook County, that is the substance of Senate Bill 789. I think it's time to end political and partisan considerations from the selection of people who serve on our bench. I think judicial qualifications ought to be established in ways

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that mean that the quality of our Judges is better reflected than the quality of the work that individuals perform for their party organizations and for the ward bosses. Unfortunately, a merit selection system of judicial selection is not before us this Session of the Legislature. That's not in Senate Bill 789 and it's not in any other legislation that comes before us. So, from the perspective of the structure of judicial selection, the key issue that we ought to be considering and discussing is not available to us right now. We're talking with or without Senate Bill 789 of an elective system and there are serious problems with any elective system. But...the point of Senate Bill 789 is not so much how we select our Judges in terms of their qualifications and in terms of our assurance that they are not partisan political creatures, rather than well qualified judicial types. But the issue is whether or not the voters have an opportunity to make sure that their preferences are respected and issues of race or ethnicity do not mean that their voices are not adequately heard. Because the issue of dilution of minority and ethnic votes, minority and ethnic people, not minority and ethnic judicial candidates, but because the issue of votes from those communities is so critical in this society, where Blacks and other minorities have been victims of discrimination in legislative elections as in judicial elections, I think the only right vote on this Bill is a 'yes' vote."

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

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is judicial reform for Cook County, long overdue. For the first time, voters in Cook County throughout the county will have some reasonable means of knowing for whom they are voting for Judge of the Circuit

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Court and for Judge of the Appellate Court, because this Bill provides some districts within which to elect their Judges. It removes from Cook County voters the challenge of having to face a bedsheet ballot every year for Judges of the Circuit Court. A daunting challenge when voters go into the polling place. With the passage of this Bill...we will be able to have Judges that people can become acquainted with in terms of their record and their integrity. It is indeed judicial reform. It is merit selection of the best kind, merit selection by the people. Thank you."

Speaker Giglio: "Gentleman from Cook, Representative Martinez."

Martinez: "Thank you, Madam...Mr. Speaker. I, too, rise in support for this piece of legislation. If only because it will guarantee that my Hispanics whom have long been forgotten in the area of judicial representation. But I think that this is a change that has been needed for a long time and I congratulate the Sponsors and everybody that supports this piece of legislation. It's a historic piece and I urge everybody to cast their affirmative vote for this. Thank you."

Speaker Giglio: "Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giglio: "We have one...The Gentleman has moved the previous question. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous question's been moved. Representative Anthony Young."

Young: "We ask for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall the House adopt Conference Committee Report to Senate Bill 789?' And on that question all those in favor signify by voting 'aye', those opposed

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'nay'. The voting is open. This is final action. The Lady from Lake, Representative Stern, one minute to explain her vote."

Stern: "Mr. Speaker and Members of the House, I rise to be a leper at the feast. I frankly am concerned about the very things that have been cited as an advantage to this legislation. I'm not sure it's such a great advantage to know who it is you're voting for for a Judge as a friend. I think perhaps the farther a Judge is from the public which selects him or the merit selectors which select him, the more apt we are to get justice in our courts. And with great reluctance and great respect for the Sponsors, I'm going to have to vote 'no'."

Speaker Giglio: "Lady from Sangamon, Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Mr. Speaker. To explain my vote, because of what I consider a possible conflict of interest, I'm voting 'present' on this Bill."

Speaker Giglio: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just wanted to point out, there's one Section of this Bill that affects an area outside of Cook County. In the Third Judicial District, we allow for the election of 6 Appellate Court Judges. Right now there's currently only 4 Appellate Court Judges elected in that District. So, I just wanted to point out for the record that there will be 2 new elected Appellate Court Judges in the Third Judicial District."

Speaker Giglio: "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 112 voting 'yes', 4 voting 'no' and 1 voting 'present' and the House does adopt Conference Committee Report to Senate Bill 789 and this Bill, having received the required Constitutional Majority,

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is hereby declared passed. On Calendar Supplemental #1 appears Senate Bill 169. Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Some weeks ago we passed an income tax out of this House with 60 Democratic votes, required the income tax surcharge, a two year temporary income tax surcharge, raising the rates from 2.5% to 2.96%. That brought in a seven hundred and some odd million dollars to be divided equally between local governments and schools: \$363,000,000 for schools, \$363,000,000 for local governments. That meant for every Legislator on the House floor, they could take back to their local government approximately three million and seventy-five thousand dollars and it meant for many of us that we could take back well needed, much needed, money for local schools. That Bill failed in the Senate. This second version is a compromise. The rhetoric that we listened to for the last four weeks from a number of people that had concerns with the package was that it was a little bit too much money for local governments, and there was no property tax relief in the Bill. So we took those concerns into consideration when we drafted this. Instead of raising the taxes on a two year surcharge from 2.5% to 2.96%, we raise it from 2.5% to 3.0%, a 1/2% temporary increase in Illinois Income Tax and a comparable amount in the Corporate Income Tax. That additional 4/100%, from 2.96 to 3.0 will bring in approximately \$64,000,000. We then doubled the current Property Tax exemption that is in law. As you recall in 1983, we built into the income tax a Permanent Property Tax Credit, so that an individual takes their Property Tax and multiplies it by two and a half percent and that becomes a credit on the Illinois Income Tax. We have doubled that tax credit

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in this Bill. Now you would think that when we doubled it, it went from two and a half to five percent, but obviously it didn't because we have raised the income tax from two and a half to three percent, so the tax credit goes from two and a half percent to six percent. That tax credit costs the State of Illinois approximately \$86,000,000 a year, \$172,000,000 over two years, so people said they needed Property Tax Relief. In this Bill is \$172,000,000 in Property Tax Relief, \$172,000,000 in property tax relief. Some people say that isn't enough. That's a lot of money, \$172,000,000 in Property Tax Relief. Where did we get it? We got it by raising the tax rate four one-hundredths of one percent. And we took some money away from local government and we took no money away from schools, so that under this plan Property Tax Relief for two years is \$178,000,000. Schools will get the exact same amount as they would have received in the original income tax surcharge, \$363,000,000 the first year, and normal growth would add that...add to that the second year that I would estimate would be about \$25,000,000 increase in normal growth. And local governments would get slightly less. Instead of \$363,000,000 the first year, local governments will probably get \$340,000,000 the first year, equally distributed across this state, equally distributed to every legislative district. It's not that Chicago gets more than Alton or Rockford gets more than Springfield, it's based on a per capita basis, so that every single Legislator takes home the exact amount of money for his district. One hundred and eighteen districts take home slightly less than \$3,000,000 to their districts, 343,000,000 divided by 118. We think this is a fair compromise. It addresses all of the complaints that we have heard. It fully funds education. It provides

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\$250,000,000 increase in the formula. It fully funds categoricalals for the first time that I can remember since I've been here for 14 years. It provides for all of the mandates. It provides for all of the school reform. It provides local governments the money that they desperately need, because federal revenue sharing has disappeared. And finally it answers the concern of those who say we have to have property tax relief. Mr. Speaker, this is an excellent package. It's very simple and it's very complete. I would move for the adoption of the First Conference Committee Report to Senate Bill 169."

Speaker Giglio: "Heard the Gentleman's Motion and on that question, the Lady from Lake, Representative Frederick, Virginia Frederick."

Frederick: "Yes, thank you, Mr. Speaker. Point of personal privilege. I'd like my colleagues to know that I have removed my name as a Cosponsor of House Bill...Senate Bill 169. It just doesn't fit my particular philosophy at this time."

Speaker Giglio: "Let the record indicate, Mr. Clerk. The Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I can't conceive of a more disastrous move than the tax increases being proposed for Illinois. 'It's a virtual guarantee that the nineties will be as bad as the past twenty years.' That's an unusually strong quote from Dr. Robert Tenetsky, for a scholar. He is the well regarded President of Stotler Economics and former Chief Economist of Harris Bank in Chicago. Dr. Tenetsky and John Scarburg, two prominent Illinois economists, have recently completed a new study of the impact of state and local taxes on economic growth. The Tenetsky/Scarburg research has been packaged in a working paper on taxes and economic growth in

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conjunction with the Heartland Institute. You all got copies of it, and I do commend...I do commend that you read it. They used data from the Advisory Commission on Intergovernmental Relations, commonly called ACIR, a well respected organization which has done extensive analysis to provide comparable measures of taxes among states. Their study confirms earlier findings that increases in tax burdens, that's state plus local taxes, that increases relative to other states is bad for growth. That's jobs folks. What about Illinois? They found that Illinois is a moderately high tax state with tax burden. In 1986, six percent above the national average, but in 1977 we were five percent below the national average. Tenetsky is convinced our pattern of tax policy is responsible for our poor economic performance. Since 1969, Illinois' personal income growth has been 47th out of the 50 states. Illinois has been in an economic ice age for the past 20 years. Growth rates for personal income, gross state product and employment levels have all lagged far behind the rest of the nation and even our neighboring states in the midwest. Twenty years in an economic ice age have exacted a heavy price from the residents of Illinois. Had Illinois only matched the national rate of growth during the past 20 years, one and a half million more Illinoisans would be working today, and \$46,000,000,000 a year more in goods and services would be produced each year by Illinois businesses. These numbers are staggering. It is difficult even to imagine how different Illinois would look if 46,000,000,000 more in goods and services were produced in this state each year. A personal income tax increase of 20% would cost the Illinois economy approximately 10 jobs a year or 100,000 jobs during the decade of the nineties. A 40% income tax increase would prevent the creation of

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\$20,000...jobs a year or 200,000 during the 1990's. To become a boom state, Illinois must reduce its tax effort relative to other states. This would require a reduction in personal income tax rates of say two percent or a roll back on local property taxes. Or to start, how about tax relief for families with children, especially the young, the families with young children? They have been bludgeoned with tax increases over the past 20 years. But what are we doing? We are considering seven or eight different tax increases. Ladies and Gentlemen of the House, this is a tax orgy, a pig out of monumental proportions. And all this at a time when we have a billion dollars more to spend than we did last year. Mr. Speaker, God love you, you had it right last year. Why even early this year, you said, 'I think his speech today clearly indicates my position over the last two years. All of this will happen without a billion dollar increase in the Illinois Income Tax.' But Mr. Speaker, Illinois can become a boom state again, like the good old days when Illinois, and especially Chicago, was one of the best places to get a job in the country. Mr. Speaker, let's reduce taxes. Let's help the families with little kids. Let's build up a rainy day fund. The citizens of Illinois want us to live within our means without tax increases. And Ladies and Gentlemen of the House, let's vote now on this tax increase and all the others for more jobs in Illinois."

Speaker Gagliolo: "The Gentleman from Lake, Representative Matijevec."

Matijevec: "Mr. Speaker, Ladies and Gentlemen of the House. One nice thing about being here a long time, you have memories. And when you have a Bill like this, it brings back memories, some good and some bad. Mr. Speaker, Ladies and

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Gentlemen of the House, 20 years to this very day, this very day, this House and this Legislature passed the State Income Tax. I think the Bill number was either 116...Senate Bill 1160 or 1150, sponsored by the then Senator Harrington, who was President of the Senate and carried by the Speaker of the House, Ralph Smith. It became an unpopular tax. It was the income tax. And do you know that when that tax was proposed and the quote 'deal was cut', that it was going to be a four percent tax on individuals. It came out of the Senate as a four percent tax on individuals, four for individuals, four for a corporation. About five of us rebelled and we felt that it should be a differential, and we prevailed. And the Bill became a tax of two and a half percent for individuals and four percent for corporations. That was 20 years ago, 20 years ago. I think in 20 years I can say I've saved the taxpayers a lot of money. And for all these years because of the unpopularity of the income tax, the House and the Senate have both been very apprehensive about increasing the income tax. But there comes a time when you say there has to be an increase. We have...we have taken a slide with regards to our responsibilities to education. The past speaker talked about the need that we have in our economy. We cannot have growth in economy...in the economy unless we have decent, proper, funded education. We took a slide and now we are ranked 44th in education. We have to say on this House, we can't say it just in promises, we have to back up our promises with action. We just can't say that we have a priority one in education. We can't say it unless we back it up with our deeds and with our action. We can only say that education is going to be our first priority if we back it with funding. And this proposal with the Governor's budget as he introduced it to us,

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provides 707,000,000 more dollars for education. So with this proposal we can say that we back it up. And I don't think it's too much after 20 years. Is it really too much after 20 years to increase from two and a half to three percent of the...that burden on the taxpayers on the income tax? I don't think that's a whole lot, considering that we ought to have a number one priority for education. And we surely know that the future doesn't look too good for local government because of what's going on on the federal level. And we must maintain for our cities, the responsibilities that they have to carry out local governmental needs. I think that's very important, and we have added into this Bill now as it is in the Conference Committee Report, we have some tax relief for local property taxpayers. I think if we are true to what we...our responsibilities are, if we're really not just looking for some political rhetoric, that we will adopt this Conference Committee Report. This report, in addition to the normal growth in revenue, will take care of human services' needs too. So I think we can go a long way to saying to our citizens that we have been responsible. So I stand here and urge the Members of this House to look to what your responsibilities are. You hold the trust, you are really the trustees in government. You hold the trust in your hands and to whether our students..."

Speaker Giglio: "Kindly bring your remarks to a close, Representative."

Matijevich: "...whether the youth of our state are going to get a decent education. I would urge the Members of this House to adopt this Conference Committee Report. I think you have an obligation to do so."

Speaker Giglio: "Gentleman from Madison, Representative Stephens."

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Stephens: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, I'd like to rise and say that, of course, all Illinoisans welcome more dollars for education. I guess the question is, what's the best way to get those dollars? Every one of us who ran for re-election in 1988 said education was our top priority. Republicans came before the General Assembly with Priority One, a package that said, if you really believe that education is a top priority, spend the dollars first on education. Create a dedicated fund not for two years, but forever. Don't make educators come up here in two years and beg again, take away from their dignity. Give them a permanent package. Priority One did that. It's a well funded, growing fund based on the income tax that meant that education would be funded properly today and down the road. In January, Speaker Madigan stood in this House and made the following comments, 'That together with our constituents, I believe the General Assembly has created a partnership that very simply says that this is a state which will live within its means.' And further quoting the Speaker, 'This is a state that does not automatically see the solution of every problem expressed in a call for higher taxes.' Now it is the next Session and if the Governor has not yet gotten this message, I am sure that these same tax questions will loom over our deliberations as if to say that, I'm not going to be part of that. But he was. This is his package. And yes, there are dollars for education, but we showed you you could have those dollars without raising taxes, unprecedented new dollars for education without this package, we could of had it. But what has changed? What's the big difference in the State of Illinois this year from last year and the year before? Well, as a downstater, I'm pretty naive about

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these things but this one finally came home to rest. One election of one mayor in one city, Mayor Daley in Chicago, and the dues that had to be paid. And that's what this package is. You can call it what you want. You can say that each district will send money to us, and we'll take some of it back home and that's good public policy. Ladies and Gentlemen, sending a dollar to Springfield and giving them fifty cents back isn't good public policy. I don't care how many millions you take back. Your taxpayers are paying more than you're going to return home to your districts. This is a Chicago bail out. It's a big city bail out. East St. Louis is really loving this one. Chicago's really loving this one. East St. Louis, a city that can't manage its \$6,000,000 budget, it can't balance a budget. We're going to give them \$2,000,000 more with no strings attached, and that's not good public policy. That's not good for education. That's not good for the future of Illinois. That's bad government, and that's what this Bill is about. We're taking \$800,000,000 out of the pockets of productive tax paying citizens in Illinois, and asking them to please send it to Springfield, and we'll take good care of it for you. Eight hundred million dollars out of the economy, what does it mean to the average taxpayer? Someone said well, it's only a half percent after 20 years. Let me tell you what it is. Right now people work through the month of April to pay taxes, state, federal and local taxes. Bills like this are going to make them work through May and June to support government. Someday they'll be working through September, because we think we can manage their dollars better. That's not good government, and this Bill is not good government. It's going to mean a lot of different things to a lot of different people. Some of you have a lot of

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money. You think, well, I can pay for this. It's no big deal. But for some families that I know in my district are struggling to balance their budgets now, how can they send five or six or ten dollars a week to Springfield and not miss it? It's a hot lunch that their kid won't have. It's a day's vacation. In my district, a lot of people, the vacation they get is a weekend away from town, and that weekend will have to be cut to one day now, because they don't have the money to pay for it. They've got to send it to Springfield, so that you can take care of them. It's a little bit less money they put in the church every week. It's a little less donation to charity. It's a little less dues they can pay to the Lions Club or some other worthy organization. People helping people, back home doing their own thing. It's cut just a little bit short because we've got to send it to Springfield, because we'll take care of you. The Democratic message is, 'Give us your money and we'll take care of you.' The Republican message is, 'You're doing a good job of taking care of yourself, keep up the good work.'

Speaker Giglio: "The Gentleman from St. Clair, Representative Monroe Flinn."

Flinn: "Thank you, Mr. Speaker. I rise in support of this Bill. I've heard it said many times that there's no such thing as a popular tax Bill. Well, I think this is a difference, a difference because the average person on the street believes we need to do what we are going to do for education in this Bill, believe we need to help local government. Now, I know there are a lot on the floor here today who are going to vote 'no' and one just spoke. Obviously, he's going to vote 'no'. I would remind him and others that every dollar we spend, we must tax for it. Now those same people who will be voting 'no' on this, will be

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glad to vote to spend the money, the same dollar. They are tickled to death to go home and say I got you this or I got you that. Let me tell you, there is no pot of gold in the rotunda. Every dollar we spend, we tax the people. I'm reminded of this Bill its sort of like the American Express Card, we'd better not go home without it."

Speaker Giglio: "The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. It's very easy to simply say no. And, in fact, it would be quite easy for me to simply say no because I represent a district that's going to send the dollars down here. But I also represent a district that if you think you're afraid of the income tax, I've got to tell you the lids going to blow off on property tax one of these days, particularly in my area. What we are doing here is a trial run for two years. We did it back in '83 when there was need and there's need today. We are funneling those dollars right into those areas, those critical areas, where it's most important: to the schools, to the kids, to the future of this State of Illinois. Talk about economic benefits, talk about jobs, if you don't have an educated work force in this state, you're not going to have anything. Talk about your sewer projects, talk about a number of your civic centers, talk about all those pork projects that you want to bring back to your individual communities. The best way to do it is right here, and let the locals spend those dollars how they see it, on their own streets in those communities, those sewers that need rehabilitating, that are crumbling. Every one of these dollars is going to go back to the local level. They are going to choose, and I happen to think that happens to be a very good Republican response. As I said, it's very easy to just simply say no. But then we're saying no to those 195

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schools across this state that are going in the ditch, because we haven't funded schools in the State of Illinois. We can go back for the last ten years, and you can make all the adjustments you want with regards to declining enrollments and the value of the dollar today, and we are still woefully behind what it was ten years ago, behind each kid in the State of Illinois. It's a disgrace. Sometimes it's important to be there when the vote really counts, and I happen to think that that's one of these times."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think every man and woman who has a job in Illinois ought to take a look at their paycheck today. Because by the time we're finished tonight, there is going to be a lot less in those paychecks in the near future. I want to point out to everybody who is listening, that today we are running the highest balance that the State of Illinois has had in years, maybe in all time. We currently have \$600,000,000 in natural growth, which we have had for the last three years, over \$600,000,000 in natural growth in this State of Illinois. We have 400,000,000 in one time...one year growth. That is a total of a billion dollars without an income tax increase, a billion dollars. You know, if you look at these Conference Committee Reports, we are spending tons of money. This General Assembly is acting like we're in a feeding frenzy, like piranhas. I'm telling you that education under the Governor's budget is \$345,000,000. This General Assembly has appropriated \$345,000,000 more money this year for education for the next fiscal year. And a matter of fact, we've appropriated \$90,000,000 over and above that, which means that education in Illinois will get \$435,000,000 in

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new money this next fiscal year without a tax increase. Now, I will tell you the people of Illinois can do a lot more with this money by saving it or spending it on their priorities, not the priorities this General Assembly has set for them. I will tell you by tonight that we could end up being one of the highest tax states in the union. I ask for a 'no' vote on this badly put together Bill."

Speaker Giglio: "Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is very difficult situation, at least for me, I don't know about other people, but I've been trying around here for a long time to do what I can for the sick and the poor, the downtrodden, the teachers who serve without adequate pay and inadequate retirement, the caseworkers in Children and Family Services who face a dilemma every Friday night whether to go out and check out one more report and spend another weekend away from their family, because there aren't enough caseworkers to go around, or whether they go home and worry all weekend that something might blow up in their face, to worry about the number of mental health workers in our institutions, both the state level and to local level, to worry about the community grant agencies who are trying to keep their program together with chewing gum and baling wire, and I watched the difficult times when we told them we didn't have enough money. I watched when money began to come back in and tried to get us to align priorities to fund these important human service needs, first on a priority basis and we wouldn't do it. In each instance we have told these people, you can't have this money, and now we're telling them again today that you can't have the money. If this Bill passes, the money goes to education and local government. What it does in a left handed way is say that if this Bill does pass, perhaps

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those of you who find that your chewing gum is dried and cracked and your baling wire is rusted and falling apart, may be able to go out and buy new chewing gum and new baling wire, while a new navy pier is being constructed, while a dome stadium is being built for the Bulls in Chicago, and while we may be paying for what is reported in the most recent issue of the Illinois Times, a price tag of \$45,000,000 for some projects right here in this community. It's a very, very sad situation that we cannot and will not seem to do what is right. I, at this point in time, have just decided that I hate myself for doing this. I hate the process. I think the process stinks, and I think someday the people will rise up and revolt and do what's right and tell us, all of us, to fund the important things first, the way we would around our kitchen table. Back home we pay for a shelter. We pay for medical care. We pay for education. And only after the bills are paid, do we think about trading up on the car and maybe taking a vacation. Here in Springfield, we treat vacations the same as we do hemophiliacs. We treat new cars the same way as we do mental illness. I don't know when we'll ever wake up, it appears we are not going to. So today I've just decided to vote 'green' on this measure, to vote for this income tax, so that those of you who have no chewing gum and have no baling wire may have some of that and may be able to patch your programs together and sit off and try to lick your wounds, hope that someday the sun will shine upon you and maybe you will clear yourself up, cure your physical illnesses, cure your child abuse, cure your mental illness well enough maybe to go down and watch the new dome stadium be built on the west side for the Chicago Bulls, watch Navy Pier be constructed, watch parks be built all around this state and maybe somebody in your family can take a cruise

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on a riverboat gambling ride. I'm going to vote 'green', but the whole process stinks and it smells to high heaven. And I better shut up before I say anything more that I'll regret. It's just terrible, stinkin situation here."

Speaker Giglio: "The Gentleman from Dekalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think you all know that I represent a district that is more devoted to education probably than almost any other Member's district. I have an institution of higher education in Northern Illinois University. I have a degree from that institution, and I wouldn't have a degree from that institution if it hadn't been for the taxpayers of Illinois. I couldn't afford that education on my own, and there are many people out there today who wouldn't get a higher education if they couldn't go to one of our state schools. And yet what we've done in the past five years is to close that door, whether it be at Northern, whether it be at the University of Illinois, whether it be at Eastern Illinois University or Western Illinois University or all over this state. And those students are not coming from my district, they're not coming from the districts where those institutions are located, they're coming from all over the State of Illinois and we've closed the door. We need to open the door to higher education. I'm not satisfied with all of the provisions of this Bill, and one of which I'm not satisfied with is the fact that it doesn't deal with higher education on a permanent basis. I'm worried about casting a vote for this Bill and having to deal with it two years from today. But there are some chances that we have to take. And I'll bet on the future of the State of Illinois, and I'll bet on the future of the children of the State of Illinois, and give them the

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opportunity to get that education, and since this is the only show in town, I'm gonna be with you, Mr. Speaker, on this. I hope the next time, Mr. Speaker, you involve us in the process, you let us participate. Because I think we have good ideas and I don't fault the ideas that you have here, but we need more involvement. But today, Mr. Speaker, I'm with you and I'm with you because...not because of the way you went about the plan, but because of the children of Illinois and because of the need to address a priority in Illinois, and that's education. It's an investment in our future and our future is important to all of us. I'm going to vote for this Bill."

Speaker Giglio: "Thank you, Representative Countryman. You stick with us. Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I supported this Bill in May and I'm gonna gladly support it again. It's a little sweeter this time, although I wish it could had a little bit better on property tax relief. We all know that the burden on property tax owners is great, 'cause most of us in this...in this arena here have homes ourselves. But I tell you one thing, I've got a 15 year old boy that's gonna be a junior in high school next year, and I'm gonna vote for my son. I'm gonna vote for my son's future education. I'm a product of the public school system, and I am deeply appalled at the way our public school system has relegated itself to 44th in this United States. I am just absolutely ashamed. We have a major responsibility down here to have our kids, competent, literate kids, so they can go out and compete for jobs in the job market. I worked in management and personnel and labor relations. I...and I'd be absolutely shocked when young 17 and 18 year old kids would come into my office, filling out a job application the

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wrong way, wearing a tee shirt, not even dressing right. Some of these kids don't even know how to present themselves. We need a better educational structure. This is not the best answer in the world, but it's a good way to start. And I really appreciate this and what's gonna happen for my district back home. Our school districts are gonna benefit greatly, and I'm proud to support this plan. And we...when we talk about the City of Chicago getting ninety-four million dollars, of course they're going to get ninety-four million dollars. They have three million plus people up there, why not? But my community in Kankakee and Bradley and Bourbonnais, have sixty thousand people, they're gonna get a good share of that money. It's gonna help them immensely. So we're all being treated fairly on this situation. I'm a product of the Eastern Illinois University. I went to a public college and it's a great university, as Representative Weaver knows well. And when...I was in the United States Army and believe me, I paid thirty-nine dollars a quarter in tuition to go to Eastern Illinois University. Thirty-nine dollars a quarter with a veteran's scholarship. Now believe me, how could you get an education that cheap, when that was in the late 60's? Now our...now our college kids are trying to find ways...all kinds of ways to try to get into college, because they want to get into college and learn better and be productive members of society. This again is going to benefit higher education. So, let's all help with this Bill and we appreciate some of the Republican support on the other side of the aisle. Thank you."

Speaker Giglio: "Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. This morning I called my CPA and I asked him to plug in 'Madigan's Miracle' into my personal family income tax

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return and just see how it came out. The income tax would cost me two hundred and fifty-three dollars more a year and this great real estate tax relief would be ninety-one dollars. Now it's gonna be property tax relief if you or someone in your family...you make maybe twenty thousand a year and you live in a home 2182 the Governor's Mansion, then you're gonna get property tax relief because it works out this way. It's a twenty percent income tax increase and a 4.5 real estate rebatement. That's not good for the persons that's paying the heavy real estate taxes that we've depended on over the years. Education is certainly something important. Number one priority, we addressed it. We funnel sixty-three percent of the income tax, Tobacco Tax and the lottery, all into a special fund for education that would go on forever. As natural revenue growth continued, their growth would continue. They would be confident, the money would be there, year after year, after year. This plan is a two year giveaway to the cities. Some of them that don't even need this amount of money and others that need more, but they can't use it for bonding purposes whatsoever, because they don't know if it's gonna be there. They can't do major projects with this money. They have to invent something to do with this money. A new firehouse, maybe, another add on to one building or the other. They'll find how to spend it. Just like we find how to spend the billion dollars of natural revenue growth we have right now, over and above last year. We don't need any tax increases in this organization right here today and we're looking at six of them. I would say definitely that there's no question about it, something's gonna happen here and it's gonna hurt the taxpayers, and it's not gonna help anybody for very long. I'd advise a 'no' vote."

Speaker Giglio: "The Gentleman from Kane, Representative

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Kirkland."

Kirkland: "Thank you, Mr. Speaker. Today we're being presented with a truly compromised tax plan, from my point of view. It's a compromise even though drafted by the Democrats, because as you can read in the papers, the Republicans had no alternatives to present. About half of us... half of the Republicans don't want to pass anything, that's obvious from the speeches today; the other half know that their schools or their local governments, some state programs need more money, and to provide their services adequately, but they...but they can't agree on what form the tax should take. I'm going to vote for this compromise, but I would not if I did not represent the state's largest school district outside of Chicago, Elgin Unit School District U46, which receives an easy to remember, forty-six percent of its budget, of its revenues, from the State of Illinois. And that's considerably different than most of the school districts around it, which receive only fifteen or twenty percent from the state. U46 needs the state to meet its constitutional primary responsibility for financing the system of public education. It needs that most in those... more than those neighboring districts. And I would be somewhat hypocritical to stay off this vote despite the fact that I believe it's a poor compromise, for the reasons I'll explain, and number two, that I think it's gonna pass and benefit U46 even if I vote 'no'. And just think, I...I could have had my cake and eaten' it too. And the United Ultraconservative Fund, otherwise known as the United Republican Fund, would have thought me a great guy. So why is this a poor compromise? One, is that this increase, if you're gonna have an increase, this time it should be permanent. It's different than 1983. In 1983, we we're addressing a recession period. This year we need more

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money for operations. And we have to respond to what's...excuse...me and the local governments have been hurt by the loss of federal revenue sharing and the shift, new federal...new federalism shift of program and funding responsibility toward them from the federal government. Because this increase is temporary, my school districts and local governments should spend these new monies until if ever they become permanent, only on one time capital expenditures. It's a scary proposition, but I don't think that'll happen. The pressure in Elgin, in Chicago, and in other school districts and local governments will be great to avoid, to spend this money for operations. Including giving salary increases, deserved salary increases, that... that make-up with benefits almost 75 percent of most local governments and school district budgets. Second, there is no Property Tax increase in this Bill, in my opinion, that will please our constituents. They hate the Property Tax because it involves no withholding, to hide it like the income tax, and it's a liquid tax against a non-liquid asset. That Bill comes twice a year and it's hard...it's hard to pay an often not anticipated well enough in our budgets. If this Bill...the tax relief in this Bill isn't going to...isn't going to lessen that Bill and that's what our people would like to see, and that's what should happen. As so many times in the past, we're giving away an opportunity to pass a meaningful tax reform. There should be a stronger component in this Bill for substituting, in a revenue neutral way, an increase in our fairest tax..."

Speaker Giglio: "Kindly bring your remarks to a close, please."

Kirkland: "Thank you. And for Illinois, relatively low tax... the income tax for a dollar for dollar reduction in Property Taxes. Fourth, this tax requires an incre... for this tax to work, we also need to support the Cigarette Tax

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and from a policy... tax policy point of view, I don't think that's a very good tax. Again, I think we should concentrate more on the broad base taxed, even though I voted for Bills against smoking and maybe it'll discourage smoking, but that's not what the tax is intended for. These are the reasons I think the proposal is a poor compromise, but I guess I'd say that compromises aren't supposed to make either side happy. Thank you."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, one of the big distinctions between this proposal and the one we voted on a few weeks ago, is that this recognizes the problems that people have had in meeting their Property Tax responsibilities. It is because the state has not contributed sufficiently to education in the past, that we have had the growing pressures to increase our Property Tax. There are two things that this Bill does in that regard. One is that it does give direct relief on the basis of the additional exemption for your Property Tax. The other thing that it does is to provide more money for your local schools, so that they will be better able to meet their responsibilities without increasing your Property Tax further. One of the other things that has not been so well recognized perhaps, is that the local government's share also provides a mechanism either for your local government to directly reduce your Property Tax or to provide the services that they need to provide without again increasing your Property Tax. So, I think we ought to emphasize to our citizens that it is not just a second deduction that is helping them with their property tax, but in the ways in which we are reducing the demands on the local school districts and on local governments. We

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should also point out that the Bill does in fact expand the authority of local governments. And I read to you from page four of the Bill, where it adds to the responsibilities of local government to include, 'the funding for mental health programs, for waste water projects, road and bridge construction and repair and social service programs'. And so as we have to take up the burden of fewer federal tax dollars within our local communities, we have given to those local communities some authority to provide for an expansion in these areas. All of us, I believe, are concerned about the temporary nature of this tax. However, I sympathize with my colleagues who indicate that they are not ready to support a permanent tax, particularly until we see what happens to the funds within our local school districts and within our local governments. It is up to us now, as participants in our local community to help to see that these dollars are used wisely, so that at the end of the two year period if there is not sufficient money within our coffers without a continuation of this tax, we will be in a position to account for the good things that have happened and have the opportunity to extend the tax for worthwhile programs. I urge a 'yes' vote on this legislation."

Speaker Giglio: "Gentleman from DuPage, the Minority Leader, Representative Daniels. Representative, would you like to yield your time to the Governor of the State of Illinois? Representative Thompson..."

Daniels: "Sure."

Speaker Giglio: "...Welcome, Representative...Governor Thompson on the Republican side of the aisle. And on the right side of the aisle, on the Democratic side of the aisle, welcome the State Treasurer of the State of Illinois, Jerry Cosentino. Representative Daniels."

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Daniels: "I'd be happy to yield my time to the Governor. This is the best Governor this state has ever had and I'm proud to serve under him. Governor Thompson, welcome to the Illinois House of Representatives. Well, Mr. Speaker, in the year 1983 when you were first elected Speaker and I was elected Republican Leader of the House, we passed a historic tax Bill. Yes, temporary in nature because we needed to accomplish the payment of one time debts but had a permanent revenue stream of a sales tax component. And on that evening when that Bill passed, which sought over eight hundred million dollars of funds for the people of Illinois to pay these onetime debts and fund our school system, you turned to me on the House floor and you said, 'Mr. Daniels, looks like we're gonna pass your Bill'. The year 1983, I turn to you, Sir, 'Mr. Madigan, Speaker of the House, Democrat Leader, looks like we're gonna pass your Bill'. And I say to you, that yes, you deserve in many quarters congratulations, because in many areas you have served your constituency as you see it well. But I say to you, and ask several questions as I ponder the upcoming vote, listening to my colleagues, some Republican Members who will vote for this, some that will vote against, many Democrats who will vote for it and say this funds education of Illinois and the local government system. And I ask you, Sir, at anytime, is brinkmanship in state government better and more a key to success than a willingness to compromise, negotiate and be part of the governmental process? I don't think there's anytime that political muscle and brinkmanship can replace the spirit of compromise and working together. For I said long time ago, that this General Assembly would take the necessary action to fund education in the appropriate and proper way. And some of you on the other side of the aisle have said to me,

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'Mr. Daniels, you don't have an alternative'. And I say to you, you are wrong, because in the month of May we gave to you an alternative called Priority One. That plan funded education at sixty-three percent of the net income tax receipts placed in an education fund, dedicated for the purpose of securing our children's future in this state. And yes, it's interesting that your plan has a component almost identical in the earmarking fashion. Did you borrow part of our plan? I don't know, but was ours an alternative? Absolutely. And was it brought out in advance? It certainly was. And throughout the discussions, although the Bill moved quickly from the House to the Senate, many times on many occasions we said to Members on the Democrat side of the aisle, don't you think a component necessary to any type of tax increase is property tax relief? Don't you think in the spirit of cooperation and compromise, we can recognize that the citizens of Illinois and suburban Cook County and the collar counties of this state, hard working, taxpaying citizens have a right to expect from this government an attention to their needs? And the fact that they in fact, fund most of their educational goals by local property taxes. And yes, should we generate that out of the revision of the formula? Whether we establish a common state rate for property taxes throughout the state and reimburse people if they exceed that rate? Perhaps we should do that. But were we allowed to discuss that at any time? No, because the process was closed and shut to all Members of the Republican side of the aisle. The words were, 'I will accept no changes or Amendments to my Bill'. I think that's unfortunate. If there is any credit to go along, Mr. Speaker, you deserve a lot, because for two years you blocked the efforts of the Governor to discuss

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the school funding crisis in this state. And with a great deal of shock and brinkmanship, you came to this floor and passed quickly a temporary tax plan. And to those in the education community, excitement prevailed. To those in local governments, who by the way were shocked at the fact that in most cases they didn't even ask for this money, but were showered with gifts to their surprise. They said, 'Amen. Let's pass this Bill because we need that help'. But to those people in the human service categories and to the hard working people of suburban Cook and collar counties, their interests were ignored. Until such time as a compromise was reached, and yes, the delicate balance that brought into this Bill, the necessary element so that it could be passed. That delicate balance was called a form of property tax relief. That's why so many Members on our side of the aisle are looking now and saying, 'I can't ignore the fact that the children of Illinois will be cared for in a proper fashion, maybe only for two years, but I've got to be on this Bill and I've got...I've got to vote for it'. And I understand that. And I don't chastise a single Member on this side of the aisle if he or she feels that it's absolutely essential that they vote for this Bill, because I recognize the fact that the children of Illinois have been ignored by this state and this Assembly for far too long. But I for one cannot offer my support on this Bill, because I come from an area that those of you from Chicago and other parts of the state, continue to ignore that they have needs too. And you turn your back on them, the taxpaying citizens of this state and ignore the fact that property tax relief is needed. Is needed because they have stood strong in supporting their school system and said, 'It is now time that yes, if we have to, we'll raise property taxes'. And why have they done that?

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They've done it because, Mr. Speaker, for the last several years, you've refused and ignored the needs that they have as citizens of this state. Now I can go on and on and on about the shortfalls of this Bill. And I can ask Mr. Novak, why did he turn his back on Priority One, which plan would have offered 2.2 million dollars more for his district than this temporary tax that's going to abolish or expire in two years. Or Mr. Hannig, who would have received 1.4 million more with the Republican alternative, or Mr. Hartke, 1.6 million more, or Mr. Granberg, 1.8 million more, and Mr. Flinn, 1.4 million more, or Mr. Phelps, 2.47 million more dollars for his school system, if he had supported the earmarking plan that you had in the month of May prior to this temporary tax. Ladies and Gentlemen, I submit to you, that although yes, on the 30th of June, this is the only show in town and this is a reflection of power. Of a man who we have elected to Speaker of the House, who controls 67 votes on the Democratic side. I say to you, it is an abuse of that power. It ignores the taxpaying citizens of this state, without the reality that a temporary tax in 1989 is a tax that does not serve the needs of our constituents. I intend to vote 'no' and I intend to proudly say that our work has only begun. There's so much more to do."

Speaker Giglio: "Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I was hoping that the Speaker wouldn't leave, because I was going to mention to him as I mentioned to his wife at the Arts Council Appropriation, that I would hope that the Speaker check with Representative Hartke and Hicks a little oftener relative to the needs of the state, so that we could be attuned...a little more abreast, rather than maybe once every three years. Having said that then, I would also

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think that in this particular Bill, one of the real shadows of concern is property tax relief which we are really not giving. The fact that so many people who are actually dirt farmers in this state, who pay a very high disproportionate share of money for educating, is certainly not being given any credit whatsoever. Now, having said that though, in coming from a district that has very much involved in education, with a university and a number of school districts that are outstanding; just recently in the last year, failed to pass two referendums, having never failed to pass a referendum before. Because of the fact that they felt the State of Illinois was not fulfilling the obligation that the state should in maintaining those dollars for preparing a quality education for young people. The fact that my wife is a third grade teacher and because of the cutback has no periods in which to even have any preparation, because of the proposed cutbacks that will occur, the fact that any number of teachers are having to take on more and more of a responsibility, which really lessens that time that they have to adequately prepare those young people, to prepare them for the world of work opportunity. The many people in my district are very much displeased with the fact that we continue to expand our prison growth year after year, and the fact that we need to address that situation at the classroom level. And we do that in fact, at a very early age. And we do that now, I hope with this Bill, showing a sincere commitment by the State of Illinois, that education is our number one priority. And that I also hope that this message goes out to all educators, and teachers, and administrators and parents alike, that now we must put special emphasize on those young people that are potential dropouts. On those young people who are not being prepared with the kinds of

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skills they need to move into the work force. Our work force clearly needs the best qualified young people we can put out in order to keep us abreast with our international partners around the world. That's extremely important. That's why on this Bill we have business that is supporting this kind of proposal. And so I hope today that that message rings clear, that through our higher educational system, we will continue to expand the world of research, to expand the world of opportunity, to expand those areas of extension, and teaching and instruction, so that those young people throughout this state will have a clear message, that this is our responsibility, that education is a high priority and now we all share in that responsibility. Yes, this is an important vote, any time we talk about tax increases. But let me say, if we do not come up with the funds to prepare kids for the future, we will be paying far more in later years."

Speaker Giglio: "Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had not planned to rise to talk on this issue, but I keep hearing that all of a sudden because we have a new mayor in the City of Chicago, now is the need to address this issue. Well, one of my colleagues told me that there's such of a person that's called a Black Irishman, and I'm here to tell you that my name is Charles Morrow, not Charles O'Morrow or To'Momorrow, that's right. I'm voting for this piece of legislation, not to help the mayor of the City of Chicago, but to help the residents of the 32nd District, which happens to be in the City of Chicago. Many of you are talking about a tough vote. Well, this is a tough vote for me, and I'm gonna explain to you for those who don't know the 32nd District. I come from a district where I have Chatham, Park Manor, West

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Chatham, middle class and upper middle class people live in those areas. They do not want me to vote for an income tax or any kind of a tax, but I also have Englewood and Woodlawn, which have some of the highest infant mortality rates in this country, which has some of the highest lead poison content in this country. So this is not a hard vote. This is not an issue of Black and White. This is an issue of the haves and the havenots. It kills me to hear some people who said all of a sudden we can't vote on an income tax. But let me tell you something, three weeks ago we voted to give a hundred million dollars for the working rich to buy a house, the working rich. Then we could barely pass a Bill to give thirteen million to the working poor to buy a house. When are we going to start being consistent in this Legislature? I'm not the youngest Member any more in this Body, and I'm glad of that, because that means I'm gonna be around a long time. And many of you, I hope will change some of your positions with me being down here and talking to some of you. Many of you are now beginning to realize that it is fruitless to hurt the poor and help the rich all the time. Someone mentions...someone, I heard, mentioned about East St. Louis. East St. Louis is hurting. Robbins is hurting. Ford Heights is hurting. But you know, if Bloomington was hurting, if the city of Springfield was hurting, I bet we would find a way to help out those cities. I'm sure we would, it'd be no problem. It'd be 118 to zero passing out of here. Someone mentioned using your tax dollars. My three years of being here in office, we've used tax dollars to build hotels, and then help bail them out when they've defaulted on the loans. We've used tax dollars to put roses in the Governor's Mansion, three hundred and fifty thousand dollars worth. No one complained, no one

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hollered. No one said a word, said one word. But now we're talking about keeping our kids in school, the future of this state, and now people are hollering. We're giving money to the cities of this state and now people are hollering. Well, to my colleagues who are upset about this tax, no one's forcing you to take the money. Return it. Give it back. But you know why you won't give it back? Because you've already got it spent. Let's stop being hypocritical in this Body. If you don't want the money, the 32nd District would be glad to take it. Gladly..."

Speaker Giglio: "Kindly bring your remarks to a close, Representative."

Morrow: "...I mentioned my name Morrow, consider the future of our kids for tomorrow. Because one day we all are gonna get old and we're gonna want someone to take care of us, as far as mental health, tax exemptions for the blind and the elderly. If you want to use the 600 million surplus, let's use that money for mental health. Let's use that money for senior citizens. That money's gonna be spent too, regardless of whether we vote for this tax or not. It's already spent. Let's vote 'green' on this piece of legislation and let's be proud to tell our kids that we did what was best for them. Thank you."

Speaker Giglio: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Mr. Speaker, I move the previous question."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the question has...the previous question's been moved. Speaker Madigan to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen, I rise in support of the adoption of the Conference Report, which would

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provide for the imposition of this two year surcharge for two purposes only. One, education and the other local government. The advancements of this idea before the General Assembly has brought on a great deal of debate and discussion throughout this entire Session. And necessarily, there has been quite a bit of speculation and a comment concerning my position relative to taxes. You all know that one year ago I played a very important role in stopping the Governor's request for a forty percent increase in the Illinois income tax. At that time, I said that I did not think that Illinois needed a general tax increase for the operations of state government. I received quite a bit of ridicule for that position. Ridicule that has appeared all across this state. And in a response to that ridicule and criticism, let me simply read to you a report which my office received from the Office of the Comptroller this morning. 'At the opening of business this morning there was five hundred and forty-one million dollars in the General Revenue Fund.' To put that in perspective, in March of 1988, the Governor estimated that there would only be two hundred million dollars in the account this morning. In March of this year, when the Governor presented his budget, he estimated that there would be two hundred and fifty-one million dollars in the account this morning. On June 5th of this year, the Bureau of the Budget revised the estimate to provide that there would be four hundred and twenty-six million dollars in the account. Yesterday, there was five hundred and fifty-six. Today there is five hundred and forty-one million dollars in the general revenue account. The State of Illinois is a healthy state, the economy of the state is a healthy state, and we do not need a general increase in taxes. We did not need it a year ago, we do not need it today. At the same

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time, I think, and the advancement of this proposal indicates that we should recognize two pressing needs in this state; one being education and the other local government. Many Members of the Legislature have criticized the aspect of this plan which would provide money for local government. These people generally come from the growing areas of this state. The areas that have a wealthy tax base, where the value of the Real Estate Tax in the district is such that it could adequately support local governments and adequately support local school districts. But not every section of the state is like the western suburbs of Chicago or the northern suburbs of Chicago. There are many areas of this state like Chicago, like Peoria, like Kankakee, like East St. Louis, that need financial support. And the main reason why they need help is because of the federal fiscal policies, which in effect have ravished local governments serving older industrial areas of this nation. From the advent of the Reagan Administration there has been a consistent policy of removing support for local governments, whether it's the elimination of local government revenue sharing or whether it was the elimination of categorical grant programs. The net result was less money for local governments, less money for local governments attempting to serve the areas of our country, where there is an old infrastructure, old industry with a high social cost involved in providing governmental services. And that's the background that prompted me to suggest that at the same time that we provide support for education, we should also provide support for local governments, and that's precisely what this Bill does. It provides a healthy injection of financial support in those two areas. In the educational area it permits us to satisfy the demands and the requests which have been

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brought to this Body by those in the educational area. In the area of local government, it provides options. For a city like Chicago, which has acknowledged a large budgetary deficit, it ought to permit that municipality to proceed through the current budget and the next budget without raising real estate taxes. For a city like East St. Louis, it'll provide a very welcome and healthy infusion of money simply to make a very bad situation a little better. For small municipalities in DuPage County, it will provide them with the option of deciding whether they wish to reduce their taxes. Maybe the reduction won't be forever, but clearly it could be for one year or for two years or maybe longer, but simply stated, those municipalities have that option if they so desire. A main feature of the proposal is the two year life of the plan. Some people have said, if there is a tax increase it ought to be permanent. Well the last tax increase in 1983 was not permanent, and there are many tax increases at all levels of government which are not permanent. The temporary nature of this surcharge will permit this legislative Body to call into account, to hold accountable the people who will spend this money. Rather than simply sending money out and never being in a position to review the expenditure of that money, rather than that, we will be in a position in two years time to sit in judgment and to decide whether the money given to education and local government has been well spent, or whether there has been bad expenditure of this money which would permit us to discontinue the program. Whatever our decision in two years time, it will be our decision made on our terms. And for those of us from Chicago who have anguished with the problem of improving the quality of education in the Chicago public school system, it will permit us to give a close examination to the Chicago School

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Reform Program, which is just beginning. A program which holds much promise. A program that is much needed, but a program which is not tested. In two years time it will be tested and we will be able to conclude with a degree of certainty whether the bureaucracy in the Chicago school system has responded to the mandate of this Legislature or whether they've turned their back on us once again and taken the money and ran away. And if they do try that, we will sit here in judgement and we will be in a position to say forget it. You're not gonna get it again until you clean up your act. For all of those reasons, Mr. Speaker, I advanced this proposal before this Body several weeks ago. I did it with the help and the support of the Democratic Members of the House of Representatives. Some said, 'Well, aren't you afraid that you're making a political mistake in advancing a tax increase with no Republican votes?' I said, 'No, I'm not afraid because I've got the courage of my conviction on this particular issue'. And I recall the advice that was given to me by my father many years ago, when he said, 'If you believe in something stand up and say it and have the courage to stand behind the...the position that you've adopted'. And for all those reasons, Mr. Speaker and Ladies and Gentlemen, I recommend an 'aye' vote on this Conference Report."

Speaker Giglio: "You've heard the Gentleman's Motion. Question is, 'Shall the House adopt Conference Committee Report to Senate Bill 169?' And all those in favor vote 'aye', all those opposed 'no'. The voting is open. This is final action. The Gentleman from Champaign, Representative Johnson."

Johnson: "I...before I start, you haven't had the timer on for anyone else. I had my light on throughout the debate. I assume that I have a little more liberality than the one

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minute traditionally afforded here. The timer wasn't on for the Speaker..."

Speaker Giglio: "Proceed, Representative Johnson."

Johnson: "I presume that..."

Speaker Giglio: "Proceed, Representative Johnson."

Johnson: "Well, to paraphrase Speaker Madigan. Precisely what this is, is meeting the demands of the City of Chicago. Ninety-three million dollars to the city, another seventy-five million dollars to Chicago schools, almost two hundred million dollars to bail out an inept government out of their problems. That's what this Bill is. This Bill doesn't do anything that it's purported to do and it does a whole lot of things that are...that are mischievous and insidious for the State of Illinois, among other things bailing out the City of Chicago. On the one hand, we have a ridiculous attempt to provide real estate property tax relief, that to the average taxpayer in the State of Illinois means thirty-five dollars. And then on the other hand, we have a three hundred and nine dollars additional income tax Bill, that helps drive business and jobs out of this state. If you really want to have real estate property tax relief, you have to see what the core of the economy in Illinois is and has always been and that's the farm economy. This Bill doesn't even address the problems of the agricultural community in the State of Illinois, that's the basis for our economy for 200 years of this state's history. It doesn't do one thing. It doesn't even address that subject matter, it simply addresses private residences. So as far as real estate tax relief is concerned, the one opportunity we have in this decade and maybe the rest of this century to provide meaningful tax relief, is down the drain with this Bill. Education gets half the proceeds from this...from this tax increase. If

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you're gonna have a tax increase that means anything and you're gonna put education first, Mr. Speaker and Members of the House, all the money from the tax increase ought to go to the schools. It's a sop. It doesn't mean anything. It's temporary. It doesn't allow any meaningful planning on the part of local government to the extent they get proceeds from this or for...for that standpoint, from the...from either elementary or secondary education or higher education. It's a rip-off. It's a rip-off for the taxpayers of Illinois, dedicated to the pockets of the Chicago taxpayers, who time after time come here at the end of the General Assembly and get what they want from downstate and suburban taxpayers to...to bail them out from their inaptness and their inefficiency and how they run their government. The one thing, Mr. Speaker and Members of the House, and this is not very popular thing to say, but I think it has to be said. The one thing for all this debate, we've talked about schools and that's important, we talked about local government and that's important, we talked about where the money's going and distribution and so forth. The one thing we forget, Mr. Speaker and Members of the House, is how this impacts on the average taxpayer in Illinois."

Speaker Giglio: "Kindly bring your remarks to a close."

Johnson: "What does three hundred and nine dollars additional, mean? It means to some woman who has to keep... who's a widow, who keeps her furn...or her thermostat at 69, that she's got to turn it down to 66. It means to someone else..."

Speaker Giglio: "Kindly..."

Johnson: "I hope that on an issue like this, Mr. Speaker, you're not gonna turn the electrical facility off."

Speaker Giglio: "You have 35 seconds, Representative Johnson."

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Johnson: "It means a couple that's facing retirement and wants to take a vacation they've planned for for a life time, they have to defer that plan maybe forever. It means a birthday or a Christmas present for a middle or lower income family that you don't get. Those are the people that aren't represented down here. They don't have any lobbyists down here, but, Mr. Speaker and Members of the House, when you vote for this Bill, you're having an impact on more people in the State of Illinois through this one act, then you ever could by all the rest of it put together. I represent a university district too, but a 'no' vote is the only approp..."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. The first Conference Committee Report on Senate Bill 169 is a responsible vote for education and for local government. We have to have an accountability in this state and that is why the temporary surcharge is in order. But we must remind you, Mr. Speaker Madigan and Governor Thompson, who's with us this afternoon, to work with the present surplus of dollars that we have. Come back in the fall with a supplemental budget and infuse those dollars in the mental health needs of this state, which are mounting on us because also of the federal mandates. Please help us. Thank you."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Mr. Speaker. Most residents in this state feel a great need for a shift away from the Property Tax to a fairer tax, the State Income Tax. My 'yes' vote reflects this idea. Certainly it doesn't go far enough in relieving particularly the agricultural communities, but it should

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mean that the school districts in those communities will not have to ask for a local property tax referendum. It is a start in this shift, this much needed shift. I would like to give one word of caution, though. Those of us who have been willing to put ourselves on the line on this vote, now realize the burden is on school districts and local government to verify to our citizens that this was a wise vote on our part today. Thank you."

Speaker Giglio: "Gentleman from Effingham, Representative Hartke, one minute to explain your vote, Sir."

Hartke: "Thank you, Mr. Speaker, Members of the House. I'm voting...I said I'm going to be voting for Senate Bill 169. My name was mentioned twice in debate, not once. But the reason I voted against Priority Plan is because it would have cut those programs for agriculture and research and development that are so needed in my district. It would have cut the amount of money available for the increases in the scheduled foster care program. It would have cut the available money and funds for health care and for the elderly. It would have cut the money that would have increased the money for child abuse programs and other day care center and aging programs in the State of Illinois. I'm supportive of this program and I hope that we ought to have at least 110, 110 'green' votes on this board."

Speaker Giglio: "The Gentleman from DuPage, Representative Barger, one minute to explain your vote."

Barger: "Thank you, Mr. Speaker. I have worked down here for several years with the Lady that represents the Retired Teachers Association, trying to get a little bit of consideration for the retired members of that union and the other retired people who have served the State of Illinois. In this Bill there is nothing for them. They've been left out of practically everything we have done during the six

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years I've been down here. There are still teachers who are receiving less than one hundred dollars a month pension. These people own homes, they have to pay real estate taxes. This is not going to help them. This is going to put them in the same position as the rest of us, where we are going to be paying more and more. And I am sorry that I have to vote against this Bill, but this is not a good Bill for any retired person."

Speaker Giglio: "Gentleman from Saline, Representative Phelps, one minute to explain your vote."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When we consider such serious questions as a tax increase on my taxes, as well as Illinoisans and people in my district, I don't think it's time for hypocrisy to come to the floor. And for the Minority Leader Daniels to pretend that the Priority Plan would work, when we would see the one hundred and ninety-two million in significant cuts would take place with that plan. To pretend that health care, foster children, the elderly, security at corrections in my district, for the mentally disabled would not be affected, is hypocrisy. And his stand on this issue reminds me of a song title in the 50's the 'Great Pretender'. And to justify your own position, Lee Daniels, that's what you are, a great pretender."

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

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Since my name was mentioned in debate...in debate also, I feel like I have to respond to this political...political public relations program called the Priority One."

Speaker Giglio: "One minute, Sir."

Novak: "One hundred and ninety-two million dollars of significant

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general revenue funds would have been cut out to fund these educational programs. Programs like to implement the Governor's Drug Abuse Program. Programs to increase funding to combat infant mortality, for community care for the aging, reduce our State Police Force to protect our citizens. Now let's...come on, let's be realistic about this Priority One Program. All it was, was a public relations media gimmick to get somebody to support it. The program that's rational, reasonable is Senate Bill 169. Thank you."

Speaker Giglio: "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 72 voting 'yes', 45 voting 'no' and none voting 'present'. The House does adopt Conference Committee Report to Senate Bill 169, and this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 185, Representative Giorgi. And before we do that, I'd like the Chair to recognize the Gentleman from Madison with a distinguished guest, the...Representative Stephens."

Stephens: "Thank you. Ladies and Gentlemen of the House, if I might have your attention. We have a very distinguished guest here today. Mr. Clerk, will you read the Resolution?"

Clerk Leone: "House Resolution 659.

WHEREAS, The House wishes to recognize Barbara Trober of Collinsville, Illinois, who was recently crowned Miss Illinois/America 1989 (sic-Mrs. Illinois/America 1989); and

WHEREAS, Barbara qualified for the 1989 Mrs. America Finals, which will be taped for National Television in October, 1989; and

WHEREAS, Mrs. Illinois is the wife of Edward Trober, the President of a fitness center and nightclub in Collinsville, and

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she is the mother of Tiffany Brook, age 7; and

WHEREAS, Born in Collinsville, Barbara was educated at Ritenour South High School and John Casablanca Modeling School; and

WHEREAS, Barbara and her husband, Edward Trober, were married January 16, 1982, and they share the belief that marriage requires effort and that the partners should be good friends; and

WHEREAS, Born April 19, 1960, Barbara feels the primary achievement of a contemporary married woman in today's society is the ability to combine a successful career with family life, reaching the goals that they set for themselves and providing a stable environment for the family, coupled with love and a deep concern for the rearing of children; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Barbara Trober on being named Mrs. Illinois/America 1989; and that we commend her role as a representative of American women; and that we wish her and her family success and happiness; and be it further

RESOLVED, That suitable copies of this preamble and resolution be presented to Barbara Trober."

Stephens: "You've heard the Resolution. All in favor signify by saying 'aye', opposed the same sign. The 'ayes' have it. The Resolution is adopted. Last week we had the pleasure of meeting Miss Illinois, who is from Collinsville. This week we have Mrs. Illinois, also from Collinsville. And I'm quite pleased to introduce to you, Mrs. Barbara Trober."

Barbara Trober: "Gosh, I'm breath taken here. I've got to sit and watch you all. I know you have tough jobs, just by

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watching every single one of you. It's a pleasure being here to listen to everybody's opinions. I'm proud to represent the married women of Illinois and I hope to take this with me to Nationals, and this will be one of my good luck charms there. Thank you very much."

Speaker Giglio: "Senate Bill 185, Representative Giorgi."

Giorgi: "Mr. Speaker, Senate Bill 185 Conf...the Conference Committee Report on Senate Bill 185 has to do with financing civic centers and increasing the bond limit for the support of those authorities. So what the Bill does...the Conference Committee Report does, is it increases the bond authorization for civic centers from 101,000,000 to 200,000,000 million. Provides a debt service stream to support up to a 100,000,000 of those bonds. Expands the Build Illinois Program. Sets a base limit for Rosemont. Makes two changes in personal property replacement income tax investment credits. And broadens the state and local sales tax division by including as taxable transactions sales prewritten computer software. Everyone's aware of what's in the Bill. Everyone's aware where the money goes. I urge the adoption of Senate...Conference Committee Report #1 to Senate Bill 185."

Speaker Giglio: "On that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. You have just gone through about an hour and forty minutes of a traumatic Conference Committee Report and you are now faced with another very important Conference Committee Report, that was before you in a very similar form in House Bill 2600. The Conference Committee Report on Senate Bill 185 touches the width and the breath of this state, that has the input of all

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Legislators in this state on both sides of the aisle. Their concerns and their suggestions have all been considered. We couldn't accomplish everything for everyone. We tried very diligently to put together a package that would be the son of the 1984 PC-1 Program that we all received assistance and our constituents received recreational facilities, as well as outdoor conservationist who received the entities in which they could enjoy themselves. Through the efforts of Majority Leader Jim McPike and other Members of the House, I think we've fashioned a package that everyone can be proud of. It has passed the Senate overwhelmingly, I think 55 to 2. The support is there. This final action on this excellent program that provides the investment tax credit to the business entities of this state, provides funds for the Brookfield Zoo as well as the convention centers originally proposed to this Body. Establishes as well the high impact business sales tax exemption provisions for a great combination of support by business, by industry, by Legislators, by outdoor groups, conservationists and the efforts by the Department of Conservation and Mark Fresh, I think responded to everyone's concerns. I hope that you've had a chance to discuss in detail and examine totally the \$200,000,000 package that we have provided with this legislation, using the Software Computer Tax as the base, which has not been successful in the past four years but is now before you with solid programs, which this Body should support in total. I ask for your support and your 'green' vote on Conference Committee #1 on Senate Bill 185."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker and Members of the House. I rise in support of Senate Bill 185. Truly as you look

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around the State of Illinois, we have many needs and I believe this Bill fits many of those needs. This Bill tries to respond to demands from all parts of the state, from Chicago and Rockford, all the way on down to Cairo, Illinois. Especially in downstate communities, I think we all believe that state parks and civic centers have really enhanced our communities and made them what they are partially today. We in the Rockford area are blessed to have a very fine civic center which will benefit by this Bill and also a very fine state park. But that concept is true, I believe, to most districts in the State of Illinois that are represented here in the General Assembly. Economic development, tourism, quality of life, all those issues are greatly enhanced by a Bill of this type. I would urge everybody to support it."

Speaker Giglio: "The Lady from Cook, Representative Williamson."

Williamson: "Thank you, Mr. Speaker. I wish to state for the record that I am asking to have my name removed from Senate Bill 185. I have great problem with the Bill the way that it has ended up in the final draft. And I would like my name removed from the Bill. Thank you."

Speaker Giglio: "Mr. Clerk, let the record so indicate. The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, I rise in support of Senate Bill 185. I support it because of the work that has been extended so that all parties involved could be extremely and sincerely compromised, and to make sure that even the businesses were able to receive the benefits of this proposal. It's a good Bill. Many people will now have the opportunity to have their civic centers opened and many other people will have the opportunities to have other areas such as the zoos, their park districts. It's a great compromise and I urge your support."

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Speaker Giglio: "Representative Giorgi to close."

Giorgi: "I move the previous question. Let's get the votes up on Senate Bill 185. It's the bonding Bill for civic centers an increase of \$100,000,000. Everyone's aware of the work that's went into this Bill since the beginning of this Session, and it has parks and conservation in it also."

Speaker Giglio: "The question is, 'Shall the House adopt Conference Committee Report to Senate Bill 185?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I reluctantly rise in opposition to this Bill. Although I know that the downstate and Chicago Legislators have done a tremendous amount of work to assure that all of their districts are well covered. I must advise that the suburban areas around Cook County, which are usually left out of these measures are left out again. I have talked to the people involved in drafting this legislation and since I couldn't find any way that they would be able to fit me into this total picture, it is senseless for us to continue sending dollars downstate and to Chicago and getting nothing in return. Thank you."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I'm going to support this legislation, but I think that we would be remiss in doing this without adding a word of caution as we expand the authority for additional civic centers. None of these civic centers are really self sustaining, and I believe that we're at a point, where it is in fact counterproductive for the existing civic centers to have additional competition with no survey or indication about

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the feasibility for these programs. And I would certainly caution the legislative Body not to be in a position of being counterproductive in advancing projects that have no possibility of success."

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

Pedersen, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This of course does include a new tax, as I mentioned in our last discussion about tax increases. It increases the tax burden in the State of Illinois and that's for...bad for growth and jobs and it is bad for the state."

Speaker Giglio: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I simply want to rise in support of this measure also, because there's been too much work has been put in by too many people on this whole thing to try to accommodate as we have gone through the different processes. I think it's a good fair package up and down and I would urge your support."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Mautino. Take the record, Mr. Clerk. On this question there are 73 voting 'yes', 40 voting 'no', 4 voting 'present'. And the House does adopt Conference Committee Report to Senate Bill 185, and this Bill having received the required Constitutional Majority is hereby declared passed. On page two of the Calendar under Senate Bills, Third Reading appears Senate Bill 572, Representative Giorgi."

Giorgi: "Mr. Speaker, Senate Bill 572 is a river boat cruising Bill. That Bill as it stands now is a shell Bill and the principles involved would like to create a Conference Committee, so I'd like support of the House to send that Bill to the Senate, so they will not recede in the House

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Amendment and ask for a Conference Committee Report. I move for...no, I move to pass Senate Bill 571 (sic - 572). Senate Bills, Third Reading. Senate Bills, Third Reading. Let's go."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor...read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 572, (sic - Senate Bill 572) a Bill for an Act to authorize certain forms of gambling on excursion gambling boats. Third Reading of the Bill."

Speaker Giglio: "Representative McCracken."

McCracken: "I rise in opposition. Although it is a shell Bill, it's for the express purpose of keeping this Bill alive, so that further negotiations and a possible vote on the merits can continue. I'm in opposition to the concept, the Bill as it was originally drawn and even as a shell Bill, I urge my colleagues to vote 'no'."

Speaker Giglio: "All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Representative Brunsvold, one minute to explain your vote."

Brunsvold: "Thank you, Mr. Speaker. I would ask my colleagues on this side of the aisle to give us the opportunity to work on this in Conference. I don't request an 'aye' vote on the merits of the Bill, just an opportunity to work on it. And would ask the Democrats to support the Gentleman's Motion to move it to Conference."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge the same movement. The economy of Western Illinois is at stake. Give...give the House and the Senate a chance to work out something, to save the economy of Western Illinois and the Quad Cities. This is not a vote on the merits. It's a vote on letting the people of this General Assembly decide that they can help the economy of

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Western Illinois. I urge 'aye' votes, please."

Speaker Giglio: "Representative Barger."

Barger: "Thank you, Mr. Speaker. I have put considerable time and effort into trying to study the advantages and disadvantages of river boat gambling, and it all boils down to one thing. This is casino gambling or back room gambling, but it is different from those in only the fact that the place where the action is taking place floats instead of being on dry land. This is not a good concept. It's not a good idea for the moral character of our community. And I suggest strongly that we kill it here and now."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too, oppose river boat gambling in general. The last Bill was a terrible Bill. But my feeling is, that this is an issue that people...that there is a lot of pressure to debate and discuss. And it is my hope that by sending the Bill back to Conference Committee, that the people can fashion a Bill that will make this a better piece of legislation. And so I'm willing to give them a chance to do that and reserve the right to vote 'no' later on, but let's give them the chance to see what can be worked out."

Speaker Giglio: "Representative DeJaegher, the Gentleman from Rock Island."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. Time after time after time, I've heard fairness discussed on this floor. Basically, all we're doing at this particular time is asking you to give us the opportunity of putting this Bill in Conference. Then you have an opportunity of voting your conscious. I know this is a difficult issue for many of you, but for God's sake,

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all we're asking for is fairness. Let us put it in a Conference Committee, bring the Bill back and then you'll have an opportunity of being knowledgeable of the Bill and whether you can accept the Bill or not. It's just a matter of fairness. That's all we ask of you, to be supportive of it in that particular area."

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

Leverenz: "Thank you, Mr. Speaker. I just had an opportunity to speak with the Sponsor and now I understand why this is a very good opportunity. They should have at least one opportunity for a Conference Report. And now I'm going to vote 'green' and get this vehicle moving."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I share the sentiments of many of the previous speakers. I'm not for the substantive Bill, but this...a lot of people have spent an awful lot of time working on this concept, and they need a little bit more time. We're at the twelfth hour here in the General Assembly, and I think with the kind of time, effort and energy that's gone in to try to fashion a compromise that can help a certain part of the state. I think we should at least give this shell Bill, which is not a vote on any substantive legislation, but only an opportunity to keep the discussions going, to hope that a compromise can be worked out that can be beneficial to the people of Illinois. So for that reason, I'm voting 'yes' on this, though I agree that the underlying Bill may not be something I can support."

Speaker Giglio: "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 61 voting 'yes', 50

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voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. So, let's see. Supplemental Calendar #2. Representative Regan. Representative Regan, House Bill 883. Out of the record. Representative Munizzi. Representative Munizzi, House Bill 2059. Are you ready? Supplemental Calendar #2. Are you ready?"

Munizzi: "Thank you, Mr. Speaker."

Speaker Giglio: "House Bill 2059."

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

Speaker Giglio: "...House Bill 2059, Representative Munizzi."

Munizzi: "From the Conference Committee Report, the items that were added...the items that were added along with the DUI testing for fatal injury and requiring it, added that the City of Chicago have the right to authorize other types of ticketing and booting procedures in a municipality."

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

Munizzi: "It also requires that different law enforcement officers be used for the ticketing processes and that they be honored to...I ask for a favorable vote. And I ask that we concur with the Conference Committee Report. Thank you."

Speaker Giglio: "All those...all those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'yes', 40 voting 'no' and 6 voting 'present'. And the House does adopt the Conference Committee Report to House Bill 2059, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative McCracken, are you seeking recognition, Sir?"

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Representative McCracken."

McCracken: "I call a Republican Conference immediately in Room 118 and, Mr. Speaker, I want to congratulate you on your sense of hearing. I could...I could tell that you were doing your best to notice that I was seeking a verification two Bills ago. Very...very...very good Frank. We're all very proud of you. You're a tough Speaker. Congratulations."

Speaker Giglio: "The Republicans have asked for a Conference in Room 118. One hour. We'll return at a quarter of four. 3:46. Democrats, if you want may have lunch."

Speaker Giglio: "Ladies and Gentlemen, the House is about to continue to do it's business. All those of you that are in your offices, across the street in the Stratton Building or wherever you may be, will you kindly return to the floor. The House is ready to do its business. Supplemental Calendar Announcements."

Clerk Leone: "Supplemental #4 to the House Calendar is now being distributed."

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

Piel: "Thank you, Mr. Speaker. Question of the Clerk. Was this Supplemental #4 or Supplemental #5? We got 4 about an hour, hour and a half ago, and I was just wondering if you we're talking about #5 is now being distributed? 4?"

Clerk Leone: "Supplemental 4 had not been announced as having been distributed..."

Piel: "...Oh, hadn't been announced, okay. Thank you."

Speaker Giglio: "Representative Hoffman, the Gentleman from DuPage."

Hoffman: "Thank you. Thank you, Mr. Speaker. I would like to go to the Order of Motions to consider Senate Bill 960."

Speaker Giglio: "Make your Motion, Sir."

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Hoffman: "Thank you, Mr. Speaker. I move pursuant to Rule 77(a), to discharge the Elementary and Secondary Education from further consideration, advance to the Order of Third Reading for immediate consideration and to extend the Third Reading deadline day to June 30th, 1989."

Speaker Giglio: "Any discussion? The Gentleman from Madison, Representative McPike."

McPike: "I support the Gentleman's Motion."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Motion carries by the Attendance Roll Call. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to return Senate Bill 960 to Second Reading for the purpose of Amendments."

Speaker Giglio: "You heard the Gentleman's Motion. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 960 on the Order of Second Reading. Floor Amendment #5 is being offered by Representative Gene Hoffman."

Speaker Giglio: "Representative Hoffman on Amendment #5 to Senate Bill 960."

Hoffman: "Thank you, Mr. Speaker. An inquiry of the...of the Chair. I have Amendments #2 and 3 and 4, which I'm not sure have been adopted."

Speaker Giglio: "There's a correction. Mr. Clerk."

Clerk Leone: "Floor Amendment #2 is being offered by Representative Hoffman."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you very much, Ladies and Gentlemen of the House. Before we proceed on this, I would just point out that Senate Bill 960 was amended to provide for the School

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District Emergency Financial Assistance Act and Amendment #1 became...becomes that Bill. And I'll...we discussed it at the time. The Amendment #2 is a clarifying Amendment to Amendment #1, which changes some of the language in terms of...of position of treasurer in a Class I county, which is any county outside of Cook and the chief school official, that if they're both of the sam...if they are the same, but they're not the superintendent, then they are treated separately."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments? Number 3... are you the Sponsor of 3, Representative Hoffman?"

Hoffman: "Representative Mays is the Sponsor. It's my understanding that 3 and 4 are very similar..."

Clerk Leone: "...Floor Amendment #3 is being offered by Representative Jeff Mays."

Hoffman: "...Representative Mays is returning..."

Speaker Giglio: "Alright, Jeff Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is a reincarnation of House Bill 1054, which basically opened the window for Adams County to participate in the farmland assessment hold harmless program for the Property Tax. I move the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #4, offered by Representative Mays."

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Speaker Giglio: "Withdraw Amendment #4, Mr. Clerk. Are there further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Hoffman."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This adds language to the School District Emergency Financial Assistance Law, which it tightens up the relationship between the...the...the State Board and a school district that is requesting financial assistance. And I move the adoption of Amendment #5."

Speaker Giglio: "Any discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, I don't have a question on this Amendment, but 3 got by pretty fast. I wonder if Mr. Mays would answer a question on #3?"

Speaker Giglio: "Representative Mays, Representative Hartke couldn't hear the Amendment #3. He asks leave to have you answer a question on something to do with the farmland."

Mays: "No problem."

Speaker Giglio: "Representative Hartke. Representative Hartke."

Hartke: "Mr. Mays, in the hold harmless budget, was this anticipated and was it included in the education budget?"

Mays: "It is included in the Conference Committee Report on State Board..."

Hartke: "...Okay...Thank you...No problem."

Speaker Giglio: "Further discussion? Representative Hoffman, are you finished with Amendment #5? Any discussion on Amendment #5? All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #5 is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representative

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McPike."

Speaker Giglio: "Representative McPike."

McPike: "Thank you, Mr. Speaker. This is the collegiate license plate Bill that we passed out of the House about 115 to 3. I move for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Mr...Representative Hoffman now moves for immediate consideration. Does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "House (sic - Senate) Bill 960, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 960 creates the School District Emergency Financial Assistance Law. It empowers the State Board of Education at the request of a local school district board whose district is financially distressed to appoint a three person financial oversight panel to exercise financial control over the local board. The oversight panel will have all necessary powers and responsibilities to assure its ability to function effectively and efficiently. Any additional funds that are necessary to correct the district's financial shortcoming will be available through a loan from a Emergency Financial Assistance Fund not to exceed \$1,000. Notice that I said that this is going to be a loan. Upon approval of the local petition from the board, the State Board loan funds the district's repaid simple four percent interest rate not

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later than the over...the date of the oversight panel ceases to exist. Provisions are made for separate tax levies to repay the loan. Now as many of you know, we have a number of school districts in this state, for reasons good and bad maybe, who find themselves in a difficult financial situation. You know, in the State of New Jersey, the state has just moved in under legislation they passed to take over the District of Jersey City. This doesn't operate the same way as it does in New Jersey. None of this goes into place unless it's requested by the local school board who has been identified by a common, accepted criteria to be in financial difficulty. And I ask for your support of this legislation."

Speaker Giglio: "Any discussion? The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Question of the Sponsor."

Speaker Giglio: "Indicates he will."

Mulcahey: "Representative Hoffman, didn't we have a Bill similar to this in the Elementary and Secondary Education Committee?"

Hoffman: "Yes, this was the Bill."

Mulcahey: "The Bill. And what happened to that Bill in committee?"

Hoffman: "I don't...I don't remember. It went...It passed, I believe. In fact, that's how it got out here, I think."

Mulcahey: "Okay, well, the Amendment has made this that very same Bill, right? Nine sixty (960) doesn't do that. This is nothing but a vehicle."

Hoffman: "Yes....Yes....Yes."

Mulcahey: "Well, what happened to...(What was the number of it?)...2030? House Bill 2030."

Hoffman: "Twenty thirty (2030) is in the Conference Committee at the present time. It's in a Conference Committee at the

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present time."

Mulcahey: "Well, then, Gene, why do we have to have the same Bill put on 960?"

Hoffman: "This legislation was originally in 960 and in order to make sure that one of these Bills end up getting passed, as we often do in this Legislature, we are putting forward another Bill...We're putting forward the original Bill really, which contains this legislation."

Mulcahey: "Okay, so this is..."

Hoffman: "It will be up to the Governor to decide what he wants to do."

Mulcahey: "Alright though, this is strictly at the request of a local school district?"

Hoffman: "Yes, Sir."

Mulcahey: "Okay. No changes, alright. Thank you."

Speaker Giglio: "Representative Hultgren, Gentleman from Warren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Senate Bill 960. I recall specifically a discussion we had in committee with regard to this Bill and the extraordinary powers that the Financial Oversight Committee or the Emergency Oversight Committee has with respect to a school district. And one of those powers, and for those of you who are concerned about property taxes and certainly property taxes without referendum, is the ability to quote, 'adjust the property tax rate for the school district'. Now, while it may, in fact, be the intention that the property tax rate for the school district could only be adjusted downward, there is no language in the legislation itself which would limit the power of the Oversight Committee to adjust the property tax rate only downward. In effect, the legislation gives the Emergency Committee carte blanche power to adjust the property tax rate for the school district up, down or

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sideways. While I understand that it is a emergency situation that is only supposed to be invoked where the financial condition of the district is in dire straits, I still think that the remedy with no limitation whatsoever on the authority of the Financial Oversight Committee to adjust the property tax rate is an unwise delegation of authority. Accordingly, I would suggest that we reject Senate Bill 960 at this point and hopefully the Bill which Representative Mulcahey mentioned, which is in Conference, might be less drastic in terms of the powers that it would delegate to the Emergency Committee."

Speaker Giglio: "Representative...Representative McCracken."

McCracken: "Yes, excuse me. I'm sorry to interrupt. I just wanted to let the Body know our Secretary of State, Jim Edgar, is here. Jim, welcome."

Speaker Giglio: "Does he say is the Secretary interested in a particular Bill? No. Alright, you heard the Gentleman's Motion. All those in favor signify by vot... Representative McNamara."

McNamara: "I have some questions of the Sponsor."

Speaker Giglio: "Proceed."

McNamara: "Representative Hoffman, this is the same Bill that we heard in the Educational Committee. Is that correct? At that time, you and the presenters of that Bill had told us that you would get back to us with our concerns on that Bill. Was this done? We were told at the time it was in the Secondary...Primary/Secondary Education Committee that you would get back to us with our concerns. Some of those concerns were...We gave you the vote to get out of committee with the understanding that we would have input or be able to know what went into this Bill. Isn't that correct?"

Hoffman: "If you say so, I'm sure it is...or was...is...was."

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McNamara: "Okay. My problem is this; have you addressed any of the problems that were brought up in the Secondary Education Committee?"

Hoffman: "I'll be very honest with you, Representative. As you know, this Bill was not heard here in the House and was placed back in committee and at that point in time, I put it on the back burner and was concentrating on other things. Now we find the Bill coming back up and I have not given thought to the things that you were concerned about. Maybe you'd like to share them with me now."

McNamara: "So primarily this is the exact same Bill that we heard in the Primary and Secondary Education Committee with which we expressed opposition to, but allowed it to get out on the floor so a full discussion could be heard of the merits of this Bill."

Hoffman: "Well, as I pointed out to you, there were two Amendments. Amendment #2 and Amendment #5 which I explained, it did make some changes in it in terms of dealing with the question of overlapping positions as far as being the treasurer as well as the business manager and also by tightening up the relationship of the responsibility of the State Board and the local school district. And those are the two things that have been changed. I know if either one of those were your two..."

McNamara: "Okay, let me ask you a couple of questions. Maybe I can get it clarified in my mind. Number one, the provision that the State School Board can go in to take over a school district and if the school district does not follow their plan explicitly, the State School Board or the General... or the Superintendent, which in my case would be Martwick, would have the ability to appoint new school board members, because the State School Board could remove them even though the electors elected those people to office. Is

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that still in the Bill?"

Hoffman: "Yes."

McNamara: "So by the interpretation of that, we have taken all of the school board members, if the School Board in Cook County area goes in and they say there is a problem here and the Financial Control Committee for the State of Illinois or for the Board of Education comes in vogue and replaces some of those school board members for any reason that they deemed was necessary, and it leaves your appointment of new school board members up to Superintendent Martwick, number one, and also those board members, if I'm interpreting you correctly, don't even have to be from that district, and the voters of that district have lost their duly elected representatives and are replaced by an appointee. That was a consideration. I want to know whether that's in there?"

Hoffman: "Let me...Let me make...Let me make two points, Representative. One, it says that the board members have to be qualified to be board members, so one assumes that residency would be necessary. Number two, underlying or undergirding all of this is that the local school board has to make the initial request to go into this mode and they know what the rules are. I mean this does not come as a surprise. The school board chooses to do this initially."

McNamara: "What is the vote by the school board that chooses to do this? How many votes does it take on a board in order to elect this process?"

Hoffman: "Majority or seven."

McNamara: "Just the majority, the simple majority of the board. And that abrogates the responsibility of what we elected within that district."

Hoffman: "That's what majorities are all about. We do that here. We just levy taxes by..."

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Speaker Giglio: "We're getting off the dialogue here, Representative. Would you kindly bring your remarks to a close."

McNamara: "Yes, I'll speak to this Bill. Mr. Speaker, this is a Bill that was brought into the Sec...Primary and Secondary Education Committee, and it was assured by us that we would have a complete and thorough discussion. Here we are on Third Reading adopting the Amendments on immediately, and what is happening is it allows the State Board of Education, granted that the school board has to vote just in a majority in order to allow the State Board to come in, but allows the State Board to eliminate the board members of that school district and then new board members are... would be supported by Superintendent Martwick. I think that this is probably very necessary, very, very necessary legislation in some areas, but it must be cleaned up so that the people of the district, whether we like it or not, have a say in that process. This was a point brought before the education committee, agreed that it would be heard and discussed and that agreement was abrogated. I reluctantly have to vote 'no' on this Bill."

Speaker Giglio: "Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, if I ever heard anybody that didn't know what he's talking about, the previous speaker is it. Let me tell you this right now, Mr...Representative Gene Hoffman has said over and over that the people who are in trouble in the school districts must ask for the help. He's also said they must surrender their budget powers to the state. There's no problem with this. The big problem is if it don't pass, we'll be facing a national disgrace before national TV, a big school district like East St. Louis shutting down, simply because we refuse to help. I beg of you, please pass this Bill and ignore what you've

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just heard from the previous speaker."

Speaker Giglio: "Representative McPike."

McPike: "Well, Rep...Thank you, Mr. Speaker. Representative Flinn is absolutely right. Representative Hoffman is absolutely correct. I think this Bill is drafted the only way it can be drafted. There is no one at the state level that is going to give money to a bankrupt school district as a loan and not have some assurance of recovering that loan. And that's what this is. If you give someone money, be you a banker or the state, you have to have a way to get that money back. And the only way to do it is to make sure that you have a superintendent down there that is ready to give you a balanced budget. Congratulate Representative Hoffman on this. I think it should have at least 100 'ayes'."

Speaker Giglio: "The question is, 'Shall Senate Bill 960 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Representative Weaver, one minute to explain your vote."

Weaver: "Thank you, Mr. Speaker. The previous speaker indicated that a banker would not make a loan without some assurances. I've never seen a banker that would make a loan to a corporation, and then come in and fire the president, the vice-president and all the officials of the company. You let the company run. You don't kick them all out. I think this is probably a step in the right direction, but it's a bad idea to begin with."

Speaker Giglio: "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', 25 voting 'no', none voting 'present' and Senate Bill 960, having received the Constitutional Majority, is hereby declared passed. Supplemental announcements. Supplemental

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Calendar, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #5 has been distributed."

Speaker Giglio: "Supplemental Calendar #5 - appears Senate Bill 1258, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Conference Committee Report on this Bill, the House recesses from House Amendment #1. It provides various stipends for various leaders in the General Assembly and for various committee chairmen...with appropriate Pension Code changes. I would move for the adoption of the Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report to Senate Bill 1258?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Laurino, 'aye'. Representative Stephens, are you seeking recognition, Sir? The Gentleman from Madison, Representative Stephens."

Stephens: "I was just wondering if the Senate was in Session?"

Speaker Giglio: "There seems to be something wrong with the board. The mechanical mechanism of the board is not working properly. We'll take it out of the record, Mr. Clerk. Take the Bill out of the record. Dump the Roll Call. On page 5 of the Supplemental Calendar appears House Bill 114, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move for the adoption of the First Conference Committee Report on House Bill 114. What House Bill 114 does in its present form is to allow local educational agencies to utilize federally funded health care programs to share in the cost of special education services and provides that funding...funded health care reimbursement funds would be supplemental and not used to reduce any other federal

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payments or what have you. But basically, Mr. Speaker, this will allow local special ed. districts to be able to utilize in...federal dollars to help share the cost of the public...of special education services, and also we have found a way to maximize further the state's ability to receive federal education dollars or federal Medicaid dollars coming into the State of Illinois. So I would move for the adoption of the First Conference Committee Report on House Bill 114."

Speaker Giglio: "The Clerk informs me that the machine is still stuck again. We're going to just stand at ease for a few minutes here till we can bring the board back to where it's supposed to be. Mr. Clerk, get the electrician. Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I would like to make a Motion...Right, I don't need a vote on this. It's a Motion to non-concur with the Conference Committee #1 on House Bill 514, and I ask for a Second Conference Committee."

Speaker Giglio: "The Gentleman have leave? All those in favor signify by saying 'aye', opposed 'nay'. Representative McNamara, was that Senate Bill 514? House Bill...House Bill 514. The Gentleman asks leave. Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. The Gentleman asks for a Second Conference Committee to be adopted. Representative Munizzi on House Bill 1375."

Munizzi: "Thank you, Mr. Speaker. I'd like to make a Motion to not adopt the recommendation of the First Conference Committee. It was rejected in the Senate, and I'm asking for a Second Conference Committee, please."

Speaker Giglio: "House Bill 1375, the Lady asks for a Second Conference Committee Report. All those in favor signify by

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saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and a Second Conference Committee Report to House Bill 1375 has been requested. Representative Steczo, House Bill 1287."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move that the House do not adopt the First Conference Committee Report on House Bill 1287 as this Report was defeated by the Senate and ask for the appointment of a Second Conference Committee."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. The House now asks for the Second Conference Committee Report to House Bill 1287. Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I would like leave of the House to non-concur with House Bill 1883 and ask for a Second Conference Committee Report."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the House non-concurs with the Conference Committee Report to House Bill 1883 and a Second Conference Committee be appointed. Representative Turner."

Turner: "Thank you, Mr. Speaker. I wanted, for the record, to let it be known that on Senate Bill 185 that my button was inadvertently hit 'present' on that Bill, and I wanted to vote 'green'. There was quite a bit in that Bill that I'd like to support. So for the record, may it reflect that."

Speaker Giglio: "Mr. Clerk. Excuse me, Mr. Clerk, let the transcript indicate Representative Turner's request on House Bill 185. On Supplemental Calendar #4 on Concurrence appears House Bill 1252, the Lady from Cook, Representative

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Didrickson."

Didrickson: "Thank you, Mr. Speaker. I move to non-concur with Senate Amendment #1 that was put on House Bill 1252."

Speaker Giglio: "You heard the Gent...the Lady's Motion. Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it and the House non-concurs with Senate Amendment #1 to House Bill 1252. On Supplemental Calendar #4 on the Order of Concurrence appears House Bill 164, Representative Flinn. Monroe Flinn, House Bill 164 - Concurrence. Representative Flinn."

Flinn: "Thank you, Mr. Speaker. I move for the adoption of the Conference Committee Report...concurrence rather, on the...164. All the Senate Amendment done was make a technical change which was a...I think a typographical error, I'm not sure what it was, but did not change the Bill at all. The Bill is the original one. It would be another square put on the State Income Tax...form which would provide a offer to let people donate ten dollars of their refund from their income tax for the homeless. I would move for the concurrence of...Amendment #1."

Speaker Giglio: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McCracken: "Our analysis indicates that the Department of Public Aid is opposed to this. Do you know if that's still the case?"

Flinn: "No, it's not true. They have withdrawn their opposition some time ago. In fact...your Amendment #1 took care of that to start with, and all we're doing is trying to correct the language in Amendment #1."

McCracken: "Alright. Okay. Thank you."

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Speaker Giglio: "Mr. Clerk, is the voting board ready for business? You heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Let's try it, Mr. Clerk. 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 110...111 voting 'yes', none voting 'no', none voting 'present' and the House does concur with Senate Amendment #1 to House Bill 164 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2448, Representative Cowlshaw. The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Floor Amendment #... Senate Amendment #1 to House Bill 2448. That Senate Amendment consists of what was formerly House Bill 2605, so that the Bill as posted there on the board now consists entirely and exclusively of simply two Bills: 2448 and 2605. House Bill 2448 is the annual recognition program for drug free schools. It passed out of this chamber 107 to nothing. House Amendment...or the Senate Amendment, which consists of what was House Bill 2605, is the scientific literacy program. It passed out of this chamber 111 to 2. In the...In House Bill 592, which is the appropriations for education, there is already approved a ten million dollar expenditure for scientific literacy and five million dollars for the recognition of drug free schools. I move that the House concur in Amend...Senate Amendment #1 to House Bill 2448 and thank you very much."

Speaker Giglio: "Any discussion? Hear...The Gent...Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2448?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting

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is open. This is final action. 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 114 voting 'yes', none voting 'no' and 1 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 2448 and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Conference Committee Reports, page 3 of the Calendar, Representative Keane, House Bill 113. The Gentleman from Cook, Representative Keane. House Bill 113."

Keane: "Thank you, Mr. Speaker. I would like to first correct the Conference Committee Report on House Bill 113. This is the Impact Fee Bill that is a comprehensive revision of the legislation that we enacted in 1987 and took effect in January of '88. It allowed Lake and DuPage Counties to impose transportation impact fees to help to pay for road improvement related to new development. The transportation impact fees are assessed on a commercial and residential development based on calculations of the impact on traffic in the immediate area. There are...is a great deal of support for this. The Illinois State Chamber of Commerce, the Illinois State AFL-CIO, Taxpayers Federation, the Municipal League, the Northwest Municipal Conference, the Home Builders, the Coalition of Sound Public Policy, the DuPage Development Council, Lake County Board, Illinois Realtors and others have supported this. Mr. Speaker, we would like to do some legislative intent, and if it would be possible to recognize Representative Peterson, we could move through the legislative intent fairly rapidly."

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

Peterson: "Thank you, Mr. Speaker. Will the Gentleman yield? First question, Representative Keane, is the intent of this

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legislation that a unit of local government, as defined in the First corrected Conference Committee Report on House Bill 113, have the authority to impose an impact fee on another unit of local government?"

Keane: "It'll be done by intergovernmental agreement between the two units of local government."

Peterson: "Thank you. The next question is the language in paragraph 5-9. (1)(c) of House Bill 113 intended to ensure that existing impact be programmed such as the one that is currently in effect in DuPage County will remain effective for 12 months, and that the exemption in paragraph 5-9. (18)(b) will not apply to developments which are subject to those existing impact (b) programs and ordinances?"

Keane: "Yes, that is the intent of sub-paragraph 5-9. (18) (c) entitled 'exception to the exemption of developments receiving sites specific development approval'. We want to make sure that the funds collected under Impact Fee Ordinance passed under the present Section 505-608 of the Illinois Highway Code do not have to be refunded. The development subject to such ordinances will not become exempt by virtue of paragraph 5-9. (18)(b) of House Bill 113. The purpose of the exemption in paragraph 5-19. (8)(b) is to allow developers who have already received specific site development approval within 18 months of the approval of the new ordinance in compliance with House Bill 113 from a local government to remain subject to the existing ordinance."

Speaker Giglio: "Representative Peterson."

Peterson: "Mr. Speaker, to the Conference Committee Report, Mr. Speaker. I would like to alert my side of the aisle that although you will not see my signature on the Report because of time constraints, we were not able to sign it. We do support it as agreed Conference Committee Report. A

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lot of people put a lot of time and effort into this Report from local officials to Members of the Legislature and people from the private sector. And I urge your support for Conference Committee on House Bill 113."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern."

Stern: "Ah, will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Stern: "Doesn't Illinois presently have an Impact Fee Law, Representative?"

Keane: "Yes, as you know two years ago the General Assembly passed and the Governor signed into a law, a Bill which gave authorization to counties with populations of between 400,000 and 1,000,000 to impose and collect impact fees to be spent on roadway construction. The problem, however, was that there were no guidelines to assure due process in the adoption of an Impact Fee Ordinance and no guidelines for assuring that impact fees would be fair and equitable. Some units of local government already have impact fees or ordinances in place. This Bill represents four months of negotiation between the Counties of Lake and DuPage, home rule municipalities, developers, home builders, realtors and others. And the Bill provides guidelines to assure both procedural and substantive due process for all parties concerned. In addition, this Bill provides the framework for intergovernmental cooperation between the state, counties and home rule municipalities in the planning and construction of roadways in high growth areas and in the imposition and collection of roadway impact fees."

Stern: "Does the Act expand the authorization or scope of the original Impact Fee Statute?"

Keane: "No, the intention was to limit the authorization for the imposition of impact fees to roadway impact fees and to the

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jurisdictions that had the authority to impose impact fees under the original Impact Fee Statute."

Stern: "How can we be assured, Representative, that a party paying an impact fee will actually get a benefit from paying that fee?"

Keane: "We have built into this Bill a strict standard of law that has been followed by Illinois Courts since 1961 that requires the improvements that are built with fees paid to be specifically and uniquely attributable to each new development paying the fees. In other words, each new development must receive a direct and substantial benefit from the roadway improvement in proportion to the amount of traffic generated by that development."

Stern: "The Act provides for the local...for the unit of local government's preparation of a Comprehensive Road Improvement Plan, is that correct? What function does that plan serve?"

Keane: "The Comprehensive Road Improvement Plan is intended to accomplish two objectives. First, it will identify roadway improvements that will be necessary to cure existing roadway deficiencies and bind the unit of local government where feasible to curing those deficiencies. And second, it will identify roadway improvements that will be necessary to efficiently accommodate the traffic demands generated by each new development. In addition, the plan will provide that the level of service to be provided to new developments may not be greater than the level of service provided or to be provided to existing developments. All in all, the goal is to ensure that the developers of each new development that they are not paying for problems they have not created."

Stern: "Don't a lot of developers already undertake road improvements as part of their developments? Why should

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they have to pay an impact fee?"

Keane: "The Act recognizes that developers often do this and provides that developers may receive credits against the impact fees otherwise payable for any improvements that a developer makes because of the traffic demands of such developer's new development. The developer that does not make such improvements will pay the impact...for the impact on area roadways in the immediate vicinity of his development through the payment of the impact fee. Hopefully, however, a developer will not be charged twice for the traffic impact generated by his new development."

Stern: "Speaking of being charged twice, does the Act ensure that a developer won't be charged by two different units of local government for the same road improvements?"

Keane: "Yes, the Act specifically precludes that."

Stern: "One of the major controversies over the adoption of the Impact Fee Ordinance in DuPage County was the manner in which it was adopted. How does the Act address the issue of how to go about adopting an Impact Fee Ordinance?"

Keane: "The Act provides a specific process involving notice, public hearings and the appointment of an Advisory Committee, consisting of representatives of both the public and private sector to assist the unit of local government in the preparation of a Comprehensive Road Improvement Plan and the adoption of an impact fee ordinance. These procedures should ensure that prior to the adoption of an Impact Fee Ordinance, there is full and complete opportunity for the public input and a total exchange of all information considered relevant in the adoption of a Comprehensive Road Improvement Plan and the imposition of an Impact Fee Ordinance. Mr. Speaker, I think we've pretty well covered the Bill. I'd be happy to answer any other questions, and if there are none, I'd ask for a

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favorable Roll Call."

Speaker Giglio: "The Lady from Cook, Representative Wojcik. Kay Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. House Bill 113, would the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Wojcik: "Representative, I have knowledge that there was an Amendment attached to this that would eliminate home rule communities. Has that been done?"

Keane: "Not at all. No, that's...it would eliminate home rule..."

Wojcik: "I'm sorry, that they would not have...This is...that they would not have to be at a...with a committee for impact fees. They would have a local committee take care of it."

Keane: "This Bill does not set up a state committee. All of the...The Advisory Committees we're talking about are all based on the taxing...on the...on the unit of local government that levies the impact fee. Each step, you know, in case you're worried about Schaumburg."

Wojcik: "Yes."

Keane: "They would have their own...They have signed off on the Bill and they would also have their own Advisory Committee."

Wojcik: "Right, but they also submitted suggestion...wording for an Amendment to this Bill."

Keane: "No, they have signed off on the Bill. Whatever they have submitted has been included. It's my understanding it's been included, and they are in agreement with the Bill."

Wojcik: "That's fine. I just want to know if everything that they have submitted has been included."

Keane: "Yes...yes, they have had a chance to review it and everybody said ...it was fine."

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Wojcik: "Yes, and, Representative, our compliments to you for the hard work on this Bill. Thank you."

Keane: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Representative, this only affects counties of 400,000 and over, is that right?"

Keane: "Presently, it only applies to DuPage and Lake."

Stephens: "Okay, so St. Clair and Madison who were in the discussions earlier, are out?"

Keane: "They never were in."

Stephens: "Oh, okay."

Keane: "Well...what they did...what they've done when we started this procedure, we said we wouldn't expand, we wouldn't build anything new into the Bill, and we wouldn't take away any existing powers. A number of counties have indicated that they wish to be brought into the Bill at a future date."

Stephens: "Okay, thank you very much."

Speaker Giglio: "The Lady from Dupage, Representative Cowlshaw."

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

Speaker Giglio: "Indicates he will."

Cowlshaw: "Thank you. This is simply a...something that affects my own area exclusively, and therefore, I simply want to have this on the record, if I may. The City of Naperville already has its own Transportation Impact Fee. I would like an assurance from the Sponsor that this legislation will in no way interfere with the already existing transportation impact fee of the City of Naperville."

Keane: "Their existing Impact Fee Law is not touched. They have 12 months in which to bring their ordinance into compliance with this."

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Cowlshaw: "But this does not prohibit...This does not prohibit the City of Naperville from continuing to have its own Transportation Impact Fee?"

Keane: "No...No...No way, not at all."

Cowlshaw: "Very good. I just wanted that on the record. And thank you for all your hard work on this issue."

Keane: "Thank you."

Speaker Giglio: "Representative...The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Will the Sponsor yield for a short question?"

Speaker Giglio: "He indicates he will."

Klemm: "Representative, does this delete all the provisions that were for Lake and DuPage County before?"

Keane: "It repeals existing law."

Klemm: "Does this supersede the local home rule in counties that have it or municipalities?"

Keane: "It's concurrent...It deals with concurrent exercise of home rule powers."

Klemm: "Alright, I see, then on page 19, it looks like a home rule preemption. Would that require additional votes from the House?"

Keane: "It's not a limitation of home rule. It's just a following...They have to follow the procedures specified in the Act."

Klemm: "I see, thank you very much."

Speaker Giglio: "Representative Keane to close."

Keane: "I think the Bill has been well explained and discussed. I'd ask for a favorable Roll Call."

Speaker Giglio: "The question is, 'Shall the House adopt the First corrected Conference Committee Report to House Bill 113?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action."

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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 106 voting 'yes', 7 voting 'no' and none voting 'present' and the House does adopt the First Conference Committee...corrected Conference Committee Report to House Bill 113 and this Bill, having received the required...Representative Parke, 'aye'...107 voting 'aye', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 227, Representative Steczo. Giorgi...Representative Giorgi. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move for the adoption of Conference Committee Report #1 to House Bill 227. House Bill 227...or the Conference Committee Report on House Bill 227 represents an agreement between the elected county officers of the State of Illinois and the organizations that represent the county boards of the State of Illinois regarding pay increases for the county elected officials. What House Bill 227 does is to provide each elected county official with at least a 3% salary increase per year beginning December 1st, 1990. So in 1990, that county elected official would get a 3% increase, '91 a 3% increase, '92 at least a 3% increase and '94 at least a 3% increase. It establishes a base salary of July 1st, 1989, and also provides for those county elected officials that receive stipends from the state, that those stipends will...are not held as a penalty against the salary of that county official. Two other changes for the County of Cook. The Cook County Circuit...Circuit Court Clerk has always had a maximum in the statutes, and it's always been the policy of this General Assembly not to place maximums on these salaries. The maximum has now become a minimum, and the Cook County

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Circuit Court Clerk will receive the one stipend that all other circuit court clerks throughout the state receive. As I indicate, Mr. Speaker, this has been a product of many, many hours of discussions. There is agreement between all parties concerned. This Conference Committee Report has already been approved by the Senate, and I would now move for its adoption here in the House, Mr. Speaker."

Speaker Giglio: "Any discussion? The Gentleman from Kankakee, Representative Novak."

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

Speaker Giglio: "Indicates he will."

Novak: "Terry, what time...When do these pay raises go into effect? After they're...the individual officeholder is successfully reelected, is that it?"

Steczko: "The salary increase will be for the time when after the officeholder is elected. So the first increase will be December 1st, I believe, of 1990."

Novak: "You said 3%?"

Steczko: "Three percent per year for each of four years. So every year after that, the elected official will receive at least a 3% increase."

Novak: "Okay, one other question, this Conference Committee Report does not remove any of the the floors in the statutes, right?...On minimum levels of salary."

Steczko: "With the agreement...the agreement between the county boards and the county elected official was...to leave the floors alone and just deal with current salary, so the elected official...so all elected officials will be able to benefit from this meager increase."

Speaker Giglio: "Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Terry, as I read through the Conference Committee

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Report, just want to clarify something. This is not state money, is that correct?"

Steczo: "That is correct, because we have had an agreement between the county elected officials and basically the people that pay the bills, that's the county board organizations, it's always been our practice when there has been an agreement that there will be then no state money, and we've exempted this from the State Mandate's Act...Because there has been an agreement."

Weaver: "So this is a local mandate that we have exempted from the Mandate's Act?"

Steczo: "That is correct, because the boards have agreed to provide these increases."

Weaver: "All the county boards?"

Steczo: "The organizations that represent them have signed off on the bills."

Weaver: "Is there any indication of the cost or is that pretty hard to calculate at this point?"

Steczo: "It's hard to determine, Representative Weaver, but 3% increases are pretty minimal, very, very minimal. If you look at the salaries that some of those county officials now make, a county official making \$15,000 a year, a 3% increase would be about \$400 a year, so it's not a large, large increase that even those small counties would have to pay. That's...and that's the way we decided to keep it, as minimal as possible."

Weaver: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the Conference Committee Report to House Bill 227?' 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? Mr. Clerk, take the record."

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Representative Curran, 'aye'. Representative Curran, 'aye', Mr. Clerk. Santiago, 'aye'. Have all voted...Barger, 'aye'. There are now...Take the record, Mr. Clerk. There are now 88 voting 'yes', 24 voting 'no', 1 voting 'present' and the House does adopt the Conference Committee Report to House Bill 227 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Ewing, for what purpose do you rise, Sir?"

Ewing: "Yes, Mr. Speaker, would you have the record show that on House Bill 227, I would have voted 'yes'. I inadvertently voted 'no'."

Speaker Giglio: "Mr. Clerk, have the record so indicate Representative Ewing's...Representative Wennlund, 1085. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move for the adoption of the First Conference Committee Report on House Bill 1085. The biggest portion of House Bill 1085 creates the Used Tire Management Act. It will provide for the collection and shredding of thirty million tires which are now on the public grounds in Illinois, and it's added to by eleven and a half million tires every year. It takes fifty cents from the increase in the Title Certificate Transfer Act and puts it into the Waste Tire Management Fund to provide for recycling grants for tires and provide for the collection and shredding of tires spread out...throughout the State of Illinois. The biggest problem with tires, of course, is that they breed the Asian tiger mosquito that spreads encephalitis. This is something that has been long needed in the State of Illinois and will put Illinois in the cutting edge of cleaning the environment of used tires which creates severe problems in landfills, and as a matter of fact, they float

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to the surface of landfills. I would be happy to answer any questions. I move for your favorable adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1085?' All those in favor signify by voting 'aye', those 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? Mr. Clerk, take the record. On this question there are 108 voting 'yes', 2 voting 'no' and 2 voting 'present', and the House does adopt the Conference Committee Report to House Bill 1085. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1480, Representative Breslin. The Lady from LaSalle, Representative Breslin on House Bill 14...Out of the record? Out of the record. Representative Piel, 1778. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1778 is in the original form..."

Speaker Giglio: "Representative..."

Piel: "We refuse to recede from the..."

Speaker Giglio: "Representative Piel, excuse me. Hold on. Representative, 1480's on the board. We'll run 1480. Yours will be next. Representative Breslin. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. This is a Conference Committee Report that contains the original Bill as it left the Senate. It is...It deals with mortgage foreclosure and is very non-controversial. It was an agreed to Bill in both Assemblies. There are two additional provisions, one dealing with the ability of a Home Rule Municipality and a county board to, by quick take in an enterprise zone in very limited circumstances, use the quick take provisions in order to construct an industrial harbor port. That was

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brought to us at the request of...of Representative Homer. It is only a two year provision, and I think limited enough to meet the needs of that community and others who might be similarly situated. The other provision is a provision that would allow publicly held utilities that intend to purchase...use eminent domain power...in order to construct a body of water to give that property back to the...the original land owners, if within five years they have not substantially progressed in the construction of their original project or if they do not use it for their intended purpose. I think that the legislation is also significantly narrow enough so that both the home owners and the utility are protected. I therefore suggest that this House adopt the First Conference Committee Report on House Bill 1480."

Speaker Giglio: "Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. Would the Lady yield for a question?"

Speaker Giglio: "She indicates she will."

Curran: "Peg, this Bill has a lot to do, as you and I have discussed today, with the proposed lake here in the Springfield area which is, of course, in my district. And you've had a con...this...part of the Springfield Lake comes into my district... and you have had a discussion with the Mayor of Springfield."

Breslin: "Yes."

Curran: "What is your understanding that the Mayor of Springfield wants to do with this Bill?"

Breslin: "The last time that the Mayor talked to me, he was opposed to the legislation. I, before I agreed to allow it to be put on the Bill, had asked that the Representative, whose district would be involved, be contacted and approved. I was told that that was Representative Hasara,

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and she did approve of it. I, as a consequence, I moved forward with it. But the last time that the Mayor talked to me, he still maintained that he was opposed to it. He didn't give his specific reasons, however."

Curran: "Okay. Well this is no criticism to this...to the Sponsor of this Bill or to Representative Hasara, both who are...it was difficult for them to communicate with the appropriate people here in the Springfield area. But what has happened is that we have proposed a second lake. We have called Hunter Lake here in Springfield, very important for the economic development of Springfield area and for the continued sustained growth in the Springfield area. Mr. Speaker, to the Bill. This Bill at this point carries a very important provision. That provision is very destructive toward the future economic development of the Springfield area. So I would ask those of you who are concerned about the place that you come to, where you do your work, to the Mayor of this...Springfield who's a Democrat, to the Director of the Department of Public Works who is a Republican, I would ask for you to vote 'present' on this at this time, so that a Second Conference Committee Report can be brought forth, which doesn't contain this harmful provision for Lake Springfield. This not only affects Representative Hasara's district, and I understand that Representative Hasara has had difficulty communicating with the appropriate people, it's not her fault. But, this not only affects her district, but it affects mine, because that lake is for the entire Springfield area. And I would respectfully ask either the Spon...the Sponsor take this Bill out of the record or if we could have 'present' votes and get a Second Conference Committee Report. Thank you."

Speaker Giglio: "Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in support of the Bill as

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it's currently created. There is some controversy about the one area that the previous speaker indicated. But, apparently not sufficient controversy that it caused any problems in the Senate. It passed and is already accepted this Conference Committee Report with 48...48 votes, a very strong majority. There are provisions within this Bill now, as currently created, that protects the rights of property owners, and it's those rights that we wish to protect. That's what the language in the Bill is, that's what the language of the Bill does. Ultimately, the courts are empowered under this Bill to make the final determination as they should in any matters that are so important that the property owners have their rights taken from them. The underlying Bill is good. The part that we are currently discussing is appropriate. I believe that we should vote to adopt this First Conference Committee Report."

Speaker Giglio: "Gentleman from Macon, Representative Dunn. Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think you have been told what the Bill does. I think you should know that I think it treats all property owners fairly. I realize that the issue of eminent domain is a serious one. This one merely provides that if you use eminent domain, take property a for public purpose, you have to fulfill that public purpose. If you do not, you should give it back to the people that you took the property from at a fair market price. If, in addition, you proceed with the project, and then you do not use the remaining area as you had intended or as you had told the people you would, you should allow first option to repurchase that property at a fair market value. I think it treats the municipality fairly, I think it treats the utility fairly, and I think

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it treats the property owner fairly. And therefore, I am...I am very comfortable in moving adoption of the Conference Committee Report."

Speaker Giglio: "Question is, 'Shall the House adopt the Conference Committee Report to House Bill 1480?' And on that question, all those in favor vote '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? Mr. Clerk, take the record. Balanoff, 'aye'. Have all voted who wish? On this question there are 75 voting 'yes', 14 voting 'no' and 20 voting 'present'. The House does adopt Conference Committee Report to House Bill 1480 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Piel, 1778."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This was brought up earlier today, and I basically went through the explanation, but I'd be more than happy to do it one more time. House Bill 1778 is in the same form as it was voted out of the House with 100 'yes' and 1 'no' vote in May. It went over to the Senate. They put an Amendment on it. We would not concur. They refused to recede, and then after we got in the Conference Committee, they agreed to recede from their Amendment. So House Bill 1778 is in the exact same situation as it left the House in May where it passed out unanimously. And I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House...Shall the House adopt the First Conference Committee Report to House Bill 1778?' And on that question, all those in favor signify by voting 'aye', those 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? Mr. Clerk, take the record. On

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this question there are 112 voting 'yes', none voting 'no' and 5 voting 'present' and the House does adopt First Conference Committee Report to House Bill 1778 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Martinez, 1859. Is the Gentleman in the chamber? Is Representative Mar... House Bill 1859, Mr. Clerk. The Gentleman from Cook, Representative Martinez."

Martinez: "Thank you, Mr. Chairman (sic - Mr. Speaker), Members of the House of Representatives. I move the adoption of the Conference Committee Report."

Speaker Giglio: "Any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, thank you, Madam or Mr. Speaker. I rise in opposition to this Conference Committee Report. This Conference Committee Report contains a Bill that was defeated in the Judiciary 2 Committee, providing for automatic transfer. I think it's a bad Report, and I think if we defeat it, we can bring it back and pass 1859 easily. And I recommend a 'no' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1859?' Representative Homer."

Homer: "I rise to support the Gentleman's Bill. I think it...it's a fair Bill. He's trying to address the gang crime problem in his area, and as this Bill is currently drafted, it would provide that with respect to individuals over 14 and under 17 years of age, that upon convic...upon a charge of a second felony that involved gang activities and where at least one of the two felonies was a forcible felony, that that 15 or 16 year old would be prosecuted as an adult. We're not talking now about misguided teenagers. We're talking about someone who has committed a second

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felony, one of which is forcible and the second one was part of a gang related activity would be treated as though they were 17 years old instead of 15 or 16 years old. That's what that part of the Bill does, and there are a few other parts that I don't think would be particularly controversial, but I think the Gentleman has a reasonable Bill to address a very serious gang crime problem, and I think the Bill should be supported."

Speaker Giglio: "Representative Williams, Gentleman from Cook."

Williams: "I have to rise in opposition to the Bill, and I worked with him. I know what he's trying to do, but I think that the automatic transfer provisions here are not proper. And even though they're geared at gangs, the problem with it is that you're only dealing with gang members between the ages of 14 and 17. The majority of the gangs in Chicago...Jeff Ford is 40 years old. If you leave all of these guys out, then you basically penalize the teenagers who are being followed and being pushed into these things by these young men, but you don't go after the real, true hardcore gang members. I would suggest an extended sentence with probation possible, and I know what they're trying to do. I want to applaud him for his efforts and applaud him for his...at least attempt to address the problem, but I just don't think that it does. I think what it does is it goes out to a small segment instead of the entire gang problem. I think that we should expand this in some way or we should do something other than to penalize the 14 to 17 year old when the majority of the gang members involved are probably 30, 25 and 40 years old."

Speaker Giglio: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this piece of legislation. I think it's a good piece of legislation and I admire the previous

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speaker, but I think he's in error on the 30 and 40 year old people, because current law...under current law, would already deal with them. What this legislation is after is...or dealing with is the fact that the...there is nothing in the statute that would cover the 16...16 and 17 year old. And this legislation is designed to do that. If you want to get rid of gangs and do something about the gangs in your area, this is a piece of legislation that you should be voting for. We know that these young men that are members of gangs, your wives and your sister and brothers cannot walk the streets, and it's done by the 16 and 17 year old. That's what this legislation is designed for. You should be up on that board as a 'green' vote...a 'green' vote. And I rise in support of this legislation, and I urge an 'aye' vote on House Bill..."

Speaker Giglio: "Representative Martinez to close."

Martinez: "Thank you, Mr. Speaker. I'm really saddened to see that there's opposition to this Bill. You know, I think that it's time that we start addressing the issue of crime instead of trying to dodge it. You know, we talk about serious crime situations and CHA, the gang activities which are crime related, and when we have an opportunity to address this situation, we back away from it. I, like I said, I'm really saddened by this. I...my district in the near southwest side of Chicago is plagued by gang activities for more years. I disagree with Representative Williams that Jeff Ford is in the prison. Sure he's been in the prison, but we're trying to avoid the younger element from winding up to be what he is doing, you know, what he ended up as being. And while I'm addressing the gang situation right now, the young people, the only way that you can do it is by putting a deterrent. So let's quit talking out of two sides of our mouth and our faces

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and let's address this situation as it should be addressed.

I ask for a favorable vote. Thank you."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1859?' And on that question, all those in favor signify by voting 'aye', those 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's 78 voting 'yes', 23 voting 'no' and 10 voting 'present' and the House does adopt the First Conference Committee Report to House Bill 1859 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Kubik, 2076. Representative Kubik, 2076. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to adopt the First Conference Committee Report to House Bill 2076. What the Bill does is to...What the Conference Committee does, I should say, simply recommends that the Senate recede from Senate Amendment #1. The effect of this would be to leave the Bill in the position that it was when it left this House, which provides the courses or proficiency in American sign language are the equivalent of courses of proficiency in a foreign language. I'd be happy to answer any questions. I appreciate your support. And this Bill was passed out almost unanimously when it was in the House. Thank you."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2076?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt the First Conference Committee Report to House Bill 2076 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Stephens, 2693, Sir. The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I would move the adoption of the Conference Committee Report on House Bill 20...Excuse me, 2693."

Speaker Giglio: "Representative Stephens."

Stephens: "I would move the adoption of the Conference Committee Report on House Bill 2693. The original Bill dealt with fetal transplant and experimentation and restrictions therein. The House Bill passed out of here and the Senate amended it to add language that this in no way prohibited a woman's or limited a woman's legal right to an abortion under current law. The...I agreed that the Senate Amendment was appropriate and would move the adoption of the Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none. The Lady from Lake, Representative Stern."

Stern: "I'm sorry. Will the Gentleman yield? I'm sorry, I couldn't remember the phrase."

Speaker Giglio: "He indicates he will."

Stern: "I didn't understand what this Senate Amendment does, just that it does no harm. I...I didn't understand what it does."

Stephens: "Oh, I'm sorry. The Senate Amendment simply made a statement that nothing in this...in this Bill would limit a woman's legal right to an abortion."

Stern: "Well, I can hardly find fault with that. But, let me address the Bill for a moment. I think that the

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prohibition of the use of fetal parts for experimentation in scientific advancement is very shortsighted. I think there is ample precedent for believing that we can make great advances in medicine by using what comes to hand, and certainly fetal parts when the abortion is voluntary as they are...are an appropriate resource for this kind of science. And I urge a 'no' vote on this Bill."

Speaker Giglio: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. This Bill is substantially not changed from when it passed out of here, 81 to 25. The argument that the Lady makes is one that was made in...at that time and my response is just as appropriate now as it was then. That's the same logic that the Nazis used in using body parts from the six million Jews that they killed during World War II. I think it doesn't...doesn't hold up. If you believe in right to life, you're for this Bill. If you don't believe in right to life, then you're opposed."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2693?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 88 voting 'yes', 19 voting 'no' and 4 voting 'present' and the House does adopt the First... Representative Shaw. Record Representative Shaw as voting 'no'. Representative Lang votes 'no'. Representative Hicks votes 'no'. Representative Dunn votes 'no'. Representative Dunn. How do you wish to be recorded?"

Dunn: "Just...just record me as unable to hear the debate, so I'm voting 'present'."

Speaker Giglio: "Representative Dunn votes 'present'."

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Representative Flowers, 'no'. Representative Ronan, 'present'. Representative Santiago, 'present'. Representative Bruce Richmond, 'no'. Representative Martinez, 'no'...'aye'? 'Aye'. Representative Shirley Jones votes 'no'. Why don't we just dump the Roll Call? I'm going to suggest to dump the Roll Call. Let's dump the Roll Call and have everybody get on the Bill or off the Bill. Dump the Roll Call, Mr. Clerk. The question is, 'Shall the First Conference Committee to House Bill 2693 be adopted?' All those in favor signify by voting 'aye', those opposed 'no'. Those who want to vote 'present' - vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the... Representative Dunn."

Dunn: "Yeah, as long as we're on another Roll Call, I'll explain my vote, and we've had in this General Assembly an issue about legislation like this which has the...the effect of prohibiting invitro fertilization and bonafide research on that question. And a quick reading of the Bill leaves me uncertain about what this Bill does with regard to that process, which is designed to...to make babies, not prevent them. And so I'll have to vote 'present' until I have some more answers on this Bill."

Speaker Giglio: "Take the record, Mr...Take the record, Mr. Clerk. On this question there are...Representative McNamara."

McNamara: "Just for a point of clarification in explaining my vote that this Bill does not deal with invitro fertilization. It deals only with experimentation of fetal tissue."

Speaker Giglio: "On this...on this Roll Call there are 77 voting 'yes', 26 voting 'no' and 12 voting 'present' and the House does adopt the First Conference Committee Report to House

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Bill 2693 and this Bill, having received the Constitutional Majority, is hereby declared passed. Supplemental announcements."

Clerk Leone: "Supplemental #6 to the House Calendar is now being distributed."

Speaker Giglio: "On Supplemental Calendar #6 - on the Order of Non-Concurrence - Senate Bill 572. Representative Giorgi."

Giorgi: "Mr. Speaker, I move the House do not recede from House Amendment #1 to Senate Bill 572, send it back to the Senate and ask for a Conference Committee."

Speaker Giglio: "You've heard the Gentleman's Motion, any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion carries. The Gentleman moves to request a House Conference Committee. House...Senate Bill 255, Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This requires the CTA to spend fifteen percent of all direct state grants for security purposes. As it left the House the other day, it required an additional sum of money to come from the RTA, and this changes that. This is only direct state grants to the CTA. For example, if there is a state grant this year dealing with a 50 percent reimbursement for seniors, for students and for the handicapped, the first 15 percent of the money received by the CTA would have to be used for security. I move for the adoption of this Report."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

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

Speaker Giglio: "He indicates he will."

McCracken: "Representative McPike, does it specify what constitutes the approved purposes? I mean is there a

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definition of what the approved uses would be?"

McPike: "Representative McCracken, the income tax just got 30 votes."

McCracken: "So we don't care?"

McPike: "No, we care. We care. Let me just check this."

McCracken: "Actually, the better question is..."

McPike: "Well, it really...It really...I can read you the language. I guess you're reading it."

McCracken: "I can read it. Let me ask you this then. Isn't the better question whether the Gas Tax passes?"

McPike: "Yes. Yes."

McCracken: "I mean without the Gas Tax money will the CTA have enough money to continue its rider operations if it has to spend sixteen million or fifteen percent on anti-crime measures? Are you ham stringing the CTA unintentionally?"

McPike: "If the gas tax doesn't pass, I think you're correct."

McCracken: "Touche. Okay."

Speaker Giglio: "The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Mr. Speaker. It seems to me that it would be very logical to let the RTA and the CTA determine what their own safety policies are going to be. It seems extremely strange that exactly 15 percent of their budget is the amount of money that is needed to provide the security that is desirable. I think if they are not providing sufficient security, it would be logical for us to send them a Resolution saying that is our position. But I think that it should be left up to them to determine exactly how they are going to use their budget. Thank you."

Speaker Giglio: "Representative Black."

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

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Speaker Giglio: "He indicates he will."

Black: "Does...I'm having trouble, Representative, trying to figure out whether this comes off the top of the appropriation?"

McPike: "Top of what appro...This would be a state appropriation to the CTA. It would not be RTA money."

Black: "No RTA money?"

McPike: "Correct."

Black: "At all."

McPike: "Correct."

Black: "From the direct appropriation to the CTA."

McPike: "That's correct."

Black: "Alright, I stand corrected. Thank you very much."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative McPike, to close. Representative McPike to close. Representative Davis. Excuse me, Representative McPike."

Davis: "Will the Sponsor yield?"

Speaker Giglio: "Sure."

Davis: "Representative, does the CTA want this?"

McPike: "Yes."

Davis: "They do want this?"

McPike: "Yes."

Davis: "Alright, thanks."

McPike: "Mr. Speaker, I move for the adoption of the Report."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', those opposed 'nay'. The voting is open. All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There's many of us in this Body that has a problem

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with the CTA or the RTA. In my instance, I have nine townships that have paid one and a half million dollars in taxes to the RTA over the last ten years. We haven't gotten one dime in service. Some of you are unhappy in the ways that RTA funds the Pace Bus Division. If you have a protest, if you have something you're upset about, please join me and put up a 'red' vote up there and send out a protest vote to the RTA. Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 74 voting 'yes', 43 voting 'no' and none voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 255 and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative DeJaegher, Senate Bill 505. Are you ready, Sir? Out of the record. How about Preston? Representative Preston or Dunn. Yes, John Dunn. House Sponsor Representative Preston, Senate Bill 514."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 514 is the Attorney General's Charitable Solicitation Trust Bill that we have been working on really non-stop with the major charities throughout the state. It...It has passed the House and the Senate. There was...the...This Conference Committee Report made some adjustments that were required or requested, I should say, by some of the major charities in terms of the specific terminology that was used, so all problems to my knowledge or most of them have been worked out. And I solicit your 'aye' vote on Conference Committee Report 1 to Senate Bill 514."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House adopt the Conference Committee...Representative

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Hultgren. The Gentleman from Warren, Representative Hultgren."

Hultgren: "Has this Report been distributed?"

Speaker Giglio: "It was distributed this morning, Representative Hultgren."

Hultgren: "Okay. I'm sorry."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 514?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 115 voting 'yes', none voting 'no' and 2 voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 514. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar under Concurrence appears House Bill 2321, Representative DeLeo. Representative Cullerton. The Gentleman from Cook, Representative Cullerton, House Bill 2321. Representative DeLeo."

Cullerton: "No, I have a Motion on this Bill."

Speaker Giglio: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker, Members of the House. House Bill 2321, I move to concur in Senate Amendment #1. No, I'd like to do them separately. I've been asked to divide them, do them separately."

Speaker Giglio: "You want to concur with Senate Amendment #1. You heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. All those in favor vote 'aye', those opposed 'nay'...vote 'no'. This is to adopt the First Conf...the Senate

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Amendment #1 to House Bill 2321. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Mr.
Clerk...Representative Shirley Jones. Representative
Jones. Representative Jones. The Lady from Cook, Rep..."

Jones, S.: "Mr. Speaker, may I speak, please?"

Speaker Giglio: "Yes, you may."

Jones, S.: "This Bill, it has something to do with the Chicago
Stadium. And the stadium is in my district, and I have
heard from my people that lives in my district that they
did not want this Bill to pass. I wish at one time that...
When you put a Bill up on the thing, I wish you would ask
the people that's representing this Bill to let us know
what it is, please. And I wish that the people would vote
'no' on this Bill, because I don't think it's fair for
people to put something up on the board and then we do not
know anything about it. Thank you."

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

Trotter: "Thank you very much, Mr. Speaker, Members of the House.
I, too, rise in opposition to Senate Bill 2321. Hello.
Okay. I refuse to be part of this worse folly that is
proposed for the west side of Chicago. From the very first
day that I came down to this Legislature, beginning with
the committee process on through today, I've heard
repeatedly that there are not monies for the indigent.
There is not money for the homeless. There is no money for
the sick. There's no money, and the list can go on and on
and on, for the Medicaid, but yet, and still today, you're
asking me to be a partner in this quest to bail out a
billionaire who lives in the suburbs. You want us to be in
a partnership with people who have no concerns about the
neighborhood that they're going to be pimping. And that's
exactly what they're going to be doing. They're going to

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be raping that community of its homes, of their ancestral homes, the...dilapidated they may be, but the ancestral homes of people putting those people that are there now in a perilous position, point...to the point where they, too, may be homeless. This Bill does nothing for the community, does nothing for the City of Chicago. It puts a community that's...neighborhoods and highways are presently already congested. Those rooms and those hospitals that are over there in that corridor, those routes will be again bombarded with traffic coming from the suburbs for people who, after they are finished having fun, will go back with their bounty, leaving nothing for those folks who live in that community. This is a bad Bill and along with my fellow Representatives, it should have been put up there what it was all about. I urge all of us to take this all the way down and put 100 'no' votes up there, and let them know that we're not going to play games with the people in the City of Chicago, with the poor people and with the indigent. I urge a 'no' vote."

Speaker Giglio: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I find myself in a very precarious position. A couple years ago, somebody amended a Bill I had and it became the White Sox Stadium, of which I voted against my own Bill. That had provisions and it had subsidies to professional sports and the owners of those teams. Now let me tell you what's in this one. What's in this one is only the infrastructure and the stadium to be built with private funding. On this one, I have a concern. If you don't do this one with virtually no state money in it, the next Conference Committee will come back with money for the replacement of the homes, which is now being done by the private sector and private financing. They will probably

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come in looking for a subsidy. The way I look at this Conference Committee, is this is the least expensive proposal for the taxpayers in this state. This one is a privately funding...funded facility, and I recommend you look at what you're doing. To go to Second Conference Committee, something that you might not like and a lot of state money may be involved and that train will be gone, Ladies and Gentlemen, just like that train was gone with the White Sox Stadium, and the Sponsor couldn't stop it, who was me. Please reevaluate what you got in front of you. You've got a privately financed stadium, a total of about 18 million dollars, 9 by the city and 9 by the state for infrastructure, water and sewer and roads to go to it and nothing else. Please look at what this is. And I do not, as I said before, believe we should be providing subsidies to professional sports. This legislation does not provide subsidies, it establishes the infrastructure. Don't let it come back or your'e not gonna like it."

Speaker Giglio: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just have to rise to, I guess, rebut some of the statements just made by my good friend and colleague. This is not a good Bill. The people who are affected have not been satisfied by the promoters of the stadium and the one thing I agree with the last speaker was, you should look at the Bill. If you look at the Bill it contains one of the most incredible Real Estate Tax giveaways. That's very hard to decipher but it's certainly in there where we set a valuation or a term of how Property Tax will be determined in a piece of law, something that to my knowledge hasn't been done in this state before. It's in there. If it does come back there are certain provisions that I certainly hope will be taken out, and if it does come back I would

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hope that the developers would take the time to reach agreement with the owners of the property who they want us to allow them to 'quick-take'. So the vote on this issue is right and I wish you would take the record."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A year ago today I made some remarks about the White Sox Stadium and I think they would be appropriate to be incorporated by reference on this wonderful piece of legislation at this time. And I wish that I'd brought along a tape so I could do that, because I think we should take into consideration the history of the White Sox deal. I disagree with one of the earlier speakers who said take this deal because it...it will get worse. I think it will get worse anyway. Don't forget then in 1986 the White Sox deal was \$120,000,000 and when it finally passed in 1988 it was \$150,000,000 and I suspect it isn't over yet. So, I would disagree with my colleague from downstate in this regard. Once you open the door or once you lift the tent and let the elephant stick his trunk under the tent, it's only a matter of time till the monster comes all the way indoors. And so...this is a bad Bill, just don't vote for it. Those of us who voted for the income tax today and held our nose, knew that by doing so we might help some people who really needed help, but that we would set in motion a chain of Bills of which this is one and we're gonna see more legislation like this later today. Just kill this and go on to the next bad Bill."

Speaker Giglio: "The Gentleman from Cook, Representative DeLeo. Representative DeLeo to close."

DeLeo: "Thank you, Mr. Speaker. Just a short synopsis in closing here. As usual we've heard 15 sets of facts and not one of them was right. The debt is no way any debt of the state

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or any agency or unit of government in the State of Illinois. This is not a Bill, this is an Amendment. This Amendment carries three points. It allows the city for 'quick-take', it has a Property Tax classification and it protects the stadium from being voted dry. This is just...this Amendment is just a mechanism to start the procedure to build a new stadium in Chicago on acquired land, \$120,000,000 privately financed. The only thing that the State of Illinois and the City of Chicago is going to do is help in the infrastructure which we have done for any business or entity coming into the State of Illinois. The Property Tax is now on the Chicago west side, that building is \$170,000. Under this new stadium the property taxes for that facility alone will be one million dollars after the fourth year of completion. So, if we're gonna state and quote statistics or prices let's get the numbers right. There are 70 homes affected. These people have been offered...they have been working out with community groups. We have some elected officials here that are 'muffed' or rebuffed that they have not been...participated in this negotiation between the developer and these homeowners. Half of these homeowners are renters, they've been offered \$4,500 relocation, a new place to live and a \$4,500 stipend for their moving costs. I wish somebody would give me \$4,500 to move and you'd see my house up for sale tomorrow. This is a depressed area in the City of Chicago. This could bring the west side back into a redevelopment that would happen in other cities. This stadium was governed after the one in...in Auburn Mills, Michigan. After the new facility was built it turned out to be an area totally redeveloped. In Seattle when they built the Superdome, what happened in Seattle? They took a depressed area and built the Superdome and we have new industry, parks,

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industry, homes, apartments, condos. Mr. Speaker, I'd ask to concur in Senate...I'd ask to concur in Senate Amendment #1. Thank you."

Speaker Giglio: "The question...Representative Lang, one minute to explain your vote."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Some of you in this House may think that you have to compare this to the White Sox Bill of last year. There is no state money in this Bill. This is not a White Sox Bill. This is a Bill where we will allow the developers to do something with that property to make the neighborhood better. The displaced homeowners will be well taken care of under the Bill. I hope you will listen carefully to Representative DeLeo and I hope that many of you that are voting 'present' will reconsider your votes. This is a very good piece of legislation, it will be very important for the neighborhood. There is no state money in this and for that reason I urge you to reconsider and put some more 'green' votes up there."

Speaker Giglio: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Someone asks why did the leadership of that community all of a sudden who were at once opposed, all of a sudden signed off. Well I'm gonna tell you why they signed off, because they held out until they got a consultant contract and then they went from 'red' to 'green'. Now what happened with the White Sox Park, if you want to know what happened, the Executive Director and the Assistant Executive Director they received a \$50,000 bonus. Let's tell it like it is if we gonna tell it. If you gonna tell it, tell it. That's what happened. The people of that area are still opposed to a west side stadium. If they want to build a stadium, they could build a stadium in

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Representative Turner's district and not have to displace anybody. Not have to displace anybody, have the same access to highways and it'd be on Sears property."

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

Morrow: "Mr. Speaker, you haven't timed anybody else."

Speaker Giglio: "Yes, I have. You have 54 seconds."

Morrow: "Alright, I have 54 seconds. If you want to place it somewhere place it where there is vacant property. If you want to better the lives of the people in that community give them an education so they can get out here and become taxpayers and not tax eaters. How many of the people in that community are gonna be working on this stadium when this Bill passes? None. None. How many of them are gonna be working inside that stadium? None. How many of them are gonna be able to go view the games? None. Not one. So put the record straight. Thank you."

Speaker Giglio: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think it's a very sad day in government when we no longer listen to those who come to represent a particular area. Representative Shirley Jones represents the area that they wish to put the stadium in. Her community who sends her down here have not found fit to support that stadium and yet people who live near and in Skokie and all outside of the Chicago area want to make the decision that the Chicago stadium shall be put in Shirley Jones' area. I don't think that's good government. And regardless to what you tell us about it not costing the state any money, you and I know that they will be back for their state funds and we will be back pushing 'red' and 'green' buttons. It's awful strange to me also that we have so many hospitals closing in the State of Illinois and we don't see so many 'green' votes up there when we're trying to keep those hospitals alive, but

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when it comes to these civic centers and these ball parks and these stadiums, we all of a sudden can find the money to do things for people that live outside of Chicago, so they can come into Chicago and have some fun. I think your conscience should truly disturb you this evening, and you should ask yourself that if this were your district how would you feel. When they tell you that something is going to be located in your district that your community does not want, how are you going to feel? Believe me Ladies and Gentleman, when it happens to me, eventually it grows, it will happen to you, too. It is not good government."

Speaker Giglio: "Representative Balanoff."

Balanoff: "If this measure gets 60 votes, we would like to try to verify it."

Speaker Giglio: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. As stated previously, I have a close economic interest with one of the owners and I therefore vote 'present.'"

Speaker Giglio: "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 62 voting 'yes', 47 voting 'no' and 8 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 2321. Representative DeLeo, a Motion."

DeLeo: "Thank you, Mr. Speaker, Members of the House. Senate Amendment #2 I move to concur in."

Speaker Giglio: "Do you want to explain the Amendment, Sir?"

DeLeo: "Yes, Sir. Amendment #2 is a sports stadium having more than 15,000 people but less than 50,000 seats in any municipality, would be exempt from being voted dry."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Cullerton."

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Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. First, let me explain procedurally what I would like to have done. We have just passed the legislation necessary to encourage the Chicago stadium...a new Chicago stadium to be built. Now the Senate added a Second Amendment that has nothing to do with the Chicago stadium, and I hope that we do not concur in this Amendment. Send the Bill back to the Senate, they will recede from this Amendment and the Chicago stadium legislation will then pass. This Amendment has to do with Wrigley Field. It has to do with one precinct in my district, that's all this Amendment affects, one precinct in my district. In the City of Chicago we have the right in any one of the over 3,000 precincts to vote the precinct dry. You need to get the issue on the ballot and you need a majority vote and you can vote a precinct dry. There is only two precincts where that can't be done. In the new White Sox stadium and then if this stadium thing passes, in the stadium precinct. Now, the Governor's...this is the Governor's Amendment. He thought that this would be a good idea to give a break to the people who run and own the Chicago Cubs, by saying that we can't vote the precinct dry. The people there were opposed to having lights put in, the lights we're put in and in spite of that the people passed up the opportunity to vote the precinct dry. They said we'll wait and see how this night baseball thing works. And they did not put on the ballot the issue of voting the precinct dry. In spite of that, the Governor wants to come in here and take away their right to vote the precinct dry. Now let me just suggest to you that I think this is ludicrous. Think about other buildings, other locations that we would allow to still be voted dry. McCormick Place could be voted dry, the Sears Tower could

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be voted dry. If we're trying to help out the Sears Company so much, why don't we say well let's add in this Bill that you can't vote the Sears Tower dry. Why don't we say you can't vote O'Hare Airport dry. O'Hare Airport where there is so much noise from the planes, why don't the people who are concerned about the planes go out there and vote O'Hare Airport dry. I think it's truly a concern that many big owners of buildings in Chicago might have, but to do it like this is ludicrous. The people there should not be taken away the right to vote it dry. And I'll tell you one other thing that's very important. In the precinct that Wrigley Field is located in my district, there are nine liquor licenses. Wrigley Field is only one of them. There are eight other liquor licenses on Clark Street within one block and a half of each other, one of which is a bar called the Metro. It's a 4:00 a.m. license. It's a punk rock bar, they have heavy metal and acid rock there. The people in the precinct are upset with this particular building and they...if they do anything about voting the precinct dry it would be so that they can shut down this tavern. If we vote for this Amendment, we'd be taking that right away from them. It's absolutely not fair, it doesn't affect anybody else's district. If we're gonna do this we should do it on a broad basis and look at the City of Chicago and do something next year, but to do this at this time when it has nothing to do with the stadium, is absolutely ridiculous. We should vote to nonconcur, let the Senate recede and the stadium package can still pass. So I would urge you if you think this is fair...for me to oppose this, I would hope that you would agree with me to vote 'no', and of course if your'eagainst the stadium you would want to vote 'no' as well."

Speaker Giglio: "Representative Parke."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to ask the person that just spoke, Representative Cullerton. Then your'ecomplaining, Representative Cullerton, because you think that this is aimed at a specific Legislator's district and you don't want that individual...you don't want legislation aimed at just an individual Legislator for his or her advantage or disadvantage. Is that correct? Is that what your'e trying to say? Representative Cullerton."

Speaker Giglio: "Representative Cullerton, do you want to answer that?"

Cullerton: "Well, Mr. Speaker, I'm not the maker of the Motion. I just spoke and I'll be happy to try and answer the question. I explained why I think it's unfair. It only affects my district and I gave my reasons."

Parke: "So, in essence you think because it affects your district only, that we should not support this individ...this legislation, because it's aimed at you specifically and therefore you feel it's unfair. I presume that's what you're rising up and...I just want a clarification of that. Thank you, Representative Cullerton."

Speaker Giglio: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I would join in opposing concurrence in Amendment #2. As Representative Cullerton indicated, the people in the area do not want what is proposed in Amendment #2. This is another attempt to impose something on a district that the people in the district don't want. And what it eliminates is not only the ability to deal with Wrigley Field, but there are many other options short of a straight voting of the precinct dry, they will be eliminating. You could under our current laws eliminate package sales, but leave drink by the glass which would have no effect on Wrigley

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Field. This takes away those options for the precinct around Wrigley Field. My office is located right in that area. I've got the Metro right near me and you ought to see some of the kids that line up with the different color hair, and you ought to see the liquor problems that exist in the area. That is what the people are concerned about and they ask you not to allow one area to be targeted. If you support the underlying Bill you can still vote to recede from this Amendment and still have your underlying Bill. If you're opposed to the underlying Bill, please also vote for this Amendment so that we can have a little bit of local control. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Shirley Jones."

Jones, S.: "Yes. Cullerton, could you tell me...do this mean all stadiums or just certain...This Amendment means just Wrigley Field, you're saying?"

Cullerton: "In the Amendment that just passed there was a provision that said you can't vote the new stadium, that you can't vote that precinct dry either, and that's in your district. But that was in the Amendment #1."

Speaker Giglio: "Further discussion? Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker. Today must be the day of misconfusion, of misconcepted...facts have been distorted. Let me clear up one...this does not make the precinct dry. If we want to close those punk rock clubs, this Amendment only exempts the facility, not the entire precinct. This would be taking beer out of Wrigley Field. I can't go to a sporting event and not have a hot dog and a beer. I ask for your adoption of Senate Amendment #2."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor of Senate Amendment #2 to House Bill 2321, vote 'aye', opposed 'no'. The voting is open. This is final

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action. Have all voted who wish? Have all voted who wish?
The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, for the same reasons enunciated on Amendment #1, I have a conflict of interest and I vote 'present'."

Speaker Giglio: "Have all voted. On this question...Mr. Clerk, take the record. On this question there are 64 voting 'yes', 41 voting 'no' and 8 eight voting 'present' and the House does concur with Senate Amendment #2 to House Bill 2321, and this Bill having received the Constitutional Majority, is hereby declared passed. Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. On a point of personal privilege. A few moments ago you called Senate Bill 514 and I indicated that we did not have a copy of that Conference Committee Report on my desk. You said it had been circulated. In fact, it had not been circulated. I checked with the Republicans over here, I checked with the Pages down here and the Pages have been to the Journal room, and it was not circulated."

Speaker Giglio: "Representative Hultgren, perhaps...and I'm not trying to be sarcastic, you didn't get your copy, but Representative Doederlein...Deuchler right here, has two copies. Representative Klemm has a copy."

Hultgren: "Of House Bill 514, not Senate Bill 514. We're all tired, but I think it's better if we can read them before we vote on them. Thank you."

Speaker Giglio: "Supplemental #5 appears House Bill...Senate...Senate Bill 1258, Representative Cullerton. Representative Cullerton? Supplemental #5, Senate Bill 1258. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I think this was the matter that we...I had explained before and the machine was broken."

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Speaker Giglio: "That's correct."

Cullerton: "Alright. So, I've already explained it. I'll be happy to do it again. One second, I'll get the file here. Right. The Conference Committee indicates that the House should recede from House Amendment #1. The Bill provides various stipends for various leaders in the House and the Senate, also including Pension Code changes with regard to credits for transfer of benefits for Members of the General Assembly and also it permits the hiring of legislative assistants paid out of the district office account. I move for its adoption."

Speaker Giglio: "You heard the Gentlemen's Motion. Any discussion? Hearing none, all those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question there are 64 voting 'yes', 46 voting 'no' and none voting 'present' and the House does concur...does adopt the first Conference Committee Report to Senate Bill 1258. Representative Turner votes 'aye'. Trotter votes 'aye'. Martinez votes 'aye'. Granberg, 'no'. DeJaegher, 'no'. Have all voted? Have all voted? On this question there are 66 voting 'yes', 48 voting 'no' and the House does adopt the first Conference Committee Report to Senate Bill 1258, and this Bill having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4 appears House Bill 2702. Representative Stern, 2702? The Lady from Lake...Mr. Clerk, 2702."

Stern: "Mr. Speaker and Members of the House, I can see that it takes the Chairman of the State Board of Elections to get this darn Bill called. Theresa Petrone, thank you. This is the caboose on the elections task force package that was negotiated and agreed to by Democrats and Republicans

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together. It has already passed in the Senate and I ask your support for it. It is the first Conference Committee Report. It does not have on it the three voter registration initiatives that we had at first intended to put on and you may have been looking for them. I urge your 'aye' vote and I will be happy to answer questions."

Speaker Giglio: "Representative Myron Olson."

Olson, M.: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. As Representative Stern has indicated, House Bill 2702 is a culmination of four years of cooperation by Members of the Democratic and Republican Party in this House together with the cooperation of the Senate folks on putting together a significant election package which has been long overdue, which contains many fine elements, nothing in controversy, and if we are doing at all well we should have 118 votes on this Conference Committee Report #1."

Stern: "Well said."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 2702?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 117 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to 2702, and this Bill having received the required Constitutional Majority, is hereby declared passed. The Chair would like to make an announcement that Speaker Madigan is going to order pizzas for everybody at approximately 7:30. All kinds. With, without, mixed, garden...7:30. Those of you that like pizza are welcome.

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Regular Calendar...on page 5 of the Calendar appears Senate Bill 505, Representative DeJaegher. Representative DeJaegher, 505. Page 5 of the Regular Calendar, Sir."

DeJaegher: "Thank you, Mr. Chairman (sic - Speaker), Members of the Committee (sic - Assembly). Senate Bill 505 to refresh your memory, was expiration of seniors. This was referred to Conference, there were some minor problems with it. Basically in content, I think that the Amendments that John Countryman submitted was the advent of what took place in this particular Conference Report. What we've done, we've added two new crimes to the Bill. We've clearly defined what an elderly person is. We've also overcome the objections of the Medical Association. I believe that this Bill in content is what everyone wanted to see or was striving to accomplish, and for that purpose I accept the Conference Committee Report to Senate Bill 505."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 505?' 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? Mr. Clerk, take the record. On this question there 115 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to Senate Bill 505. This Bill having received the Constitutional Majority, is hereby declared passed. Representative Bugielski, for what purpose do you rise?"

Bugielski: "Thank you, Mr. Speaker. Just so the record will reflect that I would have voted 'yes' on House Bill 12...on Bill 1258 and also on House Bill 1859."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Bugielski. You want to repeat that,

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Representative?"

Bugielski: "House Bill 1258...Senate Bill 1258 and House Bill 1859."

Speaker Giglio: "Representative Regan, did we not nonconcur with House Bill...on House Bill 1883?"

Regan: "Yes, Mr. Speaker."

Speaker Giglio: "We did nonconcur. Representative Giorgi. Where's Representative Giorgi? Alright, we'll...Find Representative Giorgi. Representative Munizzi, 1375. Senate Bill 1375. Out of the record. Alright, back to Senate Bill 384. Mr. Clerk. Representative Giorgi. Amends the Illinois Public Aid Code. The Gentleman from Rockford, the Dean of the House, Senate Bill 384."

Giorgi: "Mr. Speaker, this is the Medicaid Nursing Home Aid Bill that everyone has agreed to and it's Senate Bill 384 and I move we adopt Conference Committee Report to Senate Bill 384. And what it does is...the Public Aid Department has agreed to, this is...it adds a seven percent increase for direct care costs associated with the nursing rate paid to nursing home providers, and it also moves the nursing home support rate from the 75th percentile to the 65th percentile. And it's going to use different methods in determining care costs. Everyone's in agreement. It's going to cost 20 million dollars the first year and I think 20million dollars the second year for a total of 40 million dollars."

Speaker Giglio: "Representative Ryder, the Gentleman from Morgan."

Ryder: "Thank you, Mr. Speaker. The person that made this Motion correctly described the Bill. It has been the result of an extensive amount of work on both sides of the aisle. The amount of money after extensive negotiation has been appropriated in a Conference Report that will come to you."

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I compliment the person that is making this Motion. The Representative has correctly stated and I would ask for 'aye' votes. Thank you."

Giorgi: "Mr. Chairman (sic - Speaker), I was remiss. I should mention that Mr. Ryder did most of the negotiations. I just happened to have the Bill in my name, but congratulations Mr. Ryder and all the people on the Conference Committee Report."

Speaker Giglio: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, I too would like to rise in support and to also compliment those who were involved in this Conference Committee. It was really a great work of understanding and a great accomplishment and we'd like to thank you all."

Speaker Giglio: "You heard the Gentleman's Motion. The question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 384?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 112 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to Senate Bill 384, and this Bill having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar #3 appears House Bill 1406, Representative Hartke. The Gentleman from Effingham, Representative Hartke on House Bill 1406."

Hartke: "Thank you, very much, Mr. Speaker and Members of the General Assembly. I move to adopt Conference Committee Report #1 to House Bill 1406. 1406 amends the Illinois Fertilizer Act to increase the inspection fee and it also includes cleanup language for the Department of Agriculture

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to include the County Cooperative Extension Law, the Illinois Pesticide Act, the Illinois Grain Dealer's Act, the Public Grain Warehouse and Warehouse Receipts Act, the Illinois Grain Insurance Act and the Civil Administrative Code, plus some Motor Fuel Standards. This piece of legislation is an accumulation between several Bills and I would ask for your support and be happy to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference...Representative Weaver."

Weaver: "Thank you, very much, Mr. Speaker. A short quick question of the Sponsor. Chuck, where's the Farm Bureau on this Bill now?"

Hartke: "Pardon?"

Weaver: "Where is the Farm Bureau on this Bill now? Are they supporting the Bill or are they in opposition?"

Hartke: "I don't know, but I think they've probably gone neutral but I couldn't swear to that."

Hartke: "Okay, thank you."

Speaker Giglio: "Question is, 'Shall the House adopt the first Conference Committee Report to House Bill 1406?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 111 voting 'yes', 2 voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 1406, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative McGann, LeFlore and then Keane, the next three Bills. Representative McGann, House Bill 1718."

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McGann: "Thank you, Mr. Speaker, Members of the Assembly. The first Conference Committee Report to House Bill 1718 which passed out of the Senate earlier today at 55 votes 'for' and 3 'against'...The Report makes two changes to the Bill as it passed the Senate. First, it limits the scope of establishments where primary business is the sale of liquor. Second, it requires that a petition for a referendum to ban a particular establishment must be signed by 40 percent of the voters. These changes were requested by the Illinois Restaurant Association and therefore the Illinois Restaurant Association is aboard. Under the current law, the voters of a precinct may pass a referendum to prohibit the sale entirely within the precinct. First Committee Report, 1718, would allow voters to close a particular tavern without voting the whole precinct dry. As I stated in my opening remarks, it passed out of the Senate earlier today, 55 to 3, and I would ask for it's favorable vote."

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

Mautino: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. I reluctantly once again stand in opposition to the proposal being presented by Representative McGann. He has made some changes in the provisions that could vote a place dry by existing residents. A part of this Conference Committee is that by an individual resident you can vote somebody dry and put them out of business. Just two Bills ago we addressed that question through existing precinct boundaries and made an exclusion for some ball parks: Wrigley Field, Bull Stadium and the White Sox. I think the whole policy of providing that some area be voted dry by residents and address is totally unfair. I recommended to Representative McGann

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that the other portions of the Bill certainly are to be considered, but I think it's a policy which should not be established and the address provision should be removed, and I stand in opposition to the Conference Committee Report on 1718. We've defeated this on three other occasions and I recommend most highly we do it again."

Speaker Giglio: "Representative Andrew McGann to close."

McGann: "Thank you, Mr. Speaker. The previous speaker I have great, great respect for and his knowledge of this Assembly, but I think that he is moving in the wrong direction in this area here. We're not talking about the White Sox, we're not talking about the west side stadium, we're not talking about the Cub's park or anyone else, we're talking about individual communities, communities that have the right when they can't do anything else through the process to be able to vote that individual that does not want to have a good proper business presence in a community. It takes 40 percent of the voters to in order through the referendum in order to establish that. I ask for your favorable vote, we need this in our statute. Thank you."

Speaker Giglio: "Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1718?' All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted...have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 33 voting 'yes', there's 72 voting 'no'...Representative McGann."

McGann: "I'd ask for a second Conference Committee Report, Mr. Speaker."

Speaker Giglio: "On this question there are 33 voting 'yes', 72

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voting 'no' and the House fails to adopt the first Conference Committee Report to 1718, and the Gentleman asks leave that a second Conference Committee Report be appointed. Representative LeFlore. Representative LeFlore in the chamber? Senate Bill 16. The Gentleman from Cook, Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 16 deals with the school reform. Of course last year you know we passed a Bill out of the House, Senate Bill 1840. This Bill only clarifies some of the language that was put into that Bill that passed out of the House last year. The language that it deals with is multiple schools, area schools, administrative caps, system wide education reform goals and objectives, and it also focused at subdistrict superintendent's powers to the boards, and local school subdistrict councils. We have had numerous meetings around these issues, and it seems to me that we have agreements on both sides of the aisle. So, therefor I ask that you cast a favorable vote for Senate Bill 1600...16."

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

Levin: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the adoption of Conference Committee Report #1 to Senate Bill 16. This is a compromise which means there are some provisions that are very good in here, provisions that the interim board wants, there's some provisions which probably I'd rather not have...but overall I think this is a good Bill. It recognizes that there are certain schools in the Chicago system where it is not appropriate to have a full scale local school council such as the Cook County Jail School and similar schools and it provides an alternative method for providing for parent and

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professional representation in those schools. It gives the interim board the ability to delegate responsibility for approving some of these minutiae of contracts that have inundated past boards. One of the things that we thought was important last year is that the Chicago Board of Education spent its time on policy rather than dealing with the thousands and thousands of contracts that the board members have had to deal with in the past. This is something which is very important to the interim board to get the ability to be able to delegate some of this responsibility. It clarifies one very important provision with respect to the administrative cap. With respect to the line for general superintendent which corrects an oversight in the legislation that we passed last year and for purposes of legislative intent, let me indicate as one of the Chief Sponsors of both Senate Bill 1839 and 1840 last year as well as Senate Bill 651 and this Bill this year, that Section 34-8.3g, the provision we put in last year that provides that performance contracts established by operation of law, that the Amendment that is in this Bill as well as that provision, was not intended to preclude the interim board from reorganizing the number of districts superintendent positions or does it require the interim board, having reorganized the number of districts, to pay the previous occupants of the district superintendent positions the salaries that they would have gotten if they would have continued in their positions. I would ask simply for the adoption of this Conference Committee Report."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Gene Hoffman and I, both of whom signed this Conference Committee Report, have studied it

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carefully and we are certainly in accord with the provisions of this Conference Committee Report. In addition to which we would like to thank Representative LeFlore for the considerable amount of work and conscientious thoughtful attention that he has given to this. With this kind of legislation and with the kinds of caring attitude toward the children of Chicago that have been evidenced by Representative LeFlore, we all have a good deal to be hopeful about. I urge a 'yes' vote on the Conference Committee Report on Senate Bill 16."

Speaker Giglio: "Supplemental Calendar announcements, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #7 is being distributed."

Speaker Giglio: "The Lady from Kane, Representative Doederlein."

Doederlein: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I support Senate Bill 16 and the Conference Committee Report. In this Bill we've set some goals and we set some regulations. That's a starting point and we can go on from here and have some success."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a continuation of the ongoing work that needs to be done to try and provide quality education to the City of Chicago for all of its children. I also would like to thank Representative LeFlore. I attended meetings on this issue where community people were coming in and trying to express their concerns about the legislation passed last year, and in finding that their cooperation and willingness to try and come up with an ongoing dialogue that we hope will continue to provide that quality education. But I also want to thank Representative Levin who has been the watchdog on this legislation, interjecting his ideas. And I challenge both

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Representative Levin and Representative LeFlore to continue to work and make corrections and fine tune the Chicago school education system because it's a long way to go. Again, this is the beginning of it, but we need diligence and watchful eyes on this and we need to continue to work on this. So the Republicans will be with you and we're all going to benefit by having quality education for the children of Chicago."

Speaker Giglio: "The Lady from Cook, Representative Monique Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen. I too rise in support of this legislation and I would like to commend two very diligent workers who worked to make certain that things were improved for the City of Chicago, and that's DeLoris Doederlein on the other side of the aisle and Bob Leflore, for the many hours that he spent. What makes this piece of legislation good is that it received input from a large section of the City of Chicago and not just one section. We think it's a large improvement over what occurred in the past and I urge an 'aye' vote."

Speaker Giglio: "Representative LeFlore to close."

LeFlore: "Thank you, Mr. Speaker. As a true Sponsor of this particular Bill I would just like to ask...say that I would like to have an affirmative vote."

Speaker Giglio: "The question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 16?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 116 voting 'yes', none voting 'no', none voting 'present' and the House does adopt the first Conference Committee Report to Senate Bill 16, and this

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Bill having received the Constitutional Majority, is hereby declared passed. Representative Keane. Jim Keane, Senate Bill 593. The Gentleman from Cook, Representative Jim Keane."

Keane: "Thank you, Mr. Speaker. I move for the adoption of Conference Committee Report #1 on Senate Bill 593. The original Bill just expanded the notice requirements for tax exemptions on real property when the exemption is over a 100,000, to include that the community college be told about such exemptions. The House put on an Amendment that clarified that private property oriented...leased from the Illinois Toll Highway Authority will be subject to a property tax assessment. House Amendment #2 in the Conference Committee has been changed. The downstate treasurers...county treasurers asked for a tax sale automation fee and what we've done in the Conference Committee is exempt it at their request...Cook County. And also in the original Bill there was a penalty for forfeited delinquent taxes...had been raised to 18 percent. In the Conference Committee it's been returned to 12 percent. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House...The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a question, please?"

Speaker Giglio: "He indicates he will."

Cowlshaw: "Representative Keane, I realize this may be a little difficult to answer, but I think that it is...it is important to me to know whether you know this. Do you know whether contained in this Conference Committee Report there are any provisions of any Bills that have failed at some

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prior time during this Session?"

Keane: "No. There...what we have is the original Bill. Representative Wait put on an Amendment, that stays, and Representative Steczo put on an Amendment and we took off two provisions of Representative Steczo's House Amendment and that's it."

Cowlshaw: "Very good. And to the best of your knowledge there are no opponents to this Conference Committee Report?"

Keane: "No. If you have something specific in mind, I could answer better, but all this does is it takes the penalties...Representative Steczo's Amendment kicked them up from 12 to 18, this brings them back to 12..."

Cowlshaw: "Right."

Keane: "...and on the tax sale automation fund, Cook County didn't want to be included. This takes them out. This satisfies the downstate treasurers."

Cowlshaw: "Thank you, very much. I really appreciate your answers."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 593?' 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? Mr. Clerk, take the record. On this question there 112 voting 'yes', 1 voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to Senate Bill 593, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Terzich. Supplemental Calendar #4. Terzich, Countryman, Petka, Breslin, Saltsman, McPike, Steczo. Representative Terzich. Out of the record. Representative Countryman. Representative Countryman in

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the chamber? Out of the record. Representative Countryman, House Bill 1503. Supplemental Calendar #4."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1503 increased the penalty for reckless driving from a Class B misdemeanor to a Class A misdemeanor and that's the way it passed the House, I believe without any dissenting votes. In the Senate there were two Amendments placed on the Bill, one dealt with an aeronautical thing that was placed on by Senator Davidson, and then there was a Bill placed...or an Amendment placed on by Senator Geo-Karis, which...Amendment provided that there should be a civil recovery for the...for damages or expenses incurred by agencies as a result of DUI's. In essence, agencies being the types of units of government, police departments, fire departments, ambulance services, that might go as a result of a DUI accident, some injury was occurred or caused. Difficulty arose with that in that I had indicated I wanted a cap on the amount of money that could be recovered per agency, per event and we agreed that that cap should now be at \$500.00 and that's in the Conference Committee Report. So, Senate Amendment #1 is not in the Conference Committee Report, but Senate Amendment #2 is with the cap on it and I move its adoption."

Speaker Giglio: "Any discussion? Hearing none the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 1503?' And on that question, all those in favor will signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 107 voting 'yes', none voting 'no' and 3 voting 'present' and the House does adopt the first Conference

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Committee Report to House Bill 1503, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Petka, 1865. Gentleman in the chamber? 1865, Representative Petka."

Petka: "Thank you, very much, Mr. Speaker and Members of the House. The Conference Committee Report on 1865 merely added an easement that Representative Don Saltsman needed in his Peoria district. The Department of Transportation was in favor of this and it was merely added to accommodate a Representative from the other side of the aisle and I move for the adoption of Conference...of the first Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 1865?' All those in favor vote '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? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 1865, and this Bill having received the Constitutional Majority, is hereby declared passed. Representative Breslin, 2025. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2025 in this Conference Committee Report, returns this Bill to its original condition. It provides that the Department of Energy and Natural Resources work with business groups and environmentalists on the national level in order to develop a national or regional recycling emblem. As a...this is a Bill that has already passed this House 113 to nothing on a previous Roll Call and I ask that you concur...or rather adopt this Conference Committee

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Report."

Speaker Giglio: "Any discussion? The Lady from Cook, Representative Parcels."

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

Speaker Giglio: "She indicates she will."

Parcels: "I think I misunderstood you. I thought when it was in the House before you had changed it from a local...from a...an Illinois logo to working with a national logo..."

Breslin: "That's right."

Parcels: "...and then in the Senate they changed it back?"

Breslin: "No. In the Senate they put on that provision for a referendum to overthrow local siting of a landfill. Remember, that failed here and I said I'd like to put this into a Conference Committee in order to get my original Bill back? So, the original Bill as we passed the House merely requires the Department to work for the national emblem. If they fail, they have to develop a regional...or a local one, but they have until 1992 to work to get a national one."

Parcels: "Oh, I see what you're saying. You are aware that there is legislation on the Governor's desk right now that I presented as an Amendment to a Bill that I had on recycling etc., that has us working with the national. So what you're saying is if that doesn't...if there isn't something developed by 1992, we will develop our own state..."

Breslin: "Correct."

Parcels: "...logo?"

Breslin: "Correct."

Parcels: "Thank you."

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

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

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House. I reluctantly rise to oppose the Lady's Motion to adopt the first Conference Committee Report. You know in the hustle and bustle of the last day I did sign the Conference Committee Report, but then later I saw the light. Unfortunately I have in my district Proctor and Gamble and under this Bill the way it is drafted, this would allow an unfair competitive advantage to a manufacturer with a small local distribution, whereas at Proctor and Gamble where as they distribute throughout the whole state, they couldn't put different logos for different states. And also I would ask my colleagues to oppose this Motion because we do have under House Joint Resolution 58 a separate Advisory Committee looking into the problem of recycling and plastics and the whole packaging system. So, I would reluctantly ask you to oppose the Lady's Motion to adopt the first Conference Committee on House Bill 2025."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Well, quite frankly Ladies and Gentlemen, I am shocked by the Chairman's opposition to this legislation and am unaware of it. I should tell you that Proctor and Gamble doesn't want to do this. They've never wanted to do this, but the Environment Committee thought it was the right thing to do. This House thinks it's the right think to do. The Senate thinks it's the right thing to do, they passed it 55 to nothing. The point is that there are consumers out there who want to know what products are reusable, refillable and recycleable. Having an emblem to identify such projects...such products is an advantage to the consumer. We have amended this Bill to meet the concerns of Proctor and Gamble so that they can get a national emblem instead of a local or a regional

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emblem. I understand their concern. This buys them a great deal of time. I think it's good legislation and I think this Assembly should adopt this Conference Committee Report."

Speaker Giglio: "The question is, 'Shall the House adopt the first Conference Committee Report to House Bill 2025?' 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? Mr. Clerk, take the record. The Lady from LaSalle, Representative Breslin."

Breslin: "I'd like to put this on Postponed Consideration."

Speaker Giglio: "Mr. Clerk, take the record. On this question there are 47 voting 'yes', 56 voting 'no' and the Motion fails."

Breslin: "I'd like Postponed Consideration, Sir."

Speaker Giglio: "The Lady asks leave on that...Representative Breslin, we didn't allow that last night."

Breslin: "I think the Chair was in error in not allowing it last night. I've looked at the rules. The rules provide that this kind of a..."

Speaker Giglio: "Mautino, 'aye'."

Breslin: "Pardon me?"

Speaker Giglio: "Representative Breslin, it's not available."

Breslin: "I'd like to know in the rules where it's not available."

Speaker Giglio: "Representative Breslin you are correct, the Chair erred yesterday. The rules used the Lady was referring to was House Rule 38 and House Rule 40. The Lady asks leave to put the Bill on Postponed Consideration. The Bill is now on Postponed Consideration. Representative McCracken."

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McCracken: "Yes. Is the Chair ruling then that on a Conference Committee you can have as many as four final votes, you can have two per Conference Committee and you get two Conference Committees?"

Speaker Giglio: "No. The rule..."

McCracken: "So, is the Lady electing between a first and second Conference Committee and foregoes her right to a second Conference Committee as long as the Postponed Consideration is pending? You've got to reconcile two votes on final passage. You can either do it by saying it's two Conference Committees or if you change the rule it should be one Conference Committee and one Postponed Consideration."

Speaker Giglio: "Well, those are the rules, Representative McCracken and..."

McCracken: "Well I'm asking you, does she get four..."

Speaker Giglio: "No."

McCracken: "...four votes or two?"

Speaker Giglio: "Two. Two. Page 22 of the rules, final passage. Representative Hallock, for what purpose do you rise?"

Hallock: "Well, Mr. Speaker, to the same point. Did you say that House Rule 40 was one that was applied in this case?"

Speaker Giglio: "Pardon?"

Hallock: "House Rule 40, is that the one you're using?"

Speaker Giglio: "Section 40 and Section 38. I believe it's on page 22 and 23."

Hallock: "Well, it seems to me as I look at that that they are to be applied to Conference Committees themselves and as Mr. McCracken had said, you're going to have to call this once...you get a chance to call it twice, but you're going to have to decide whether or not you call it twice through two Conference Committees or twice, once in this case and once as Postponed Consideration. And apparently the

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Sponsor of the Bill is choosing to decide to postpone this and not then defer to a second Conference Committee. Is that correct?"

Speaker Giglio: "That's correct, Representative Hallock."

Hallock: "Well, then, if it fails a second time we can assume that she will not then ask for a second Conference Committee. Correct?"

Speaker Giglio: "Alright. The Chair doesn't assume anything, Representative Hallock."

Hallock: "Well, I just wanted to go by the rules so we know what the procedure is. Last night you ruled one way, tonight you're ruling a different way. I think we have a right to know what the rule is going to be from this point on."

Speaker Giglio: "Well, Representative if you were listening, the Chair made an announcement that the Chair erred last night."

Hallock: "We heard that and so we can prevent future errors, we want to know what the rule is. Can she call this Bill one more time on Postponed Consideration and then she's done, or can she call it on Postponed Consideration and also ask for a second Conference Committee, call it again and then call for Postponed Consideration a subsequent time?"

Speaker Giglio: "Representative, the Bill is on Postponed Consideration and we'll wait until the Lady makes the decision as to what she will do and then we'll take the position from there. Supplemental Calendar #7 appears Senate Bill 1345. The Gentleman from Lee, Representative Myron Olson. The Gentleman from Lee, Representative Myron Olson. Senate Bill 1345."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1345 is a device which is a new creation of an Economic Development Area Tax Increment Allocation Act. This has been commonly referred

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to as the 'Sears Initiative.' The Supplemental Appropriation moved a couple weeks ago today, enabling legislation passed within the last week. I'm going to walk through this with you so that if there are any questions we'll be pleased to answer them for you and we would ask that you follow with us with your respective analyses. First important issue here, is the legislation does not decrease any state revenues. In fact, it has no impact on state revenues. It would allow local governments to develop and determine the extreme economic impact of a project and apply to DCCA for certification as an economic development area tax increment allocation district. This is a little twist on the conventional TIF district that we're familiar with and that is described as a property TIF district. It is narrowly defined to companies who employ two thousand or more jobs or people and have at least a hundred million dollars of their own private investment initiative. As an example of two other companies who may have qualified for this in the State of Illinois, would have been UPS at Willow Springs and Diamond Star at Bloomington. Municipalities could create an economic development tax allocation area which captures increase of all local property taxes. Municipalities would be required to prepare projects and then they would have to determine that a project meets local economic development need. For example, after this...after this happens, the local units of government have a determination of eligibility and need for the pact, then they are state certified and then the locality may issue bonds...could issue bonds or accumulate tax increment funds for a payment of eligible cost. Incremental property taxes could be collected for up to 23 years for a payment of the economic development cost. This legislation completes the negotiations to keep Sears in

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Illinois. That is the underlying issue. All of you have received, in addition to your analysis, a compilation of the specifics of the Bill and if you have that I will just describe briefly some of the highlights of the state's incentive package so everybody will have a clear understanding. Included is a 33 million dollar grant for on site improvements and extension of a sewer line to the merchandise group site. As we know, Sears has decided to stay in Illinois, go to the Hoffman Estate area, put a building on a 200 acre campus and have in addition to that, 600 acres nearby in which they may develop. As DCCA has done previously, up to one 1,000,000, one point one million in grants through the state's industrial training program is in place to retrain existing employees. A one million dollar interest free loan repayable over 20 years to develop a day care center for the children of Sears, an issue which is very important to some of our people; 20 million in highway improvements including an eastbound access ramp to the northwest tollway at Route 59 and 90 and by the way that twenty million was already scheduled by IDOT to be a part of our project, and six point two five million in state tax abatements including Sales Tax, Utility Tax and investment tax credit through the creation of this enterprise zone. In addition to that, there's an amount of thirty point seven million for site preparation and improvements. This covers costs such as private streets, parking, sewers and lighting. Two point three million for public infrastructure. These will finance to twenty thousand, two hundred foot extension of sewer service from the Elgin Sanitary District and then the new sewer line will also pass through an adjacent 2500 acres of undeveloped property making the land more attractive to developers. In addition to the units which I have

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described, the Higgins Road will be widened as well as Shoe Factory Road from 59 to Illinois Route 72. There are some other elements of that which I think we are all familiar with. I'd briefly like to indicate to you that this is a good harbinger of what the State of Illinois is in a position to do to encourage midwestern companies and/or industry to continue to do business in this state. We're talking about a merchandise group which employs 6000 people. The Department of Commerce and Community Affairs estimates that the state will recover these monies in just a shade over five years. As a consequence, we would recommend serious consideration of moving this project and I'd be very pleased to answer some questions."

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

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. What we're talking about here is the Sears bail out. Any Member of the General Assembly who has a plant in their district that has closed and didn't get state or federal help to keep the jobs in their area should vote against this welfare for the wealthy. In this case, Sears Roebuck & Company. I have watched steel plant after steel plant in my district close, 3000more unemployed at Republic Steel, 8000 at U.S. Steel, 4000 at Wisconsin Steel and the list goes on and on. These were good jobs that paid a decent liveable wage. Today, unemployment in my district is over 20 percent. In Representative Lou Jones's, Representative Santiaqo's, Representative Phelps's, Representative Woolard's and many others, it is the same. As plants closed in our districts there was no state bail out, no one was concerned about the loss of jobs, no one cared about the loss of tax revenue to our state and to the City of Chicago and no one cared as the social fabric of a

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community came unraveled at the seams because people were so depressed by the loss of their jobs. This money is not going to help the unemployed, the homeless, the disadvantaged, the helpless, the underprivileged or the underrepresented. It is going to an area with low unemployment and no problems related to unemployment. In fact, the idea is so abhorrent that a whole new law is being created, effective for only 20 months because we know it is bad public policy to grant TIF's to nonblighted areas and it's bad public policy to set this precedent to cave in to corporate blackmail. Everyday in Chicago we are letting criminals out in the street because we don't have enough money to keep them behind bars. But instead of finding money to keep drug pushers, thieves, murderers and rapists in jail, we find money to fund Sears. How can we fight against sunbelt states that are seducing our landmark businesses with cheap labor and alluring tax breaks? We can blame it...Republican administrations who have failed to close those tax loopholes giving generous exemptions to wealthy corporations and refuse to set a national policy barring corporations from blackmailing the states. Sears has been complaining about the high cost of taxes in Cook County for years. So what do they do? They choose to stay there by forcing the government to freeze their taxes for 20 years. Well, who's next? How many businesses are lined up waiting to blackmail our already overburdened system? As to those who have said or will say it is a good deal for Chicago, because when Sears Tower is sold, it will mean a tremendous increase in real estate taxes for the city. Well, you and I both know that that's a specious argument, the Sears Tower is going to be sold anyway. And I want everyone in this Legislature to know that in a show of good faith, Sears today, announced that it would be eliminating

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400 jobs for Illinois workers. Our State Treasurer, Jerry Cosentino has called this a bad deal and a bad precedent. I urge you to join him and me in speaking out against this bad policy. While there is no Sponsor on the other side of the aisle that I have more respect for, I urge a 'no' vote on this deal. Let's send a message, the deals off."

Speaker Giglio: "The Gentleman from DuPage, Representative Stange, five minutes to explain your position."

Stange: "Thank you, Mr. Speaker."

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

McCracken: "Point of order, Mr. Speaker. I question whether this Conference Committee is germane or meets the single subject rule of the Constitution. They all know."

Speaker Giglio: "Representative McCracken, the Amendment in the Conference Committee is germane to the Bill. The Bill dealt with the development and the retention of commerce and industry and it also provided incentives to retain and create jobs and the Amendment in the Conference Committee provided the same. Representative McCracken."

McCracken: "I am much relieved at that answer. Thank you."

Speaker Giglio: "Thank you. Representative Stange, the Gentleman from DuPage."

Stange: "Thank you, Mr. Speaker...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I would like to thank Ed Brennan, the Chairman of the Board of Sears for his wise decision to stay in Illinois. Sears has between 6 and 8,000 employees in Chicago. The vendors, the support group, adds up to another 12,000 jobs for the State of Illinois. Sears alone spends close to \$1,000,000,000 with 600 companies in Illinois. Sears alone pays \$8,000,000 in taxes a year for the State of Illinois. Sears is one of the largest employers in the State of Illinois. We're

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looking at business, we're looking at jobs, we cannot afford...the State of the Illinois cannot afford having Sears leave our state. We have to work together and Sears is working together, they are staying here in Hoffman Estates. This is a very critical vote. We need your help on both sides of the aisle. Appreciate your support."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I do have a question I'd like to ask of the Sponsor. Will he yield?"

Speaker Giglio: "He indicates he will."

Turner: "Mr. Sponsor, as you know or you may not know, Sears & Roebuck has a parcel of land, in fact, the old catalog operation and merchandising operation which is about a mile square that's located in my district. Has there been any discussion about what they intend to do with that land which is now vacant?"

Olson, M.: "Representative Turner, I'm familiar with the site. It's down the south side of the Eisenhower and there hasn't been any discussion, but since you and I have had a discussion, I have made it known to the people who are interested in this activity from that company to be in touch with you, to discuss possible activity there. It's very important and we know it's important to your community and indeed important to the State of Illinois, that the state's largest employer be active and cognizant of the concerns of all of our people economically and otherwise."

Turner: "Thank you. To the Bill. Let me first of all start by saying that if Sears and Roebuck owned a hospital I probably would have been born in that facility. For all my life we've shopped at Sears and Roebuck. Their catalog and merchandise operation located on Homan Avenue is less than a half mile from where I still reside today. My parents

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Cold Spot refrigerator that was bought back in 1955, is still in operation in the Turner household. When many of my friends were wearing Converse All-Stars, I wore Jeepers gym shoes and many of you know the Jeep brand was a Sears brand. I still use Easy Living paint because I believe it's a good product. But a few years ago, I watched Sears move from the west side of Chicago, where at that time they had over 10,000 employees, to downtown Chicago and to the beautiful Sears Tower. They left in my area, as I mentioned earlier, a mile square of vacant land. There was an automobile facility there which at that time had 15 stalls in it, that was destroyed immediately. There was no input, no knowledge about that facility being torn down and now today we watch Sears come before this Body and ask help as they try to relocate in Hoffman Estates. I am a business person and I understand that it is important and I understand the economic development that can come about as a result of Sears remaining in the State of Illinois. Let me first of all say I do support that. My concern here today and I'm sending this message to Sears & Roebuck, because you still own again, a mile square of land located in Lawndale, there's been no conversation about what you intend to do with that land. I'm looking forward to talking with you about acquiring that land. Some of you know we've passed out an Affordable Housing Trust Fund Bill out of here just the other day. The Governor we hope, as he signs this Bill will sign that Trust Fund Bill to help those in need of housing. I'm hoping, just like the land deal that we're about to give Sears and Hoffman Estates, that they will be just as considerate to the people in Lawndale who could use this land to build housing and to try to make it a better community. I know, and was handed a sheet earlier about the corporate responsibility and I'm

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aware that Sears has contributed over \$165,000 to the local YMCA that has just recently been sold to the Safer Foundation for a prison outpost. I'm aware of what Sears has done for Urbans West, which is a YMCA outreach program in my community, and which I serve on the board. I'm aware of the corporate school in which they have a board member who serves on that school. Yes, Sears has contributed well over \$3,000,000 out of their foundations to help people in the City of Chicago, 2,000,000 of that has went for inner city or for minority organizations. Yes, it has built a lot of basketball courts, yes, it has done a lot for ping-pong tables and pool tables. I ask Sears & Roebuck, let's talk about land, because we know just as we talk about businesses, land is very important. I'd like to build some houses in that area. And I sure hope that the conversation that is going to take place after they get their deal here today, if the conversation is very meaningful and one that shows the same commitment to the people in the community that they're deserting today or that they have deserted in the past, as they're asking us to give them their consideration as they move to Hoffman Estates. I ask the Membership to think about what they are about to do here today. I will be conversing with them. I'm certain that Sears will be back just as others come back here again. Yes, it's good economic development, yes, if all goes well, we will see some tax money coming back here, but let's hope that they will take care of those poor people in my community, the community where I'm making an investment personally of over a hundred thousand dollars to stay. Let's see what they're going to do in terms of helping them. I enjoy and look forward to the day that we can sit down to the table and I intend that meeting to be very soon. Thank you."

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Speaker Giglio: "Gentleman from Kankakee, Representative Novak.

Five minutes to explain your position."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Can we have a little order here? This is a very important issue and I think we're talking about hundreds of millions of dollars and thousands of jobs and I'd just like to make a couple statements. First of all, I'd like to publicly thank Sears & Roebuck Company for deciding to put a 1,000,000 square distribution facility in the northern end of my county. It's a very, very large endeavor in the Illinois Diversitech Campus and I want to thank the Department of Commerce and Community Affairs and the Governor and Sears for doing this. This is going to bring in 500 new jobs that will pay good money, like \$20,000 a year. But I'd just like to make a statement that although I am going to support this measure, I think it's important that we keep a large employer in Illinois. I would like to say this, that back in 1982 when Kankakee was stumbling, stumbling hard...as it was so called...or as was written in the Crane's Business Magazine, that we were...we had the dubious distinction of being the epitome of the rustbelts in the middle west. Kankakee...Kankakee Roper Plant lost 5000 jobs, Ladies and Gentlemen. Kankakee A.O. Smith Corporation lost 1500 jobs, Ladies and Gentlemen. No one rushed in real fast with all kinds of incentive packages to do anything. If it wasn't for some innovative financing back home with some help from the state, we finally got off our feet and we're coming back. But I just wanted to make that statement for all those other employers that are out there that may be in difficult situations and to the Department of Commerce and Community Affairs. Don't forget those people. Sears is a fine employer, they have good people and we need to keep them in the State of Illinois,

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but please don't forget those other employers that sometimes they may fall by the wayside and have difficult financial situations and crucial decisions to make. Thank you."

Speaker Giglio: "Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I rise in support of this legislation. If you look at the numbers and you look at the situation, many states vied for Sears to move and take their merchandising center to their states. They made offers similar to ours asking that Sears come. Sears has agreed...has not agreed, Sears has guaranteed 2000 jobs will remain in the state and they have guaranteed a \$100,000,000 worth of construction. If you look at the numbers that the jobs will bring in in terms of our income tax and if you look at what the 1,000,000,000...the 1,000,000,000 in construction does, half of which roughly is sales tax, half of the 1,000,000,000 will be related to building materials. They'll pay sales tax on that, they'll also pay income tax on the contractors and the people who work on it. The Bill is good for Illinois. We have to remain competitive...A lot of the competition between states is perception. It's a very, very good perception among other...the business community on a national level that we maintain a national...a national name, a national business in Illinois so that other national companies will follow. We're also looking at an industrial park area or a large development area which will have a lot of satellite companies moving into Illinois in order to service and work with Sears. So the 2000 jobs is only the beginning. They've guaranteed that. They probably will bring more out there. It's a good fiscal deal for the State of Illinois and I would urge your support."

Speaker Giglio: "Representative Flinn."

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Flinn: "Mr. Speaker, I think we've heard enough on this. I move the previous question."

Speaker Giglio: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question has been moved. Representative Olson to close."

Olson, M.: "Well, thank you again, Mr. Speaker, Ladies and Gentlemen of the House. My close will be brief by relating to you a story that happened three years ago in November at Charleston, South Carolina at an NCSL Meeting. We went down there, we went to the hotel, we were put into an assembly room and the Lieutenant Governor of the State of South Carolina welcomed us to South Carolina and he was very anxious to point out to us that South...Charleston, South Carolina employed 20,000 people in their major port, that they ship and receive the eighth most tonnage in the nation, and he was quick to point out that those 20,000 employees in Charleston were non-union. He repeated it. Non-union. At the same time as he was extolling the rest of the virtues of his state, he developed a very significant southern dialect when he closed his presentation to us by saying, 'I'm here to tell ya, I'm here to tell ya, you people think that we're pickin' cotton here in the south. Well I'm here to tell you we're now pickin' Yankees.' Well, I'm here to tell Members of this General Assembly this is one Yankee they're not going to pick. Sears, Roebuck is staying here. We need them and they need us. Thank you, very much."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1345?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This is final action. The Gentleman

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from Bureau, Representative Mautino. One minute to explain your vote."

Mautino: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. I think what we have before us is not only the frustration of money being removed from one segment of society and given to another, what I think we have before us is a policy question and the frustrations that occur when, in fact, policy says we provide funds for a large entity and we in return receive no security. This was established, I think in it's initial form with the Chrysler, Mitsubishi Plant when we purchased the land and provided that after ten years, the land automatically flow to them as ownership, along with the other incentives that were provided. This is not against Sears & Roebuck, Mike. The comments I'm making are not against Sears, but I think the comments have to be made that we can no longer provide subsidies with..."

Speaker Giglio: "Continue, Representative Mautino."

Mautino: "We can no longer provide subsidies without some guarantees and some assurances that the taxpayers dollar will be protected. The provision here is that there are going to be 2,000 people employed at this facility. I think that the follow-up provisions to make sure that those employees are still employed long after the 18 month study is completed and I think that we should send a message to DCCA that when assets are available such as the building in downtown Chicago, worth, I understand about \$1,000,000,000, that an escrow account should be established so that the funds submitted by the taxpayers of this state will have some security behind it in terms of the sale of that final entity, the Sears building downtown. I think with that thought..."

Speaker Giglio: "Bring your remarks to a close, Representative

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Mautino."

Mautino: "Thank you, very much. I think with that thought in mind, maybe DCCA has gotten the message and maybe we'll have some policy change, both by the administrative level and in the department so that the taxpayer's dollars are protected. I will be voting for this legislation only because we already sent the supplemental down to the Governor. It's already been signed for \$33,000,000. But I think the policy has to be rearranged and changed."

Speaker Giglio: "Representative Shaw."

Shaw: "Yeah. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The problem that I have with this whole deal is that Sears is a multi-billion dollar corporation and the state or DCCA is in the business of picking up a large portion of that tab, \$33,000,000 that we voted for here, for Sears, but when we talk about cities that are decaying and are going under, like East St. Louis and Ford Heights, Robbins, Illinois, DCCA cannot find the money for economic development in that area. And I would like to see DCCA do a better job in helping the people of these communities than they have done in the past. At this time I'm going to vote 'aye' for Sears, but DCCA I think we have a problem with."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not a big fan of giving a lot of money and a lot of resources to large corporations, but about ten years ago I voted to help save the Chrysler Corporation and looking back I'm glad I did it. So, so long as something like this comes along only once every ten years or so, I think I can cast my vote in favor of keeping Sears, Roebuck in Illinois."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm sure most people know that I live in the Village of Hoffman Estates where this facility will ultimately be built and we are thrilled to be able to bring jobs and Sears to the Village of Hoffman Estates. But, I will tell you that there's a lot of work to be done and this is gonna have a major impact on not only the village of Hoffman Estates, but the surrounding communities around there. And we have a lot of opportunities for jobs, we have a lot of opportunities for businesses that serve Sears and we need to pay close attention to make sure that Sears, in fact is a good neighbor, which we presume they will be. And we look forward to the ongoing dialogue and work that it's going to take to eventually have a campus out there that not only the...Sears can be proud of, but all the citizens of Illinois. So, we look forward to the ongoing dialogue and hard work that's gonna be before us."

Speaker Giglio: "The Lady from Cook, Representative Shirley Jones."

Jones, S.: "Thank you, Mr. Speaker and Members of the House. Once again you are taking something out of my district. If you read the paper today on page 41, 400 people are losing their jobs from Sears. This is not fair. People need their jobs. Why go out to Hoffman Estates where they're wealthy already and you're taking jobs away from the poor. Mr. Speaker and Members of the House, I urge everybody in here to change their vote to a 'no' vote. Thank you."

Speaker Giglio: "The Gentleman from McDonough, Representative Edley."

Edley: "Mr. Speaker, Ladies and Gentlemen of the General Assembly. You know I think we're selling our state short and certainly selling Chicago short and the prosperous and

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growing suburbs. Remember here not too long ago when we were voting, or when you were voting for the White Sox deal and you were told about what a great deal the White Sox were being offered in Florida? Well, when it came...when the dust was settled and the deal was done, we found out that we had paid twice what the Florida promoters had offered. You know I've...I've listened to my friends on the other side of the aisle talk about the free market and talk about Adam Smith and talk about the invisible hand of self-interest, well, I think I feel that invisible hand slipping in my back pocket and some of the...some of the depressed regions in downstate."

Speaker Giglio: "The Gentleman from McHenry, Representative Klemm. One minute to explain your vote."

Klemm: "Well, thank you, Mr. Speaker. I'm delighted to be helping Sears Roebuck, but I did want to take this opportunity while the Governor's on the floor, while we have both of our Leaders on the Floor, is to remember that I think we need a policy that will help some of the smaller businesses that don't necessarily have tens of thousands of employees. You know, Illinois is a diversified state. We need help for our employers that only have maybe 50 or a 100 employees that are leaving the state also. I think we should really look into it in the next year, to look at how we can help businesses across the state and not always have to end up having the knee-jerk responsibility of trying to bail out a particular problem. I'd rather see us do it in advance and have a policy that businesses can rely on and come to Illinois because I think we deserve good businesses and good employee opportunities."

Speaker Giglio: "The Gentleman from Kane, Representative Kirkland. One minute to explain your vote."

Kirkland: "Thank you, Mr. Speaker. I'm obviously delighted the

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way the vote is going and pleased that this facility is coming to our district. One of the Gentleman mentioned it meant about 2000 jobs, the fact of the matter is, it's going to mean directly and indirectly over 7000 jobs over a period of time. It's a magnificent development on a piece of property that's right in the center of the district. When you look at this vote and see...see how the vote is spread around the state and how much Sears means to everybody statewide, you realize how important this is and...I want to thank the Governor and Hoffman Estates, Mayor Michael O'Malley, who's a good friend of mine, for their efforts, particular efforts in helping cement this project and again thank the Membership for the vote."

Speaker Giglio: "The Lady from Cook, Representative Davis. One minute to explain your vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wonder if following the passage of this legislation that if we should not think of passing legislation that mandates that people shop at Sears. A business remains in business because people are purchasing from that business. Now, if all of the material or merchandise that you're selling, or the majority of it is being made in a foreign country and those people from the foreign country can't come and purchase from your store, then certainly you're going to find yourself at a business deficit. The U.S. steel workers are no longer working so they can't purchase from Sears, the people, the manu...the garment manufacturers who used to make the clothing that we wear that now come from Taiwan and many other places..."

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

Davis: "I'm just stating that in order to stay in business you've gotta have customers. Is that our next piece of legislation?"

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Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there is 73 voting 'yes', 33 voting 'no', 11 voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 1345, and this Bill having received the required Constitutional Majority, is hereby declared passed. On page 2 of the Calendar under Consideration Postponed appears Senate Bill 292, Representative Myron Kulas. Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 292, which we have heard before as amended, is the Family and Medical Leave Bill of 1989. As amended, the Bill allows employees to take unpaid job protected leave for serious...certain serious family or medical reasons. An exemption is provided for employers with fewer than 50 employees. An employee may take up to 8 weeks of unpaid leave over a 24 month period for the birth of a child, adoption or foster placement, or serious illness of a child. The Bill also provides family leave for the serious illness of a spouse or parent. Group health insurance benefits may be continued at the employee's expense. I underline at the employee's expense. The employee has the right to the same or similar position upon returning to work. Employers have the right to request appropriate certification and a second opinion before allowing an employee to take medical leave or leave to care for an ill family member. Employees must schedule leave, if possible, in a way that it will not unduly disrupt business. Only employees who have been employed with a company for 12 consecutive months and who work 20 hours or more per week are eligible. I'll be glad to answer any questions."

Speaker Giglio: "Any discussion? The Gentleman from Champaign,

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Representative Johnson."

Johnson: "How much different is this Bill now, Representative, than it was the 35 other times we've heard it this Session?"

Kulas: "I'm sorry, I didn't hear your question."

Johnson: "I said, what are the differences in this Bill as you're presenting it to us now, versus the 35 other times we've heard this Bill this Session?"

Kulas: "We only heard it two other times, Representative Johnson."

Johnson: "Is it the same Bill?"

Kulas: "It's almost the same Bill that...as House Bill 1343 which I passed out of the House."

Johnson: "I haven't taken a real active interest in this legislation before, but I guess I have a couple of questions that occur to me. What if...what if you have, let's just assume a small business person, you know, a cosmetology shop or something like that, and a person meets the qualifications for a medical leave and they're off for 6 1/2 or 7 weeks and they're replaced by somebody else in the meantime, does this Bill require their rehiring then, is that it?"

Kulas: "If they took off medical or the family leave if one of their children was sick or so, they would be entitled to come back at the same position. But it only affects empl...companies with 50 employees or more, so it would not affect the barber shop."

Johnson: "Okay... would it, it just seems to me to be a little disruptive to business to...to allow... I'm just talking frankly from just a common sense standpoint, to have someone off on...based on a medical leave, not knowing whether they are going to extend beyond the limits of this Bill and you hire somebody part time and that person, the

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new person you've hired, doesn't know whether he or she can support their family the whole time because they don't whether the person who is sick is going to come back. Doesn't it seem to be a little bit of an infringement on the free enterprise system, or am I just misreading this Bill?"

Kulas: "I think...I think you're misreading the Bill. This protects the person who needs the job and at the same time it makes the business work with the employees for a better relationship."

Johnson: "What about the substitute employee and their job security, the one who's trying...filling in in the meantime, not knowing whether the person is going to come back or not? Doesn't that kind of put them in an untenable situation?"

Kulas: "Well, I'm sure they know that the person's coming back."

Johnson: "Well, they may not. There are certain illnesses, certain conditions that...may ripen or in fact be permanent conditions that aren't determinable within the first couple of weeks. We handle worker's compensa...worker's compensation cases all the time where the nature and extent of injuries or illnesses can't be determined early on it. It seems to me to be a little unfair, frankly to people in addition to the business people. Putting that aside it seems to me that the substitute employees are there and not knowing how long they are going to be there and not knowing whether to pick up other part time jobs, not knowing when the Bill's effectiveness is going to run out. I don't have overwhelmingly strong feelings about it other than it seems to me to be a...an unnecessary infringement on a free enterprise system or at least a limited free enterprise system that we have in this state that we can accomplish better through other mechanisms. I think it's a well

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intended Bill, but like the other, I guess not 35 times, the other several times that we considered this Bill, it seems like every other time I wake up I see this concept in front of us, it's not a well considered Bill and it isn't good for the state, it isn't good for jobs and it isn't good for people."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I feel like this is the 12th time I've risen on this Bill too, and I guess what I'm saying isn't getting through. I guess I was getting through because we seem to keep killing it. But I'll bring up a few other points. First of all, the one point I keep bringing up and bring up over and over again is that 70% of the people of the businesses in this state are already doing this. We don't need to have big brother getting into the act here and interfering with the collective bargaining that would go on normally. It is not up to the government to interfere with an employer/employee relationship. This has always been done by collective bargaining in those places where there is collective bargaining and where there isn't, employers are already doing it on a one on one basis. It is very selective. There are many classes of people that wouldn't use this at all, they don't have small children or they don't have a sick mother. So they may lose out on the other good benefits which is dental care, optical care, longer vacations and then there's the other point I brought up that I hope got through to you, this is a yuppy Bill. Very few people can go without a paycheck and pay their own health insurance for 8 weeks at a time and they would have to do that here. The people that can afford it, are the yuppies. So the young lady that perhaps has to work all the time and can't afford this and who might be offered the option of a longer vacation, will not

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have that offered to her because she's paying for the yuppy Bill. It doesn't make sense to do this. This is not right for government to be interfering in this place and furthermore, it is very difficult to get an employee for 8 weeks. How do you get a physicist? How do you get a lawyer? How do you get an accountant that knows your business? How do you get a blue collar worker that knows certain...tool and dye operations? You don't. And by the time you get them trained they leave you and the single most important thing is, then you are subject to the unemployment insurance which takes effect July 1st of this year. Tomorrow it takes effect and they will pay double for that job. Either that or they aren't able to find anybody to fill the jobs and you have slowed down their whole process. For heaven sakes, let employers and employees work on this together. Let's defeat this Bill one more time. It is not good for business, it's not good for the economy. Vote 'no' on SB 292 for the final time this year."

Speaker Giglio: "Lady from Cook, Representative Didrickson, five minutes to..."

Didrickson: "Thank you, Mr. Speaker, Members of the House..."

Speaker Giglio: "Excuse me, Representative. We'd like to make the announcement that dinner is being served in the Conference Room with soda pop, pizza. Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. It is true we've heard this Bill on a number of occasions. I would just like to point out a couple of points that may not have been spoken to. We already have in the work place provisions for sick leave, for personal days, for vacation days and most employers allow for the accumulation of those days. We already know that 71 percent of the small

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businesses in the State of Illinois, they've been surveyed and they provide for parental leave. Most large corporations such as the IBM's already provide for parental leave. What they don't like about this Bill is the fact that we are mandating down here in the State of Illinois, a voluntary social action. We're doing it to business just like we've done it to schools and education and I would urge a word of caution here. When you talk to the large corporations, and in specific I understand IBM has a concern with this Bill because the certification for those who are disabled is going to come from a medical provider but it is not a physician who is going to make that determination. That is a flaw in the Bill. I would urge on...at least on my side of the aisle, although this should not be a party position...in terms of Republican versus Democrat with regards to parental leave. It should be our position, I think, in terms of how we react to such mandates on business that a 'no' vote really is the right vote."

Speaker Giglio: "Representative Pedersen, Gentleman from Cook."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Proponents say this Bill is pro-family because everybody's working today. But the use of statistics in this problem is insidious. Really, pro-family experts say that in only about a third of the families with young children are both parents working full time. About a third of our traditional family with the mothers at home and the other third the mother works part-time. To us, that means two thirds of the families want...have mothers that would really prefer to be home the best they can. The solution to really help families is to reduce taxes on those with young children so the mother has a choice. We've had big increases in taxation on families in the past twenty years,

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and so what we're saying is, reduce the taxes on families. We're getting the cart before the horse with this legislation. First, let's reduce the taxes on family with young children so they have a choice. With mothers having a choice and many of them staying home with their young children, we can then assess whether this is the kind of legislation that is needed. I urge a 'no' vote."

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

Currie: "Thank you, Mr. Speaker, Members of the House. I couldn't believe my ears. At least four times during this debate I heard people talk about the inadvisability of state interference with the free enterprise system. What do you think, Ladies and Gentlemen, we just did on the Conference Committee vote on Senate Bill 1345? That was a major interference with the operation of the free enterprise system. We were engaged, Mr. Speaker and Members of this House, in socialism for the corporate classes. That may or may not have been wise public policy, but for people having just organized a major giveaway to a major corporation to begin extolling the virtues of the private market and encouraging us to keep our hands off, is hardly responsible discussion. I think this is the kind of interference in the marketplace that the people of this state need, that the people of this state deserve, that will not hurt the major businesses operating in the State of Illinois and I'm pleased to say that if this House adopts this Senate Bill 292 that then we can feel quite secure in the knowledge that Sears, when it finds it's new home in Hoffman Estates will be sure to have the kind of family policies that make sense to each and every Member of this Assembly. I think the only responsible vote from any social policy perspective is a 'yes' vote."

Speaker Giglio: "Representative McNamara."

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McNamara: "Thank you, Mr. Speaker. What this Bill does is that it allows a person with a catastrophe in the family up to eight weeks leave in a two year period. Now someone said that this will automatically eliminate that employee from employment in a critical operation. Nothing could be further from the truth. If they have a catastrophe in the family that person is going to leave anyway. What it may do is actually retain jobs for people. Let's use our common sense. This person has to have a real good excuse to accept no pay and no insurance benefits for that time and all we are asking people to do is give them the chance to take care of a catastrophe that happens in their family. I urge everyone's support for this fine piece of compromise legislation that has done a tremendous job for our state and for our people and shows that we as Legislators at least care about the people."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of this Bill is certainly well intentioned and I respect him for the philosophy that he has. But let me just point out a couple of things to you. You know...this is titled the...a Pro-Family Bill and perhaps it is. I just happen to differ a little bit in that I think the best pro-family agenda is to have a healthy business climate in the State of Illinois that not only keeps jobs here, but brings jobs here from other states. And if you'll simply will let the system work, that could happen. You know, two weeks ago in the Chicago Tribune on a Sunday was a feature article on this very issue and the AT&T national contract that has been hashed out has all of these provisions in it and goes beyond, far beyond. And I bring that up to simply show you that the

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collective bargaining system can work, when we let it work. If we put this measure into law, do you think that any company will exceed the minimum standards that we in our infinite wisdom set? Of course not. But if you let them sit down at the bargaining table, who knows what they're liable to be able to agree to? We've already sent to the Governor four mandated Bills that impact Illinois business. We've increased the minimum wage. We've mandated insurance policies to reimburse services provided by a podiatrist. We've mandated an insurance policy to reimburse for mammogram exams and we've mandated employer responsibilities under the Child Support Withholding Law. Now Ladies and Gentlemen I don't know if all of these are good or bad, but I would suggest that perhaps we've reached the limit on mandates for this Session. Let's see how things work, let's let the system work, let's let the collective bargaining process work, let's let Illinois employers and Illinois employees sit down and decide what kind of family leave provisions their company and their union or their bargaining agent can agree to within the scope of their business. That's common sense and common sense tells you it's not time to vote for this Bill."

Speaker Giglio: "Representative Tate."

Tate: "Thank you, Mr. Speaker. In the event that this would receive 60 votes I'd like to verify the Roll Call and I'd like to ask 40 of my Republican friends to raise their hands to make sure that the Speaker knows that we've asked for a verification."

Speaker Giglio: "Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, I move the previous question."

Speaker Giglio: "The previous question's been moved. All those

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in favor say 'aye', opposed 'no'. The 'ayes' have it and the previous question's been moved. Representative Kulas to close."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A lot of you have asked me, 'Myron, why...you know, you're the environmental guy around the House. Why are you carrying a family-leave Bill?' Well, let me tell you why. First of all, let me put it to you straight, I'm not running for statewide office, I'm not looking for publicity. And this isn't just a women's issue, this Bill is a family issue. About a year ago my mother, who is 85 years old, broke her hip. She went into the hospital and other complications set in. It was fortunate that my brother and I could take time off to spend with her in the hospital. As I was sitting in the hospital chair next to my 85 year old mother at 2:00 o'clock in the morning...she doesn't speak a word of English, all she can say is thank you and okay...she woke up and she asked me for a glass of water. I got her that glass of water and when she drank that water...she looked up at me and we both cried. Do you know why? Because at that moment we realized that our roles were reversed. This woman who took care of me, who spent sleepless nights when I was sick, she was in bed now and I was taking care of her. That's why I introduced this Bill. I went home and I thought, God! How grateful I am that I don't have a nine to five job. What about those poor people who work from nine to five and maybe their child gets sick or maybe their parents are sick and they can't afford to...to have this fear of losing their job. Well, you know what? The real reason I...I sponsored this Bill because I believe that the family is the foundation of our society and this foundation has been slowly deteriorating and crumbling in the last 20 years. So I ask

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you my colleagues, because someday you will grow old. Someday maybe your child or grandchild will be sick and maybe your child or grandchild also won't be able to take time off to take care of you. I ask you to look at this Bill. Family leave is here to stay, it's not going to die. I ask you to support this Bill. I ask my friends in the business community, don't fight this Bill because it's time is here and this Bill will pass and you will realize, just as you realized when you started to get involved in education how important education is to business. You will eventually realize how important the family is to your business. I ask you for your 'aye' vote on Senate Bill 292."

Speaker Giglio: "Question is, 'Shall Senate Bill 292 pass?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Representative McCracken."

McCracken: "Do you want to verify?"

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'yes', 45 voting 'no' and none voting present and this Bill having received the Constitutional Majority... Representative Tate asks for verification."

Tate: "Verification. Yeah."

Speaker Giglio: "Representative Kulas...asks for...the absentees. Mr. Clerk, poll the absentees."

Clerk Leone: "A poll of those not voting. Flinn, Hartke, Hasara, Hicks and Krska. No further. Poll of those voting in the affirmative. Balanoff, Bowman, Breslin, Brunsvold, Bugielski, Cullerton, Curran, Currie, Davis, DeJaegher, DeLeo, Dunn, Edley, Farley, Flowers, Giglio, Giorgi, Goforth, Granberg..."

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Speaker Giglio: "Excuse me a minute, Mr. Clerk. Does Representative Breslin have leave to be verified, Representative Tate? Representative Breslin have leave to be verified? The...the Representatives asks that they are on the Conference Committee Reports and they'd like to continue their business. How about Representative Lang? Does Representative Lang have leave, Representative Tate? Here, Representative Tate? Gentleman have leave? Leave is granted. Representative McGann and Representative Wolf? Leave is granted. Mr. Clerk, continue."

Clerk Leone: "Hannig, Harris, Homer, Lou Jones, Shirley Jones, Keane, Kulas, Lang, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevich, Mautino, McGann, McNamara, McPike, Morrow, Mulcahey, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Santiago, Satterthwaite, Shaw, Steczo, Stern, Sutker, Trotter, Turner, Van Duyne, White, Williams, Wolf, Woolard, Anthony Young, Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Are there any questions of the affirmative, Representative Tate?"

Tate: "Representative Turner?"

Speaker Giglio: "Representative Turner is in his chair."

Tate: "Representative...Wyvetter Younge?"

Speaker Giglio: "Representative Wyvetter Younge. Is Representative Wyvetter Younge in the chamber? Mr. Clerk, how is the Lady recorded?"

Clerk Leone: "Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

Tate: "Representative White?"

Speaker Giglio: "Representative White? Representative Jessie White? He's in the rear of the chamber."

Tate: "Representative Martinez?"

Speaker Giglio: "Representative Martinez? Is Representative

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Martinez in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Tate: "Representative Steczo."

Speaker Giglio: "Representative Steczo is in his chair."

Tate: "Representative Hartke."

Speaker Giglio: "Representative Hartke is not voting."

Tate: "Representative Hannig."

Speaker Giglio: "Representative Hannig? Is Representative Hannig in the chamber? How's the Gentleman recorded, Mr. Clerk? Representative Hannig."

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call and restore Representative Wyvetter Younge. And does she have leave to be verified, Representative Tate?"

Tate: "If you restore her, I assume that automatically puts her on the Roll Call."

Speaker Giglio: "Alright. Representative Keane? Does Representative Keane have leave to be verified?"

Clerk Leone: "Yes."

Speaker Giglio: "Representative Keane? Continue, Representative Tate."

Tate: "Representative Krska."

Speaker Giglio: "Krska?"

Tate: "Oh, oh I'm sorry, Representative...Novak."

Speaker Giglio: "Representative Novak is in his chair."

Tate: "Representative Brunsvold."

Speaker Giglio: "Representative Brunsvold. Is Representative Brunsvold...Representative Brunsvold is talking with Representative Wennlund and restore Representative Martinez back to the Roll Call. Representative Tate, Representative Giorgi asks leave to be verified."

Tate: "Yeah."

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Speaker Giglio: "Gentleman has leave."

Tate: "Representative Edley."

Speaker Giglio: "Representative Edley is in his chair."

Tate: "Representative Flinn."

Speaker Giglio: "Representative Monroe Flinn is not voting."

Tate: "Representative Richmond."

Speaker Giglio: "Richmond is in his chair."

Tate: "Okay, who did you put on? Representative Van Duyne."

Speaker Giglio: "Representative Van Duyne is in his chair."

Tate: "Representative Matijevich?"

Speaker Giglio: "Representative Matijevich is in his chair."

Tate: "Representative Bowman."

Speaker Giglio: "Pardon? The Chair did not hear that last request, Representative Tate."

Tate: "Representative Bowman."

Speaker Giglio: "Bowman? Representative Bowman is in his chair."

Tate: "Okay. Representative Mulcahey."

Speaker Giglio: "Mulcahey is in front of the Clerk's Office.

Does Representative Preston have leave, Representative Tate? Leave is granted. Are there further questions?"

Tate: "Let it go."

Speaker Giglio: "Take the record, Mr. Clerk. Representative Hasara? Representative Hasara?"

Hasara: "Just...Mr. Speaker. Mr. Speaker, please record me as voting 'aye'."

Speaker Giglio: "Vote the Lady 'aye'. Representative Hannig 'aye'. Representative Hartke 'aye'. All those in favor... On this question 65 voting 'yes', 49 voting 'no' and Senate Bill 292 having received the required Constitutional...Representative Flinn, 'aye'. 66, Representative, ...Mr. Clerk. 66 voting 'aye', 49 voting 'no'. Senate Bill 292 having received the required Constitutional Majority is hereby declared passed. On page

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3 of the Calendar, Conference Committee Reports
appropriation Bills, Representative Leverenz, House Bill
551."

Leverenz: "Thank you, Mr. Speaker."

Speaker Giglio: "The Gentleman from Cook, Representative Leverenz
on House Bill 551."

Leverenz: "I move to adopt the Conference Report on House Bill
551."

Speaker Giglio: "Heard the Gentleman's Motion. Any discussion?
Hearing none, the question is, 'Shall the House adopt the
first Conference Committee Report to House Bill 551?' 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?
Mr. Clerk, take the record. On this question there are 109
voting 'yes', none voting 'no' and none voting 'present'
and the House does adopt the first Conference Committee
Report to House Bill 551 and this Bill having received the
required Constitutional Majority is hereby declared passed.
House Bill 584, Representative Leverenz."

Leverenz: "Move we adopt the Conference Committee Report on House
Bill 584."

Speaker Giglio: "Heard the Gentleman's Motion. Any discussion?
Hearing none, the question is, 'Shall the House adopt the
Conference Report to House Bill 584?' All those in favor
vote 'aye', opposed 'no'. 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 114 voting...Representative...Alright. On this
question 116 voting 'yes', none voting 'no', none voting
'present' and the House does adopt the first Conference
Committee Report to House Bill 584 and this Bill having
received the Constitutional Majority is hereby declared

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passed. On page 4 of the Calendar appears House Bill 592, Representative Steczo."

Steczko: "Thank you Mr. Speaker, Members of the House. I move to adopt the first Conference Committee Report on House Bill 592, which contains the budget for the State Board of Education."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye', opposed 'no'. The voting is open, this is final action. Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 592 and this Bill having received the Constitutional Majority is hereby declared passed. Supplemental Calendar announcements."

Clerk Leone: "Supplemental #9 to the House Calendar is now being distributed."

Speaker Giglio: "House Bill 659. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you Mr. Speaker, Ladies and Gentlemen. I move for the adoption of the Conference Committee Report on House Bill 659. The Conferees decided to leave this Bill the same as it was when it passed the Senate."

Speaker Giglio: "Heard the Lady's Motion. All those in favor signify by voting 'aye', those opposed 'no'. 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 108 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 659. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Parcells, 'aye' on

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the last Bill. Let the record indicate and also Representative Mulcahey. Let the record indicate that these two Representatives wanted to vote 'aye'. House Bill 830, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the appropriations Bill for the Department of Labor and I move that we adopt the Conference Committee Report. It basically adds from when it left the chamber originally, \$150,000 for the Minority and Female Employment Opportunity Division within the Department. And also \$21,100 to the Fair Labor Standards division, also within the Department. I move for adoption of this Report."

Speaker Giglio: "Heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 830?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final action. 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 115 voting 'yes', 1 voting 'no' and 1...none voting 'present'. The House does adopt the first Conference Committee Report to House Bill 830 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 832...33, Representative Mays."

Mays: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. House Bill 833 is the operations for the Department...for the office of Lieutenant Governor. It leaves...it left the House in pretty good shape. This Conference Committee Report, however, would add another \$50,000 to the office for a grant to the Illinois Agricultural Leadership Foundation and another 75,000 to the Lieutenant Governor's Grant Fund. I would move its

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adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor vote '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? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no', none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 833 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 836, Representative Mays."

Mays: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. This is the operations budget for the Department of the Lottery. It...the way the budget stands differently than it was before us is, the Conference Committee added prize money back into the fund and it also added \$228,700 to the Lottery Fund for Personal Services and \$1,000,000 to the Lottery Fund for Contractual Services to increase advertising and 45,000,000 for the payment of prizes. I would move for its adoption."

Speaker Giglio: "Heard the Gentleman's Motion. The question is, 'Shall the House adopt the first Conference Committee Report?' and on that question all those in favor vote '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? Mr. Clerk, take the record. On this question 110 voting 'yes', 4 voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 836 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 838, Representative Mays."

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Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. This is the operations budget for the Department of Military Affairs. In addition to the dollars that it had in it when it left the House, this Conference Committee Report recommends that we restore \$97,993 in General Funds to allow the Department to fill five vacancies in fiscal '90, two of which are 75 percent federally reimbursable. I would move for adoption of the report."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye', those 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? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no' 1 voting 'present' and the House does accept the first Conference Committee Report to House Bill 838. This Conference Committee Report...and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 843, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. House Bill 843 is the operations budget for the Department of State Police. From where it left the House, the Conference Committee Report does several things. It transfers 553,000 into State Troopers Personal Services. It transfers...that transfer will restore the money that was targeted for State Police...State Trooper patrol in East St. Louis. Additionally, it adds \$609,300 to the Road Fund for State Trooper Personal Services to restore one half of the Senate reduction and sworn overtime for the current fiscal year. It further reduces \$2,041,400, which eliminates the 50 new troopers proposed..intents...supports that proposed for statewide expansion of the D.A.R.E. program. Finally, it restores \$498,600 that is targeted for the National

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Governor's Conference in Chicago this year. I would move its adoption."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Representative Stephens."

Stephens: "Well, I just wanted to say that the State Police patrol in East St. Louis has been...the personal services for that have been restored. I think that's...I find that very objectionable. It's so the City of East St Louis can supply bodyguards for their paranoid mayor. It's a misuse of state money, it's bad public policy. A 'no' vote or a 'present' is the right vote."

Speaker Giglio: "Representative Davis. The Lady from Cook."

Davis: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to explain my vote. I have a 'no' vote here for the simple reason that the State Police is a there's a suit in by the black policemen because of the unfair employment practices in this state agency and we certainly hope that they will attempt to resolve those before the court has to do it for them. Thank you."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just to explain my 'no' vote...I think that State Police officers are paid abysmally. They should be paid at least 50 percent more than they are paid. They've been kept at a low standard of pay for as long as I've been in this General Assembly and I don't think the State Police do a good job for that reason, so I'm voting 'no'.

"Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 5 voting 'no', 7 voting 'present' and

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the House does concur with first Conference Committee Report to House Bill 843 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 845, Representative Mays."

Mays: "I'd like to take this budget out of the record for a moment, please."

Speaker Giglio: "Take it out of the record, Mr. Clerk. House Bill 847. House Bill 847, Representative Mays."

Mays: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. This is the operations budget for the Illinois EPA. The Bill is basically adds...different from when it left the House originally. Adds 164,000 in GR and 228,000 in Vehicle Inspection Funds for personal services. And it further adds 400,000 to the Air Pollution Monitoring Computer Program and 5,000 in GR to pay for funds awarded to the City of Milwaukee under a U.S. Supreme Court decision. I would move the adoption of the Conference Committee Report."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor of adopting the first Conference Committee Report to House Bill 847 vote 'aye', those 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? Mr. Clerk, take the record. On this question there are 113 voting 'yes', 2 voting 'no' and none voting 'present' and the House does accept the first Conference Committee Report to House Bill 847 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 849, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. House Bill 849 takes care of a number of needs with various state agencies. The Bill basically would put...one second. Thank you. This Bill has the Bureau of the Budget's operating budget

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attached to it at this point and it also appropriates 75,000 from the Illinois Civic Center Bond Fund to BOB for expenses necessary in the sale of the bonds and I would move for its adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. The question is, 'Shall the House adopt the first Conference Committee Report to Senate (sic, House) Bill 849?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Mr. Clerk, take the record. On this question ...On this question there are 116 voting 'yes', 1 voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 849 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Keane, Senate Bill 278. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I move for the adoption of Conference Committee Report #1. The changes made were science and technology grants were returned to their original level. There was a \$50,000 grant to DePaul which was removed. Two grants were shifted from the Illinois Community College Board to the Board of Higher Ed. There was a grant for \$150,000 to Spoon River for extension programs. There was a grant for Blackhawk College in Western Illinois for their two plus two. The appropriation was made to the BOG for a Bill promoting...for promotion within the Five universities and then there was a \$35,000 appropriation for Saturday schools for economic areas with high foreign investment. I move the adoption of Conference Committee Report #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 278?' All those in favor vote 'aye',

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opposed 'no'. 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 114 voting 'yes', none voting 'no' and none voting 'present' and the House does accept the first Conference Committee Report to Senate Bill 278 and... Representative Parcells 'aye'. 115 voting 'yes'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 405, Representative Mays."

Mays: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 405 is the new Capitol Projects Bill for Capitol Development Board budget as well as their operations. In addition to all of the projects that were added by the Senate and all that were added by the House, which are still in the original Bill, there was \$1,000,000 capital added for the science laboratory at Illinois State University, 5,000,000 added to the Department of Conservation for grants to local governments, 500,000 to CD for the Department of Conservation for acquisition of land and buildings in Rockford, 200,000 to the Department of Conservation to New Lenox, 325,000 to CDB for Illinois Community College Board for Spoon River College, 10,000,000 CDF for Department of Conservation for land acquisition, 600,000 CDB for Environmental Protection Agency grant to Roselle and 1,600,000 CDB Board of Governors, State Colleges and Universities for reconstruction of Governor's State University Center for performing arts. I could go on...275,000 CDB...If there's any questions, I'll be glad to answer them. Otherwise, I'll move for adoption."

Speaker Giglio: "Any discussion? Any discussion? Hearing none, the question is, 'Shall the adopt the first Conference Committee Report to Senate Bill 405?' All those in favor vote 'aye', opposed 'no'. The voting is open, this is

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final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 109 voting 'yes', 5 voting 'no' and none voting 'present' and the House does... the House does accept the first Conference Committee Report to Senate Bill 405 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 412, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 412, as it left the House, the difference is we added in this Conference Committee Report 200,000 general funds for the first year cost of a Lake Calumet area ground water study and we cut 107,000 in personal services to the general office and then we added 200,000 in general funds to the Governors Science Advisory Council. I would move adoption of this Conference Committee Report."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor signify by voting 'aye', those 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 112 voting 'yes', none voting 'no' and none voting 'present' and the House does accept the first Conference Committee...does adopt the first Conference Committee Report to Senate Bill 412 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 432, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the operations budget for the Department of Revenue and the difference, basically, from where it left the House to where it sits right now in this report is that we added in the Conference Committee 550,000

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GR to Revenue for the management services division and 500,000 in GRF for new section for administrative cost of some of the Bills that we've been passing. So I move for its adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Warren, Representative Hultgren."

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

Speaker Giglio: "He indicates he will."

Hultgren: "Is this...this is the one that has \$500,000 in it for the administrative costs of riverboat gambling, is that right?"

Mays: "We have \$550,000 in GR for the Department in restorations and roughly 500,000 to off set administrative costs for riverboat gambling. We wanted to put about \$400,000...additional dollars into the Department to off set some of the costs involved with some of these taxes that have been passed too, but that is not in here."

Hultgren: "But there is a half a million here for the administrative cost of riverboat gambling?"

Mays: "Yes, there is. The Department has responsibilities under the Bill that was passed and we felt that it should be funded."

Hultgren: "What Bill has passed? What riverboat? Did I miss something?"

Mays: "Senate...We passed a Bill earlier today...if the Bill does not pass both chambers, this money will not be spent. It will be vetoed."

Hultgren: "Thank you."

Speaker Giglio: "Representative Barger, are you seeking recognition? The Gentleman from Cook, Representative Shaw."

Shaw: "Yes. Thank you Mr. Speaker, Ladies and Gentlemen of the

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House. This is a...to the Bill...this is a Department that it seems as though to me that you get very little cooperation out of this Department. They have a bunch of people over there and they send them over to you and all they do is give you lip service, particularly if you're from Cook County and you have a problem with...some of your people have a problem with sales tax. This is terrible. This is a terrible Department and I don't know what you can do about it, but we need to do something about this particular budget. I don't know what to do about it, it's already on Conference Committee but the fact of the matter is, I had intentions of putting some Amendments on this budget and I...the people who go into the...who do the auditing for the Department, they just go in and arbitrarily, seem like to me, pull a figure out of a hat and send the people a bill and then you try and adjust that bill and the people in the Department find every excuse that why they can't do anything about adjusting the bill. And I've talked to those people over there time and time again, on two occasions and nothing has happened in this Department. It should be defeated."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 432?' and on that question all those in favor vote '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? Mr. Clerk, take the record. On this question 101 voting 'yes', 8 voting 'no' and 2 voting 'present' and the House does accept the first Conference Committee Report to Senate Bill 432 and this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 435, Representative Mays."

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Mays: "I'd like to pull this one out of the record."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Senate Bill 4...442, Representative Ryder. The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Senate Bill 442, the Department of Public Health, the first Conference Committee adds in GRF 225,000 for expenses associated with the Center for Rural Health as well as approximately \$225,000 for several Amendments made. It does add a considerable amount of federal funds, approximately 4.998 million to be distributed for various projects within the Department. I urge adoption of the Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 442' and on that question all those in favor vote '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? Mr. Clerk, take the record. On this question there are 111 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to Senate Bill 442 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Mays, House Bill 845."

Mays: "Thank you very much, Mr. Speaker. This is the Department of Agriculture's budget. The difference from where it left the House and where it stands in this Conference Committee Report is that the Conference Committee recommends that we cut 9800 from the equipment line in DuQuoin, we cut 125,000 Ag Premium funds for a soil productivity study. We added \$107,700 for rehabilitation and county fair's lines and premiums and we also added 151,000 for the Solid Gold Futurity line. We cut \$33,500 in Ag Premium fund for the

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Hardin County fair and 33,500 for the Johnson County Fair. This Bill as it stands does have the 2,000,000 for soil and water conservation grants. It has 250,000 for Representative Hartke's Sustainable Agriculture Program. I would move its adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 845?' and on that question all those in favor vote 'aye', those opposed vote 'no'. The voting is open, this is final action. Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 845 and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #7 appears House Bill 859, Representative Ryder. The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This is a Conference Committee Report on the Department of Public Aid. You'll find several additions in here including additional funds for long term care, additional funds for a grant increase for public aid recipients, additional funds adding to the hospital lines disproportionate share, adding to physicians and to the drug line. We would appreciate your support for this Conference Committee Report. Thank you."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 859?' All those in favor vote '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? Mr. Clerk, take the record. On this

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question there are 108 voting 'yes', 6 voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 859 and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #9 appears Senate Bill 420, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is the budget for the Industrial Commission and the Conference Committee Report basically added \$2,000,000 to the \$5.7,000,000 dollar introduced level by the Commission. There's a strong recommendation from the Senate Members that funding is something we need to correct and I think this budget takes the Industrial Commission a long way toward fulfilling its obligations in the area of worker's comp. I would move its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 420?' All those in favor vote '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? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no', none voting 'present'...Representative Giorgi votes 'aye'...On this question 113 voting 'aye', none voting 'no' and none voting 'present' and the House does accept the first Conference Committee Report to Senate Bill 420 and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #4, Representative Terzich. Representative Terzich. Representative Terzich. Chicago fireman, Representative Terzich. Supplemental Calendar #4, House Bill 1472. Are you ready, Sir?"

Terzich: "1472. 1472, a good year. I move that we adopt

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Conference Committee #1 on House Bill 1472. Basically, the Amendment is the same as the Bill. However, it simply allows...that any county with a population of less than 1,000,000 residents may by ordinance prescribe land filling of leaves except where such leaves have been separated at the source and I would move favorable votes."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Balanoff."

Balanoff: "Yes. Will Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Balanoff: "Does this Bill also push back the date of the mandated composting?"

Terzich: "That's correct and that will go in fully as of September...or July 1, 1990 and this simply allows those communities that have initiated the program already to allow them to do that."

Balanoff: "Well then, I'd just like to have the record reflect...I don't agree with pushing the date back. I agree with keeping leaves out of landfills and having that option for counties though, so I'll be voting 'aye'. Thank you."

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

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

Speaker Giglio: "He indicates he will."

Black: "Okay. I was just looking at the Conference Committee Report, Representative, and I see two fine, upstanding colleagues on my side of the aisle didn't sign the Conference Committee Report. Was that...is there any reason for that? I mean, you couldn't find them, or they just don't agree with this Conference Committee Report?"

Terzich: "I think they were out to lunch. Representative Stange

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was one of the Cosponsors of this particular Bill."

Black: "Okay. But be careful when you say now they're out to lunch, those two fellows are never out to lunch. They're always here working. You'd agree with that. Churchill and Stange. You say he's a Cosponsor?"

Terzich: "Yes."

Black: "Okay. He says it's a good Bill, he just didn't sign it, he was very, very busy. Thank you."

Terzich: "As soon as he learns how to write, he'll sign it."

Speaker Giglio: "Representative Piel, Gentleman from Cook."

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Piel: "I notice in the Conference Committee now, what it is doing as far as giving the...it's giving municipalities a little bit more leeway when it comes to regulating landfills, is that correct?"

Terzich: "No. What...what the Conference Committee did is that there were some counties that have already started the program, the composting program, and Senator Schaefer...this was basically Senator Schaefer's request, and it simply allows any county and municipality by ordinance may provide that no landfill facility located within the area, or if a county, may accept for final disposal at any time truck loads composed primarily of leaves. That's all, just leaves generated within the county and they can do that by ordinance."

Piel: "Have they had any problems with this type of situation in the past, where they've had to take them out of the county? I mean the question I've got is why all of a sudden we're instituting legislation to, you know, give the municipality authority to do this."

Terzich: "I'm terribly sorry, but I don't understand what you're

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saying."

Piel: "Mr. Speaker, I can't hear a word he's saying. Mr. Speaker. I guess the Speaker can't hear me either. I can't hear a word he's saying. Right. I think he's talking, I'm not sure."

Terzich: "No, it goes the same way. I just couldn't understand what...what he was saying. But basically, all the Bill does is simply allow an additional six months. It really doesn't change the program in those communities that've started a composting program. You go into, from what I understand, into the waste area."

Piel: "But the one thing I noticed in the Bill is that you are allowing the communities to regulate landfills when it comes to the disposing of leaves and I would say possibly twigs, things like this. What problems have you had in the past, where all of a sudden you're bringing this in? Is it under the state jurisdiction now, where you want to bring it under the local? Or is it under county jurisdiction to where you want to bring it under local?"

Terzich: "I really don't know, Bob. Like I say, this came from Senator Schaefer and it was simply, from what I understand, just an extension of a six month period, and it doesn't cause any problems."

Piel: "Okay. Thank you very much."

Speaker Giglio: "Further discussion? Lady from LaSalle, Representative Breslin."

Breslin: "Would the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Terzich: "Yes, but don't make it too difficult, will you please?"

Breslin: "Representative Terzich, can't counties and municipalities already use their authority to establish these ordinances? Are you doing anything different here than they can't do right now?"

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Terzich: "Representative, basically, like I mentioned, that the Bill originally is simply changing the date to make it come in compliance with the EPA order that goes into effect on July 1, 1990. I guess where all of the landfill areas have to accept compost and separate it at the site. There's a number of communities that have established that, but at the present time do not have the landfill areas that have been set up for this and it's going to be implemented and this simply defers it for approximately 6 months and it leaves those communities that have started this program that they can just simply go ahead and do it by...you know, make it mandatory by ordinance."

Breslin: "No further questions."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. The answer to the previous Representative's question is, yes, it would prevent the counties from delaying it unless this Amendment was adopted and Representative Terzich is absolutely correct. In my particular county, and I think this is what instigated it, was that we've already made provisions to start the recycling and the composting, I should say, of this...of leaves and clippings. Now, the delay that prevents a number of operations that have really spent a great deal of money, have committed themselves to do this with the various communities that wish not to keep loading in their landfills, so this would allow our county to continue to impose this prohibition of leaves in landfills because we already have a disposal area. So I do support the Amendment and I do ask for your concurrence."

Terzich: "Thank you, Representative."

Speaker Giglio: "Representative Wennlund. Wennlund."

Wennlund: "Yield for a question, please?"

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Speaker Giglio: "Indicates he will."

Wennlund: "Representative Terzich, this appears to be an out and out repeal of a Bill we passed designed to keep yard ways and leaves out of landfills and setting some time limits for it. It just repeals everything with respect to the time limits. Is that correct?"

Terzich: "Well, number one is that we already passed this legislation out of the House and it doesn't really do that. There are a number of communities that are starting that and there's a number of different effective dates and this is simply deferring the disposal, I guess, of leaves to come into compliance, which will become effective on July 1, 1990, so it's only...you know, there's a number of communities that have already started this and if the landfills do accept it they can. This simply is going to defer some of that action up until July 1, 1990."

Wennlund: "So this delays the effective date to July 1 of 1990?"

Terzich: "No. It doesn't. It just simply gives the town the authority to do it, but simply doesn't mandate that...for them to do it up until July 1, 1990."

Wennlund: "Thank you."

Speaker Giglio: "Representative Stange."

Stange: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is a good Bill. We need more time. Most of the communities in the State of Illinois need another six months. We need to pass this legislation now. I'd urge your 'yes' vote."

Speaker Giglio: "Representative Terzich to close."

Terzich: "Appreciate your support. Thank you."

Speaker Giglio: "The question is, 'Shall the House adopt the first Conference Committee Report to House Bill 1472?' and on that question all those in favor vote 'aye', those opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question there are 107
voting 'yes', 6 voting 'no' and 1 voting 'present' and the
House does adopt the first Conference Committee Report to
House Bill 1472...Representative Balanoff 'aye'. Any
changes to 'aye', Representative? Tony? What's wrong?
And this Bill...The House does accept the first Conference
Committee Report to House Bill 1472 and this Bill having
received the required Constitutional Majority is hereby
declared passed. Representative Saltsman. Representative
Saltsman, 2060. Representative Saltsman, Representative
McPike and Representative Steczo with the following Bills.
House Bill 2060, Representative Saltsman."

Saltsman: "Yes. The Senate did recede from Senate Amendment #1.
The Bill's in its original form that it left here on the
Consent Calendar and I ask for the passage."

Speaker Giglio: "Any discussion? Hearing none, the question is,
'Shall the House adopt the first Conference Committee
Report to House Bill 2060?' All those in favor vote '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? The Gentleman from Vermilion,
Representative Black. Representative McCracken."

McCracken: "Was this on the first Report?"

Speaker Giglio: "First Conference Committee Report."

McCracken: "The first Conference Committee Report was rejected.
He wants to call the second Conference Committee."

Speaker Giglio: "Representative Steczo?"

Steczko: "That's correct, Mr. Speaker. This should be the second
Conference Committee Report and the second Conference
Committee put the Bill back in its original form and
there's no opposition to the original form of the Bill."

Speaker Giglio: "Alright, Supplemental Calendar #8."

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Representative Saltsman."

Saltsman: "Have that right now, that was the second. That was the second Conference Committee. That just passed."

Speaker Giglio: "Alright. Representative McCracken."

McCracken: "Why don't you just dump the Roll Call and we'll put it up on the second and we'll all vote for it?"

Speaker Giglio: "Alright, dump the Roll Call, Mr. Clerk. Alright, on Supplemental Calendar #8 appears House Bill 2060. Representative Saltsman, Second Conference Committee Report. Representative Saltsman."

Saltsman: "Yes. This Bill's in its original form when it left the House for the Senate to recede from Senate Amendment #1 which went out of here on the Consent Calendar."

Speaker Giglio: "Any discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I too, would urge Members on our side to vote in support of this. It is back in its original form and the objectionable Amendment's been removed."

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

Parke: "Thank you, Mr. Speaker. I have one question for the Sponsor. Is this a back door referendum? Thank you."

Speaker Giglio: "Representative Black. Representative Black."

Black: "Thank you very much, Mr. Speaker. Just a quick question of the Sponsor. I...I'm confused because my county board has already done this and I thought it already...Did we have special dispensation, or how did that happen? I mean, I know our county board's done this, Don."

Saltsman: "We vote a city tuberculosis board and a county tuberculosis board. And we had at that time a city health department and a county health department. Currently now we only have one, a Peoria County Health department. They're going to take over the process for all of it."

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Black: "Alright. Okay. I understand, thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the second Conference Committee Report to House Bill 2060?' All those in favor vote '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? Mr. Clerk, take the record. On this question there are 89 voting 'yes', 24 voting 'no' and none voting 'present' and the House does adopt the second Conference Committee Report to House Bill 2060 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative McPike, House Bill 2421, Supplemental Calendar #4."

McPike: "Thank you Madam Speaker, Ladies and Gentlemen of the House. This is a slight expansion of IDFA bonding authority, allows IDFA to fund industrial projects among other things but it expands that to include non-capital costs relating to the project and language about the general economic development for the purpose of this section of the statute. Clarifies that IDFA has authority to issue bonds for 501 C3 corporations. I move the adoption of the first Conference Committee."

Speaker Giglio: "Supplemental Calendar #10. Supplemental Calendar announcements."

Clerk Leone: "Supplemental #10 to the House Calendar is now being distributed."

Speaker Giglio: "Any discussion on House Bill 2421? Gentleman from Vermilion, Representative Black."

Black: "I'd...once again I see that we're having trouble getting Republicans to sign off on these things. I'm not sure why. Representative Churchill, Representative Pullen haven't signed this. You didn't see it? Alright. Okay. I just wondered why they hadn't signed it."

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Speaker Giglio: "The question is, 'Shall the House adopt the first Conference Committee Report to House Bill 2421?' and on that question all those in favor vote '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, Mr. Clerk. On this question there are 102 voting 'yes', 7 voting 'no', none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 2421. This Bill having received the required Constitutional Majority is hereby declared passed. Representative McPike, House Bill 2790."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a clean-up to the Responsible Property Transfer Act that we passed last year and I think there's no opposition to it."

Speaker Giglio: "Any discussion? Representative McCracken, the Gentleman from DuPage."

McCracken: "Okay, this is...this is the one with just the clean-up language and all the parties are agreed? Okay, thank you."

Speaker Giglio: "The question is, 'Shall the House adopt the first Conference Committee Report to House Bill 2790?' and on that question, all those in favor vote 'aye', all those opposed vote 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Johnson, 'aye'. Representative Laurino, 'aye'. On this question there are 112...Representative Turner 'aye'. Have all voted? Representative Balanoff 'aye'. Representative Petka 'aye'. On this question there are now 115 voting 'aye', none voting 'no', and none voting 'present' and the House does adopt the First Conference Committee Report to House Bill 2790 and this Bill having

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received the required Constitutional Majority is hereby declared passed. Representative Steczko, Senate Bill 1289. Representative Steczko."

Steczko: "Point of order, Mr. Speaker. The action we're taking now is to...is on the first Conference Committee Report?"

Speaker Giglio: "Was the first one rejected?"

Steczko: "I believe, Mr. Speaker, the first one was rejected by the Senate. Therefor, I would move to not adopt the...that the House not adopt the first Conference Committee Report to Senate Bill 1289 and that a second Conference be appointed."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor say 'aye', opposed 'no'. The Motion carries and a second Conference Committee be appointed. Supplemental Calendar #5, Representative Steczko, Richmond, Ewing, Hannig and Trotter. House Bill 114, Representative Steczko."

Steczko: "Thank you, Mr. Speaker. House Bill 114 appeared before us earlier today. However, a malfunction in the machine caused us to take it out of the record, but House Bill 114...or the first Conference Committee Report on House Bill 114 allows local units...local school districts who do special education to qualify to receive federal funds for that purpose and also makes a provision that the dollars received by the school districts, or by the Special Ed Co-ops in doing the special education duties will not be deducted from the state that they normally receive. This language has been brought to us by the State Board of Education, written by the State Board of Education in hopes that many school districts will be able to qualify for the first time for Medicaid dollars that may be available from the federal government and also will help to provide more state Medicaid dollars to the State of Illinois and something we've been seeking to do for a long, long time.

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So I would move, Mr. Speaker, for the adoption of the first Conference Committee on House Bill 114."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Lady from DuPage, Representative Cowlshaw."

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

Speaker Giglio: "He indicates he will."

Cowlshaw: "Representative Steczo, as I understand this Conference Committee, the result of the adoption of this Conference Committee would be something very simple. There would be more money available for special education in Illinois than there would be without the adoption of this Conference Committee, is that correct?"

Steczko: "That is correct, Representative Cowlshaw, yes. That is true."

Cowlshaw: "That is a...that is a consumation devoutly to be wished. Thank you."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. A question of the Sponsor."

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, what happens though...testing... one, two, three...What can I tell you? What happens to the state funded portion? Those...are they going to be reduced as the federal money comes in?"

Steczko: "Representative Black, specifically, the language on page 3 of the report specifies that the federally funded health care reimbursement funds are supplemental and shall not be used to reduce any other federal payments, private payments, state payments, et cetera."

Black: "And...Thank you very much, Terry. and the percentage of reimbursement, do we have a...do we know a figure at this

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time on that?"

Steczo: "Well, we will...We will receive fifty cents back from the federal government for every dollar spent. My understanding is that over the course of the summer and up to next fall the State Board of Education will attempt to try to determine how many dollars of their current budget might be available for this purpose, but in future years this could be a great boon to local school districts for these special ed classes."

Black: "Thank you very much."

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

Steczo: "Mr. Speaker, I would just move for the adoption of the report."

Speaker Giglio: "Representative Stephens, are you seeking recognition? The Gentleman from Madison, Representative Stephens."

Stephens: "Well thank you, Mr. Speaker. I've heard of the land where time stands still, but I guess we're visiting the land where time slows down. I wonder if you can explain the discrepancy between my watch and the clock behind us and the electronic clock on the board. Now, it's awfully early in the evening, but it seems to be losing time to the tune of about 12 minutes at this point."

Speaker Giglio: "Well, they talked a lot on this Bill, Representative."

Stephens: "Pardon me?"

Speaker Giglio: "They talked a lot on this Bill."

Stephens: "So that slows time down?"

Speaker Giglio: "Slows the process down, that's for sure."

Stephens: "It's...it's...well, I can agree with that. As we speak, it's still not moving."

Speaker Giglio: "Representative Steczo."

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Steczo: "Mr. Speaker..."

Speaker Giglio: "The question is, 'Shall the House adopt the first...' Representative Flinn. Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I thought Representative Steczo closed. Why are we still debating the same Bill?"

Speaker Giglio: "We're not. The question is, 'Shall the House adopt the first Conference Committee Report to House Bill 114?'. All those in favor vote '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? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. Representative Ropp 'aye'. Ropp. 113 voting 'aye', none voting 'no', none voting 'present'. Wyvetter Younge 'aye'. 114 voting 'aye'. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 114 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Richmond, House Bill 507. The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill 507 originally created the Randolph County and Carbondale Civic Center Authority and accommodated Representative Black with his Danville to Vermilion Civic Center. Now the Conference Committee Report #1 adds the creation of Maywood Civic Center Authority to House Bill 507. I move to concur with the Conference Committee."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 507?' All those in favor signify by

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voting 'aye', those opposed 'nay'. 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, Mr. Clerk. On this question there are 85 voting 'yes', 31 voting 'no' and none voting 'present' and the House... Representative Leitch 'aye', Mr. Clerk. Representative Leitch. Change Representative Leitch to 'aye'. There are now 86 voting 'aye', 30 voting 'no' and none voting 'present' and the House does adopt the first Conference Committee Report to House Bill 507 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 656, Representative Ewing. The Gentleman from Livingston, Representative Ewing. House Bill 656. The Gentlemen from Livingston, Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment that was put on in this Bill we refused to accept in the Senate. We have receded from that in the second Conference Committee Report and the Bill is now in the same condition as it passed out of this House overwhelmingly and I would ask for concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 656?' All those in favor vote '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? Mr. Clerk, take the record. On this question there are 114 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does adopt... Representative Black 'aye'. There are now 115 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 656 and this Bill having received the required Constitutional Majority is

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hereby declared passed. Representative Hannig.
Representative Hannig on House Bill 2634."

Hannig: "Yes. Thank you Mr. Speaker and Members of the House. I would move that we adopt the second Conference Committee Report on 2634. The original Bill provided that sex education course material shall emphasize abstinence as the expected norm. The Conference Committee Report after we concur in the 2 Senate Amendments basically also restore references to emotional, psychological, physiological, hygenic and social responsibility to family life as well, and as amended with those Amendments, I don't believe there's any opposition and I'd ask for your 'yes' vote."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Since the noise level's kind of loud, can I just ask the Sponsor one question? Representative Hannig, is sexual...sex education still in this Bill, or is this now just plain sexual abstinence? Is it also going to include sex education?"

Hannig: "The Bill as amended and as we concur would have abstinence as a part of an overall course on sex education. There would be other things that would be taught as well."

Morrow: "Alright, thank you. Thank you."

Speaker Giglio: "Representative John Dunn, the Gentleman from Macon."

Dunn: "Okay, thank you Mr. Speaker, Ladies and Gentlemen of the House. There's a lot of noise in here. Will the Sponsor tell us what this Bill does in its present form?"

Speaker Giglio: "Representative Hannig."

Hannig: "Yes. It provides that sex education material shall emphasize abstinence as the expected norm. It also includes the 2 Senate Amendments that restore references to

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the emotional, psychological, physiological, hygienic and social responsibilities of family life. So, in the overall teaching of sex education, one of the things that the teachers would be required to teach would be abstinence, but there would still be a very broad range of other things that would still be included under current law."

Dunn: "One more question. What do they teach now?"

Hannig: "Well, Representative, the problem we had was that last year a Bill that we passed deleted part of the abstinence provision, inadvertently. Now we're just restoring it. I don't think that this is controversial, as amended in the Senate. It passed out of there with a big vote."

Dunn: "Is this another mandate? Why shouldn't each school district set its own policy in this area?"

Hannig: "Well, Representative, it does allow parents who have a...who have problems with the teaching of some of the courses to have their children opt out. Not only with the abstinence, but any other part of the sex education courses."

Dunn: "Thank you."

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

Hannig: "I'd just ask for a 'yes' vote."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open, this is final action. 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 104 voting 'yes', 3 voting 'no' and 7 voting 'present' and the House does adopt the first Conference Committee Report...Representative Preston 'no', Stern 'no', Representative Ewing 'aye', Representative Countryman 'aye'. Anybody else? On this question there are

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now...Representative Stern are you voting...? No. Have all voted who wish? On this question there are 104 voting 'yes', 4 voting 'no', 7 voting 'present' and the House does adopt the first Conference Committee Report...second Conference Committee Report to House...to House Bill 2634 and this Conference Committee Report having received the...and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #8, House Bill 714. Representative Giorgi. The Gentleman from Winnebago, the Dean of the House, Representative Giorgi."

Giorgi: "Thank you, Mr. Speaker. And now, I have the House Bill 714 and the First Conference Committee Report, which has to do with providing for a Gas Tax increases, effective 30 days after enactment, a three cent Gas Tax goes into effect and then an additional three cents to be effective January 1st, 1990. Everyone realizes that to be one of the most viable states in the nation, you have to have a most viable transportation system. We're going to...we're going to also correct some inequities that some of us have not been happy about for many years, and that is that we're going to finally cap the Road Fund and not take any monies out of it to provide for some Secretary of State help and State Police help, and that's going to leave more money in the Road Fund. We're also going to authorize \$1,000,000,000 in new Series E General Obligation Bonds for construction and reconstruction of highways. The bond authorization isn't in this Bill, but the money to amortize those bonds is in this Bill. We're also going to authorize \$310,000,000 in new Series B General Obligation Bonds for transit capital projects statewide. We allow also for a local option gas tax for Dupage, Kane and McHenry Counties of up to four cents, and they can levy that at the rate of a half a cent

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a gallon. This will mean 300 new...309 new million dollars annually for the state, and \$78,000,000 for local governments. That's going to provide the 'RTA' with authority to issue \$500,000,000 in strategic capital improvement bonds and provide State and General Revenue Funding equal the amount of debt service, and this money will come out of this gas tax increase. It empowers the Department of Transportation to make grants to transit agencies to subsidize reduced fare programs for students, elderly and mobility limited; allows the Department of Transportation to make transit...capital grants to transit agencies where sufficient...insufficient federal funds are not available; increases funding for the Grade Crossing Protection Fund and also increases funding for the Boating Fund, and I'm sure many of you have read your analysis and are aware of what I'm reading, so that I'm sure you're prepared to receive this new Bill."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. After listening to that excellent presentation by Representative Giorgi, I'm sure there's no questions concerning this legislation. It's been since 1983 that we raised the Gas Tax here in the State of Illinois, and we are long overdue in meeting our transportation needs here in the state. This plan is comprehensive. It solves the problems of first state government by providing the \$231,000,000 available for state projects. Another \$80,000,000 will be available for local projects, which again are long overdue, not only up in the northern district of Illinois, but around the state. It has an excellent program to deal with our mass transportation needs, will provide the dollars necessary to keep the CTA, the Metra system and the PACE

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system operational, so that we can hopefully prevent fare increases of...any kind of a dramatic nature. This plan is sound; it makes sense. It's going to go a long way to keep our transportation system, which has lagged in the last two years, to bring it back to the level that we deserve. And really as far as I'm concerned, transportation policy is the only real economic development policy that we have in the State of Illinois. I think this is a fair plan. It solves the state's program; it solves the local programs. It deals with mass transportation. It's something that we have to act on tonight. I applaud Representative Giorgi's fine explanation, and I urge passage of this Bill."

Speaker Giglio: "The Gentleman from DuPage, Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I see here if you pass this Gas Tax - 19 cents a gallon for the State of Illinois. If you live in Cook County, we're talking another six cents a gallon, if you live in Chicago, another five cents a gallon for thirty cents plus a gallon. Plus we're talking another six and a quarter cents sales tax, so the people in Cook and Chicago will be paying over 36 cents a gallon. We will be paying the highest gas per gallon in the country. In DuPage County, Will County, Lake County, McHenry County and Kane County, we'll be paying again 29 to 30 cents a gallon. The nearest state, Nebraska, pays 22.3 cents a gallon. In January of 1987, Secretary of Transportation said we need a 13 and a 1/2 cents a gallon Gas Tax. Then he changed it to nine and a half cents a gallon, a 73 percent increase in the cost of gasoline. The people of Illinois are fed up with any new taxes. We already have an Income Tax a couple of hours ago. In Chicago, over a thousand gas stations have closed since '83, since the last gas tax. Truckers

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will be buying gas in surrounding states, and bypassing Illinois. We'll be losing tax on truckers also. If IDOT keeps the promises that they've promised the Legislators that are going to be voting on this tax, we will probably have to increase the Gas Tax to a dollar a gallon more...to fulfill their promises. In 1987, Comptroller Roland Burriss said 'this is preposterous', when we asked for a nine cents a gallon. Burriss said 'this is preposterous to raise the Gas Tax when the state's Road Fund, which is financed by revenues of the Motor Fuel Tax, is posting a record level'. This is in '87. In 1989, we're going to generate over a \$100,000,000 more in the Road Fund than we did last year. We do...we do not need an increase, and we must fight together to prevent passage of any increase in the Motor Fuel Tax. In other states, let's talk about road construction for a minute. Let's talk about road construction for a minute. In Indiana, we spent a half million dollars a mile for new construction, a half a million dollars. In the State of Illinois, we spend \$1,000,000 a mile, \$1,056,000 and fifty-six thousand dollars a mile for new construction. Ohio, Indiana, Wisconsin charges a half a million dollars a mile. I think we should look at the cost with the Secretary of Transportation with IDOT. See where our dollars are going. This is absolutely a sham. I said it a month ago, I say it today. Look at the Department of Transportation. The people of the State of Illinois is not done with taxes. We voted, I said, a couple of hours ago on Income Tax. This is a Gas Tax. We're looking at down the road for a Cigarette Tax, a Liquor Tax, Natural Gas Tax. In DuPage County, surrounding collar counties are fed up with property taxes not doubled, but tripled the last several years. If we want to bring economy into our state and keep

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them here, like Sears, we have to control any more tax increases. We're high in unemployment, insurance, workman's comp., we're the highest. Why are we again the highest by far than any other state with Gasoline Tax? We're not just one or two cents a gallon more, we're eight cents a gallon more. We are, if we vote on this today, and we pass this tax, we will be the highest state in the country. Let's look at IDOT, where the money is going to. Let's investigate if we have to find out why Illinois' cost is double from other states. New York, New Jersey, same type of climate that Illinois has, again is a half a million dollars a mile. Why is Illinois so high? I can't answer that question. But we should certainly look into it. I said before, we're \$100,000,000 more in the General Road Fund today than we were a year ago. We need your 'no' vote on this tax. We need it now. Thank you."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Breslin: "Representative Giorgi, earlier this year, this House and the Senate passed a formula change for the Gas Tax that merged the two formulas that determined the split between the states and the local government. Now you are again reducing the share that goes to local government under this Bill. Do you have three Bill...three formulas now or have you merged them all into one formula as has been the suggestion all along of the Illinois Taxpayers Federation?"

Giorgi: "Three formulas."

Breslin: "Pardon me. How many formulas?"

Giorgi: "Three."

Breslin: "Three formulas."

Giorgi: "And this one speaks to the 75/25 formula."

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Breslin: "Okay, so now it's harder and harder and harder to figure out where the money goes, right?"

Giorgi: "Peggy, this is, you know, this is over...this budget of DOT is one of the largest budgets that we carry. It's over a \$4,000,000,000 budget. Now you know all the services that this budget provides, there are almost too many to enumerate in the time that's left this evening. What do you...What would you like to get into?"

Breslin: "Representative Giorgi, the point is that this is a multi-billion dollar budget."

Giorgi: "One of the biggest budgets."

Breslin: "Sure it is. And the more complicated you make the formula, the easier it is to lose money. The easier it is...The more difficult it is for us, as Legislators, to track where the money goes. That's the reason the Taxpayers Federation has recommended merging the formulas and simplifying it for us. Why haven't you done that in this Bill?"

Giorgi: "Well, they didn't ask me to simplify the formulas, because with the sophistication of the computers that should have been easy. But no one asked me to do that."

Breslin: "I see. Thank you, Representative Giorgi. It's regrettable that no one asked you to do that."

Speaker Giglio: "Representative Breslin, are you finished? Representative Pedersen...Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I mentioned earlier today, any tax, any increase in the tax burden relative to other states, is bad for economic growth and jobs. This is...this would be another increase in our tax burden. We know that since 1983 that there's been a lot of avoidance of purchasing gasoline and diesel oil in Illinois. All kinds of truckers are driving all the way across the state without buying any diesel fuel

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in Illinois. But we also have evidence of avoidance on gasoline...on gasoline consumption. We're still, of all the surrounding states, we're the only state who is not consuming gasoline up to the time of pre-OPEC. That means there is an awful lot of avoidance. That means further that a lot of people in the state are buying gas elsewhere, which really in cases...increases the burden on those who can't escape. That means the pro...among other things...it's on the poor. A tax like that, like this, is regressive. It really hurts the poor. It hurts the person who has to use his car everyday to drive lots of miles to get to work. That often happens to the poor. It also hurts business, where I have a letter here from the Truckstop...the Truckstop Association. They say that if this tax goes through, 2,200 people will lose their jobs; 119,500,000 gallons of diesel fuel sales will be lost to neighboring states. As a result of lost fuel sales, 25,000,000 less will be collected in Motor Fuel Tax than projected based upon current gallonage. In addition, \$9,000,000 in sales tax receipts will be lost, 6,000,000 in retail diesel and 3,000,000 on other products and service sales. This means that this...these kind of taxes tend to be counterproductive. The other thing is the...this is the User Tax. Now we all favor user taxes, that means the person who's using the roads ought to pay for them. Our poor drivers in this state are paying through the nose, partly because money is being diverted to other forms of transportation. Now if we have to subsidize mass transit, let's do it in some other way and let the money that the road users put into our revenue funds, let that money go into the roads, so that we don't have these tremendous taxes that are counterproductive. I urge a 'no' vote on this legislation which will increase the tax burden and

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reduce jobs in this state."

Speaker Giglio: "The Gentleman from Cook, Anthony Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When this matter was before us approximately a month ago, I rose in opposition to the Gas Tax. At that time I cited two basic reasons for my opposition: first of all, the inequities that existed in terms of minority participation in the Road Program; and secondly, the inequities I felt existed in where the projects that this tax would generate would be developed. Since that time, I feel those inequities have been addressed. In regard to minority participation in the project, this legislation contains the establishment of a nine member oversight board to monitor the DBE Program. It also expands minority and disadvantaged goals to not only federally funded projects, but to state only projects. Also in regards as to the location of the projects, an additional ten million has been placed within the City of Chicago, with a guarantee that minority contractors will work a considerable amount by set aside of those projects in our districts. And finally, one of the speakers addressed how the Gas Tax hurts the poor, but...and it certainly does. But without this tax and the money that will flow to the CTA, there would undoubtedly be a fare increase this year by the Chicago Transit Authority, and if this tax will obviate the need for an increase this year, than it's certainly worthwhile, and for all those reasons, I intend to support this proposition."

Speaker Giglio: "The Gentleman from Cook, Representative Andrew McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. No one likes to vote for taxes, including myself, but I think we have a more important issue here this evening, and that

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issue is: are we going to maintain the roads, are we going to maintain the bridges, are we going to maintain the highways in the individual cities that we all serve? Without it, we cannot progress. No other dollars will come from any other place except what we funnel into it. Let me relate and share with you this evening that in 1983, I voted for the Motor Fuel Tax. I voted for it with a confidence that I knew that I was dealing with one of the more efficient departments in this state. The Department of Transportation that takes care of the funding and the funnelling into our individual districts. They made a promise; they kept their promise. And that's why I'm speaking orally to you this evening, because of that one reason. They are promises made, promises kept operation. And I think that we deserve to serve our people in this state properly by giving this Motor Fuel Tax at this time. There are people in my district that say 'no', but those are people that also say to me why didn't you get that pothole fixed, why didn't you get that...state highway fixed? It isn't fixed because there's no money. Let's give them the tools to work with; let's vote for this issue. Thank you."

Speaker Giglio: "Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Welcome to Taxville, USA. How far can we go? How far can we go into the pockets of the taxpayers and the businesses of Illinois? We just got 20 percent on the income and the corporate. Now we're going for six cents. Then we're going for tobacco and alcohol. Then there's candy waiting in the wings just in case we need some more. How far can we go? You know, we want business to come to this state, and we want the ones that are here to stay here. When we open our arms and put our hands out to business, they grab

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their pockets. They hold onto them. They say watch Illinois. It comes after your profits, and it causes you to make losses. And that causes jobs to go away, that causes payrolls to go away, that causes payroll taxes to go away and in the long run, it hurts the economy and the revenues of the State of Illinois. Please vote 'no' on this issue."

Speaker Giglio: "Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. I would like to explain why I'm going to oppose this tax. And I think it's helpful to recall that six years ago, we were here voting on a similar measure, and I supported a temporary...or I supported a Motor Fuel Tax increase at that time. And I did so with the clear understanding that there would be no diversions of that increase from the Motor Fuel Tax Fund. We passed it clearly under that promise, and in fact, that language was built into the Bill. And yet by the end of that Spring Session of 1983, when the temporary Income Tax and Sales Tax Increase Bill was passed, there was a provision in there that the three percent of the sales tax that had heretofore been directed from GRF into the Motor Fuel Fund was eliminated. And that money went for the RTA. That was \$75,000,000. That left a bad taste in the mouth of the constituents that I represent, who were told there would be no diversion from that fund. Now, we see that there's going to be a further diversion, because two and a half percent of the sales tax from General Revenue that currently goes into the Road Fund under this proposal, 8/10ths of that will be diverted out to the RTA, another \$35,000,000 diversion annually from the Motor Fuel Fund. And at the same time, we note that Illinois, if this tax passes, will become the nation's highest in terms of Motor Fuel Tax and combined Sales Tax. That distinction now is

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with the State of Nebraska, at 22.3 cents. With this tax which will take us to 19 cents a gallon, coupled with the nine cents federal tax, coupled with in some counties such as possibly DuPage, another four cents per gallon, we could be paying as much as 38 cents per gallon for gasoline in the State of Illinois. That is atrocious. That compares to states that were the highest that, as I say, Nebraska was at 22 cents. That would put Illinois in the dubious distinction of being far and away the highest tax state when it comes to Motor Fuel Tax. And you couple those concerns, Ladies and Gentlemen, with the report from the Comptroller's Office that shows that in per mile construction dollars, the amount of money that we here in Illinois spend per mile of construction that we rate...that we spend 40 percent above the national average per mile construction cost. What is it in Illinois that costs 40 percent more? Is the concrete, the asphalt, the contractors, why do we pay 40 percent more? I think that's a question that the people of Illinois have a right to ask, and I think answers are demanded and required before we put our stamp of approval on another six per...another six cents a gallon to throw us into the highest taxing state in the country. The amount of money we're spending on road construction today has doubled from ten years ago. It is doubled because we are already a high tax state. I say no more, no more for the people of the State of Illinois until we have better accountability, until we have explanations as to why we're not doing a better job of controlling the cost on per mile construction costs. It's wrong; this tax should be defeated and sent back to the drawing board. I hope you'll vote 'no'."

Speaker Giglio: "Representative Giorgi to close."

Giorgi: "Thank you, Mr. Speaker. We've got a state economy of

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over \$200,000,000,000. Our taxes to support the network of roads, canals, airports, amounts to two and a half percent of our income, a measly two and a half percent of our state income to maintain the high degree of roads that we need to be one of the leading states in the nation. We have over 950 bad bridges that have to be attended to immediately. We have over 3,500 miles of deteriorating roads. This program is going to provide at least 50,000 jobs in the construction field over the next five years. And I've got a confession to make tonight. The real reason the lottery came into Illinois in 1973 was because we needed money for the RTA, and that's the reason you're enjoying the lottery for the last 16 years. It wasn't for education; it was to fund the RTA. You people think...you think that Metra, CTA and RTA dump people in the Chicago Land area?. You think there are no problems attending to that? This two and a half...this six cent tax is a mere drop in the bucket as to what we are going to need to move this populated state towards one of the greatest states in the nation."

Speaker Giglio: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 7...Conference Committee Report?' The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 714?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Representative Hicks, the Gentleman from Jefferson."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to a vote on the Gas Tax here tonight for a couple of reasons. You know, we...we voted on several taxes here today, but this is one of the few taxes we've seen that are going to cause a loss in jobs in this state. We're going to lose some 2,200 jobs. Now just here a couple of hours ago, we passed a Bill trying to

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save 6,000 jobs with Sears, and then we turn around and we start undoing the things we just do. 2200 jobs lost by this increase, some \$35,000,000 in lost Diesel Fuel Tax and Gasoline Tax, simply because of the loss in gallonage we're talking about, so you're not talking about a big gain in taxes. I'd urge my colleagues to join me in voting 'red' on this Bill. Thank you."

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

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The biggest issue for downstaters in the State of Illinois is the Road Program and the Bridge Program. Those programs are addressed by the formula funding which in this legislation is not beneficial to downstate local entities. Representative Breslin and Representative Homer hit the nail on the head. If you want to be fair with all the citizens of the State of Illinois, put together one formula. You made it very simple for the collar county areas, the three counties that are involved in establishing a four cent increase. They know exactly what's going..."

Speaker Giglio: "Proceed, Representative Mautino."

Mautino: "But for those of us downstate, with a 70/30 formula which occurred before 1983 and a reverse 30/70 formula that occurred in '83, we are now looking at something that says 22 percent or a loss of the eight percent that we had coming down to the local governments before this proposal was presented. It's not fair. You can't understand it, and the diversions that are established under the Road Fund are the reasons that it costs \$1,000,000 a mile to build. I think it has to be evaluated again and make the formula simple, so that we can understand it, and not divert money from the sales tax portion to the Bond Authorization for a billion dollar purchase for equipment for the RTA/CTA. For

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those reasons, I am voting against this proposal."

Speaker Giglio: "Representative Matijevich, are you seeking recognition? Have all voted who wish? Have all voted who wish? Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We seem to be at an impasse on making a decision on a...on a very important vote. We have heard exponents on both sides of the issue talk to the needs and to their concerns and to their serious concerns what they describe as formula, proper distribution and all the other aspects of what we're looking at tonight. Illinois is the transportation hub, as Representative Giorgi has indicated, we have not only roads, canals, bridges, riverways, things of that nature to be concerned. We need to make a significant vote and express our desire to move this state along economically and that means a good transportation system."

Speaker Giglio: "Gentleman from Livingston, Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my 'yes' vote on this Bill, let me tell you that we have to have a transportation system, highways, public transportation, that serves this entire state, that serves the City of Chicago, serves the suburban area and serves downstate. Not always are the needs of the different parts of this state the same. This Bill does address the current needs in the State of Illinois. There should be more courageous people who are willing to bite the bullet and do what's good for a transportation system for this state now on this Bill. You can't have a good economy, a strong state, without a good transportation system. Let's put some more 'green' votes on this Bill now."

Speaker Giglio: "The Gentleman from Lake, Representative

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Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I was sort of apprehensive at first about voting for this, because my County Board wanted me also to vote for a local option, a four cent option. And I said to my County Board, you know, that we're on the border of Wisconsin, and I felt that this surely, the six cents phased over two years, was surely going to pass, but I didn't want four cents on top of that for my County of Lake. But I...as I said, I thought surely this would pass with no trouble, because we have been...we have been warned in the metropolitan area that if there isn't some increase, that with Mass Transit there would be fare increases. And this would translate to individual riders of Mass Transit to...enormously as far as the fares that they have to commute every day to work. Whether you are on a low paying job or a middle income job or a high paying job, this translates to much money. But more important than that, I think as someone said real early in debate, that your highway system, your total transportation system, especially for the State of Illinois which is in the middle of the whole country, that is the most important component to the economy of the State of Illinois. So I realize that we need a Gas Tax. I just didn't want my county to have one on top of that. I think with this and with the present monies that we have in the Road Program, that we can satisfy the needs of mass transportation, and therefore, Mr. Speaker, I vote 'aye' on this Bill."

Speaker Giglio: "Gentleman from Winnebago, Representative Hallock. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Leitch."

Leitch: "Thank you, Mr. Speaker. When I came down this Session, my number one priority was education. And with a

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\$435,000,000 increase now on its way, with or without an income tax, I felt that we didn't need an income tax, because we were able to take care of that number one priority in ways that we haven't done in Springfield for years. But we will left undone some very important business if we don't deal with the transportation infrastructure of Illinois and especially downstate Illinois. Everywhere I go in our community and in my district, people say when are you going to do something about the roads? Well, Ladies and Gentlemen of the House, we can't do anything about the roads and the infrastructure of our state and protect that valuable asset, unless we provide the wherewithal to do it. This is a very important vote. Finally, I would have to say that one of these days we're going to be back with the foreign oil problems revisited. It is a responsible vote to increase these taxes as an incentive to work for conservation of fuel and these resources. So I think this is a very important vote. It's a very important priority, and I, too, would urge some more 'green' votes."

Speaker Giglio: "Gentleman from Cook, Representative Martinez."

Martinez: "Thank you, Mr. Speaker, Members of this General Assembly. I...I have to state a few things that are bothering me. My district that I represent is a poor blue collar district. It's difficult for me to come home and explain a six cent tax increase to my constituents, because we, the bigger part of our constituencies working blue collar. When I see what IDOT has done with funds that have been appropriated, we've probably voted for in past years, how they don't benefit the inner city, I say in my district the only thing that I see of improvement is the rebuilding of the Dan Ryan Expressway. But when I see a huge job that's started from actually nothing, and I'm talking

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about the Route 53. I see that the present administration is...is favored towards the suburbs, more than the inner city. For this reason, I was going to vote 'no' on..."

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

Martinez: "For this reason I was going to vote 'no' on this piece of legislation, but I'm being encouraged to vote 'yes', so I do it, but I do it reluctantly."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I, too, rise with great reservation to support this legislation. I currently pay a \$1.56 a gallon for premium gasoline. This vote today is to not only improve or help...hopefully improve...this vote, I've been told, will not only improve the streets in the City of Chicago and in my area, it's the kind of vote that if you don't vote for it, you wind up tearing up your automobiles with the potholes and you still pay for it on the other end. But this is a vote for mass transportation, because as a result of this vote tonight, I will be riding the CTA quite a bit. And I'm glad that the train now goes from O'Hare, and it only costs me a buck, because it's cheaper to ride the train than it is to drive to the airport. I will give an 'aye' vote for mass transportation."

Speaker Giglio: "Have all voted who wish? Have all voted...Representative Stange, for what purpose do you rise?"

Stange: "I...to verify the Roll Call if it gets 60."

Speaker Giglio: "Have all voted who wish? Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I don't think there's anyone that has any greater appreciation coming from a rural area that understands the importance of good quality roads and being able to move agricultural

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products to market and move those processed goods to the consumer. I don't suppose there's few Legislators who have had the pleasure of having a brand new automobile plant put in their district plus in a matter of a year come up with a four lane highway for four or five miles that wasn't even on the drawing board the year before. I doubt if there's few people that have a district that really doesn't need any more concrete in their district, with the exception of maybe a six lane highway around the city, which may ultimately come. But I think it's more important that we sometimes have to look at the big picture, and I certainly do not want to be classified as one who supports every swinging tax that comes around. But there is a certain thing that we as Legislators have to do in this state and that is accept responsibility. That responsibility sometimes is voting for the needs of providing revenue for worthy programs and worthy projects. I think I've done that initially for education tonight, and now I guess I'm ready to support the needs of other areas of our state to provide adequate transportation, so that we can have safe highways with good, safe bridges, so that we in turn can move products and save lives. I vote 'green'."

Speaker Giglio: "Have all voted who wish? The Gentleman from Champaign, Representative Johnson."

Johnson: "There are taxes, and then there are other things. This isn't an involuntarily imposed tax. I'm not sure what the definition would be, but if you don't use the roads, you don't tear up the roads, you don't take advantage of the transportation system we have, you don't live with the realities of weather vagaries the way they are in Illinois, then you don't have to pay. But..."

Speaker Giglio: "Representative Johnson."

Johnson: "I'm just talking here, so you feel free to cut that off

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whenever you like."

Speaker Giglio: "No, I wouldn't do that."

Johnson: "I would just suggest to the Members of the House that in so far as their constituencies concerned, this is something that is in a different category, a different gender. If you don't use the roads, you don't pay the tax. If you do, you cause the roads to deteriorate as you inevitably do when you use them, then you ought to pay for it. That's the simple proposition here. It's fair and insofar as downstate taxpayers are concerned, we're getting a substantial return for our investment to the state. I think this is something that, like anyone else, no one likes to support taxes. I've pretty consistently opposed them over the years. This is one that's reasonable and fair, and I would suggest that it's something we ought to get on and vote 'yes'."

Speaker Giglio: "Take the record, Mr. Clerk. On this question there are 60 voting 'yes', 50 voting 'no'. Representative Santiago, 'aye'. Sixty-one (61) voting 'aye', 50 voting 'no'. Representative Levin, 'aye'. There are now... Representative Lang, 'no'. Representative Sutker, 'no'. On this question there are 62 voting 'yes', 52 voting 'no', 3 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 714. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative...Supplemental Calendar #10 - Non-Concurrence. Senate Bill 415, Representative Ryder. Representative Ryder, Senate Bill 415. Non-concur. The Gentleman refuses to recede from House Amendment #2. All in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Gentleman refused to recede House Amendment #2 and requests a Conference Committee. Senate Bill 415. Alright. Mr.

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Clerk, remove that. Representative Ryder."

Ryder: "Mr. Speaker, I apologize for the miscommunications. It was my intent to ask this Body to recede from House Amendment #2."

Speaker Giglio: "The Gentleman asks leave to recede from House Amendment #2 to Senate Bill 415. All those in favor say 'aye'. Alright, this will be final action. All those in favor of receding from House Amendment #2 to Senate Bill 415 vote '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? Mr. Clerk, take the record. On this question there are 94 voting 'aye', 7 voting 'no' and 5 voting 'present' and the House does recede from House Amendment #2 to Senate Bill 415 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 438, Representative Ryder."

Ryder: "Thank you, Mr..."

Speaker Giglio: "Mr. Clerk, there's a correction on the Bill."

Ryder: "Yes."

Speaker Giglio: "Read the correction, Mr. Clerk. Senate Bill 438. This is Supplemental #10."

Clerk O'Brien: "Senate Bill 438 on Non-Concurrence. The House did not...the Senate did not concur in House Amendments #1, 5, 6 and 9."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Senate Bill 438 is the Department of Children and Family Services. We are asking the Body at this time to recede in House Amendments 1, 5, 6 and 9. These are Amendments from which the Senate refused to concur. The...There are a couple that make some technical changes. Most importantly, #9 eliminated all the House Amendments and returned it to the amount of

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introduction. The intention was to force it into Conference. We have now reached agreements on all the amounts by receding from House Amendments 1, 5, 6 and 9. The Bill will then be in a shape acceptable to the parties, and I would move that the House does recede from those Amendments."

Speaker Giglio: "The Gentleman moves that the House recede from those Amendments. All those in favor vote 'aye', opposed 'nay'. Representative Curran."

Curran: "Wait, dump the Roll. I got a question."

Speaker Giglio: "Go ahead."

Curran: "A question for the Sponsor. Representative Ryder, is the \$4,000,000 for the reduction of caseloads for the Department of Children and Family Services in this Bill?"

Ryder: "Yes, Representative Curran, it is in there."

Curran: "It is in there? It is..."

Ryder: "Your Amendment, your House Amendment, which was placed on in committee, as I recall, in the amount of \$4,000,000 as the first of a multi-year program to begin to reduce the caseload levels of caseworkers in the Department of Children and Family Services is now part of this Bill. It had been eliminated by House Amendment 9. It is...by receding from House Amendment 9, it then remains within the Bill."

Curran: "Caseworkers and investigators reduction in caseload."

Ryder: "I apologize, yes."

Curran: "Thank you."

Speaker Giglio: "Further discussion? The Lady from Cook...Alright, on this question there are not...100 voting 'yes', 1 voting 'no' and 6 voting 'present' and the House does recede from...Take the Roll Call, Mr. Clerk. On this question there are 102 voting 'yes', none voting 'no' and 7 voting 'present' and the House does recede from

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Senate...from House Amendments #1, 5, 6 and 9 and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #10 appears Senate Bill 1164, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for the adoption of the First Conference Committee Report to Senate Bill 1164. It provides the money for the Build Illinois Projects and the additional projects that we have discussed. There were reallocations, infrastructure improvements for Crawford Industrial Park, the Senior Citizen Development Vermilion, a development/improvement of Chicago park field houses for 10,500,000 planning and construction of gymnasium in Ada Park, 2,000,000, rehabilitation/reconstruction for numerous branches in the Chicago Public Library System, 18,000,000 and the development and improvements to Brookfield Zoo is 10,000,000, development/improvements to Lincoln Park Zoo, 5,000,000, grants for open space land acquisition, 10,000,000, development and improvement of McCormick Place and related structures is 10,000,000, development and improvement of Navy Pier and related structures, 150,000,000, additional bonding authority for wastewater compliance grants for the Environmental Protection Agency is 1,000,000...158,600,000 a language change for Oreana and reallocating \$10,000,000 for posing the Urban Assistance Grant. I move for the adoption of the First Conference Committee Report to Senate Bill 1164."

Speaker Giglio: "Any discussion? The Gentleman from Warren... The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1164?' And on that question all those in favor signify by voting 'aye', all opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 72 voting 'yes', 36 voting 'no' and 5 voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 1164 and this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar appears Senate Bill 435, Representative Mays. Senate Bill 435."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a Conference Committee Report on the Department of Transportation. It reflects the tax package that was just passed by this Body not 15 minutes ago. 486,450,000 or 19% of the total 2,555,000,000 is included in this Conference Committee Report. It represents the first year's funding for the Department's six cent per gallon Gas Tax increase. They are fully funded operationally with this budget. I would move its adoption."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 435?' All those in favor vote 'aye', opposed 'no'. The voting is open. The First Corrected Conference Committee Report. All those in favor vote '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? Mr. Clerk, take the record. On this question... On this question there are 105 voting 'yes', 6 voting 'no' and 4 voting 'present' and the House...the House does adopt the First Corrected Conference Committee Report to Senate Bill 435 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Trotter, Senate Bill 1305. Supplemental

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Calendar #5. Gentleman from Cook, Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of the House.

I move for the adoption of the First Conference Report for Senate Bill 1305. In that Conference Committee they deleted the 1st Amendment and put a cap back on the fund which is now \$10 from the Income Tax. I move for its adoption."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McCracken: "Representative, wasn't a part of the agreement on this Bill to include Representative Weller's check off for Community Health Care Fund?"

Trotter: "The agreement, Sir, was that if the Amendment went back to the Senate..."

McCracken: "Oh, it's for the Youth Drug/Prevention Fund?"

Trotter: "Yea. The agreement was that when it went back to the Senate, if they found that it was a cumbersome Amendment, that the Sponsor of that Amendment would take his Amendment off. That was the agreement."

McCracken: "Speaker. Yes..."

Speaker Giglio: "Representative McCracken."

McCracken: "Apparently, it wasn't the Senate. It was the Department of Revenue had some problems with it, and frankly, Representative, that's not a good enough reason to pull it out and not move it for a vote. I think we should vote against this Bill. Ask my colleagues to join me. Representative Weller had an agreement that this would be run, and we do not have an opportunity to do that. So let's vote 'no'. Maybe the Sponsor will get the message if he has to bring it back for a Second Conference Committee."

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

Cullerton: "Well, my suggestion would be that Representative Weller go to the Department of Revenue and do a little groundwork and maybe they would remove their objections. Then we could pass it on another Bill. But I don't see any reason why we should vote against this Bill. The...It doesn't do any good to pass a Bill if the Department of Revenue is against it, and the Governor's going to amendatorily veto it out anyway. So why don't we just pass this Bill?"

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you. Mr. Speaker, would the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Frederick: "Representative Trotter, were all the check offs removed except the one that you talked about? Have all the others been removed, the Alzheimers Research, the Historic..."

Trotter: "No."

Frederick: "No? Okay, thank you."

Trotter: "No. The only one was the Youth/Drug check off that Representative Weller had added to that. All the rest of them remain."

Frederick: "Okay. Thank you."

Speaker Giglio: "Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative McCracken has pointed out, there was a use/substance abuse check off that had been added to this Bill when it was over on the House floor this past week. My agreement with the Senate Sponsor was as Representative Trotter said that if there's any problems

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over in the Senate, we would withdraw the Amendment. However, when they came back over for concurrence from the Senate, the Department of Revenue came and said, 'Hey, we've got some technical concerns with the language. We just want to take it back. Correct those technical concerns and then we will, of course, include that in the Bill with all the other check offs.' Well, for some reason, the check off was removed. That doesn't seem to be what my understanding was and I urge a 'no' vote, because frankly all too often we have good legislation that for some partisan reason, it gets killed. Let's send a message that that isn't the way to conduct good government."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Trotter to close."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. This is a good Bill before we had Amendment #1. It is still a good Bill. The deal was that if we added this Amendment, it would not fly over there in the Senate, we would take it off. That was the deal. It has not made it. I ask everyone now today to please vote again for this Bill that's passed out of this House and with the Governor with all his wisdom, if he sees fit to veto this Bill, then let him do that. But today let us pass this Bill out of here."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1305?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Representative...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 63 voting 'aye', 51 voting 'no'...Representative McCracken, for what purpose do you rise, Sir?"

McCracken: "For a verification. Hey, if you hadn't killed Weller's Bills all year, maybe he'd have another Bill to

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put his idea on."

Speaker Giglio: "Mr. Clerk..."

McCracken: "But you've spent all year killing his legislation and now with an hour to go, you tell us to find another Bill. Sorry, that's not how it works."

Speaker Giglio: "Mr. Clerk, the Gentleman asks for a verification. Poll the absentees. Vote Representative Curran 'aye'."

Clerk O'Brien: "Poll of the Absentees. Cullerton. Martinez and McPike. No further."

Speaker Giglio: "Questions of...Representative Sutker. Sutker. The Gentleman asks leave to be verified. The Gentleman has leave. Poll the affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Curran. Currie. Davis. DeJaegher. DeLeo. Deuchler. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hasara. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Matijeovich. Mautino. McGann. McNamara. Morrow. Mulcahey. Munizzi. Phelps. Preston."

Speaker Giglio: "Mr. Clerk, vote Representative Cullerton 'aye'. And he asks leave to be verified. Continue, Mr. Clerk."

Clerk O'Brien: "Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker Giglio: "Questions of the affirmative. Representative McCracken."

McCracken: "Yes. Representative Mautino?"

Speaker Giglio: "Is Representative Mautino in the chamber? Representative..."

McCracken: "Alright. Representative Kulas?"

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Speaker Giglio: "Representative Kulas is in his chair."

McCracken: "Representative Ronan?"

Speaker Giglio: "Vote Representative McPike 'aye', Mr. Clerk. Is Representative Ronan in the chamber? Representative Ronan. Mr. Clerk, how has the Gentleman been recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative McCracken, could Representative Preston be verified?"

McCracken: "Yes. Representative Keane?"

Speaker Giglio: "Keane. Representative Keane?"

McCracken: "Okay. I see him. He's here. Representative Farley?"

Speaker Giglio: "Representative Farley in the chamber?"

McCracken: "Representative Van Duyne?"

Speaker Giglio: "He's in his chair. Representative Van Duyne? Is Representative Van Duyne in the chamber? How is the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Shaw?"

Speaker Giglio: "Representative Shaw. Representative Shaw is in the back of the chamber, Representative."

McCracken: "Representative Hicks?"

Speaker Giglio: "Hicks. Representative Hicks. How is the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Edley?"

Speaker Giglio: "Edley. He's standing in front of his chair."

McCracken: "Representative White?"

Speaker Giglio: "Representative White is in his chair and Representative Hicks is in the center aisle. Restore

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Representative Hicks, Mr. Clerk."

McCracken: "Representative Lou Jones?"

Speaker Giglio: "Representative Lou Jones. The Lady's in the rear of the chamber."

McCracken: "Okay. Representative Bowman?"

Speaker Giglio: "Woods Bowman. Representative Bowman. How is the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Krska?"

Speaker Giglio: "Representative Krska. Is Representative Krska in the chamber? How is the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call and restore Representative Ronan to the Roll Call."

McCracken: "Representative Brunsvold?"

Speaker Giglio: "Representative Brunsvold is in the front of Representative Santiago's chair."

McCracken: "Representative McGann?"

Speaker Giglio: "Andrew McGann is standing near his desk."

McCracken: "Nothing further."

Speaker Giglio: "On this question there's 63 voting 'yes', 50 voting 'no' and...Representative Deuchler."

Deuchler: "Vote me 'no', please."

Speaker Giglio: "Vote the Lady 'no', Mr. Clerk. Bowman in the center aisle. Restore Representative Bowman to the Roll Call. Representative Hasara."

Hasara: "Mr. Speaker, please record me as voting 'no'."

Speaker Giglio: "Vote the Lady 'no', Mr. Clerk. On this question there's 62 voting 'yes', 52 voting 'no' and none voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 1305 and this Bill, having received the required Constitutional Majority, is hereby

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declared passed. Supplemental #6. House Bill 846, Representative Mays. Representative Daniels, House Bill 846."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to request a Second Conference Committee Report be appointed...Conference Committee be appointed on House Bill 846."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? All those in favor signify by saying 'aye', 'no'. Hearing none, the House refuses to adopt the First Conference Committee Report and asks for a Second Conference to be appointed. Representative Countryman. Supplemental Calendar #9 - House Bill 760. The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Report #1 on House Bill 760 effectively deletes the Bill and becomes the provision of the Cigarette Tax at ten cents a pack. Amongst the programs that will be funded out of that is \$22,000,000 for existing higher education programs allocated through the Board of Higher Education: A new college savings and loan program, substantive legislation has passed and there will be \$5,000,000 for program administration and operations. The Challenge Fund which the Governor has introduced to us with \$20,000,000. Programs will be created through DCCA to provide for competitive matching grants for colleges and universities for federally funded labs to leverage private and federal high technology funds. \$25,000,000 over the next 2,000,000...two years for competitive high technology grants through the Board of Higher Education for private colleges and universities. Science and technology capital projects totaling \$320,000,000 for public colleges and universities including the University of Illinois planning

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and construction of a computer systems and laboratory research planning for chemical and life services laboratory, remodeling of Nolls Laboratory and all...all in Urbana and planning for a new molecular biology lab in Chicago; Southern Illinois University remodeling of Wheeler Hall and planning for biological services building; Northern Illinois University additions to Taraday Hall in planning for engineering building; Sangamon State University construction of new health services...health sciences building; Chicago State University, upgrading research labs at Williams Science Center; Danville area Community College, additional technology center; multi-university centers in DuPage/Kane County area. \$15,000,000 over a three year period for repair and renovation of private institutions across the state. It also includes a change of the Metropolitan Fair and Exposition Authority for restructuring of the board. Amends the Sales Tax and Use Acts. Amends the State Finance Act and provides for other grants."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Well, here we go again. This will probably end up with the same amount of votes as the last two or three tax increases we've asked for. I'd like to bring up some things. Mr. Speaker."

Speaker Giglio: "Alright."

Piel: "I'd like every..."

Speaker Giglio: "Mr..."

Piel: "Excuse me."

Speaker Giglio: "Representative Piel."

Piel: "Hello."

Speaker Giglio: "...Emery, Doorkeeper, would you please clear the

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aisle? All unauthorized personnel please remove themselves (sic - themselves) from the chamber. All staff, please retire to the rear of the chamber. Those entitled...not entitled to the House floor, please leave the House chambers. Mr. Doorkeeper, clear the aisles. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the...the Assembly. I'd like to bring up a couple of points if I could...Mr. Speaker, if I could have some attention. Ladies and Gentlemen, this Bill besides meaning something to the citizens of Illinois...Mr. Speaker, can we get some attention here?"

Speaker Giglio: "Ladies and Gentlemen, will you kindly give the speaker some attention. It's very difficult. Would you...all Members of the House, kindly be in their seats. This is a very important piece of legislation. This is the Cigarette Tax. This is for education. Those of you...that are not entitled to the House floor, will you kindly leave the chambers. All those en...not entitled to the House floor, please remove themselves from the chamber. Mr. Doorkeeper. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This Bill, besides doing a lot for the citizens of Illinois, is supported by surrounding states. I would like to just go over a couple of things that have happened in the last 30 days in surrounding states in support of this Bill. The State Auditor of the Commonwealth of Kentucky, May 25th, in one of the Rotary Meetings stated, and I quote, 'Excessive tax increases in Illinois and Ohio will drive consumers to Kentucky. We will welcome their business. Unfair targeting of tobacco products with taxes is their loss and our gain.' So Kentucky's in favor of this, Ladies and Gentlemen. Now about what about our other

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neighboring state, Indiana? James Poll, the Special Tax Administrator for the Department of Revenue in Indiana, states, 'The Legislatures in the states surrounding Indiana might help turn the tide on our declining revenues here. We just helped them on the Gas Tax; let's try to help them on the Cigarette Tax. Illinois and Ohio are considering tax increases that could drive buyers across the state lines into Indiana. That will help us. We're here to help Indiana, aren't we? Sure we are. Then our cigarette sales will go up, especially in the northern end of our state.' Ladies and Gentlemen, we're talking about right now...You know it's a funny thing, as they say, what a difference a day makes. Well, it's been about six years. For those of you who don't remember, when we talked about the temporary Income Tax in 1983, the question was brought up: What about doing a tax on liquor? What about doing a tax on cigarettes? Do you remember what the Governor at that time said? If you raise the tax on cigarettes, we are at a point of no return. Look what happened to New York. New York raised their tax and they lost revenues. We're playing a very dangerous game, because we're talking about these revenues amongst going to Navy Pier in Chicago, which they definitely need, we're talking about revenues going to higher education. We're playing a real crap shoot with higher education, because in the Governor's words, 'We were at a point of diminishing returns in 1983.' So what do we...What are we in 1989? We are in a situation where we are going to bring out more and more bootlegging of cigarettes into the State of Illinois. Let's just compare a little bit exactly what we're talking about. Those of you in Cook County, Chicago, do you know what you're going to lose if this goes up? Approximately \$9,100,000 in tax revenue, because of bootlegging. I'm sorry. Chicago's

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only 6.700,000. The entire Cook County is 9.100,000. So, Chicago, you're only going to lose 6,000,000 instead of 9,000,000. What does this mean? Why are we going to drive people across the state lines? Right now, Chicago tax on cigarettes, 45 cents; Cook County, 30 cents. That's 75 cents. Twenty in the State of Illinois, 95 cents. Do you want to know what it is in Indiana? Fifteen and a half cents, Ladies and Gentlemen. Let's compare. Let's compare the taxes, exactly how they equal out. Compare Illinois and Indiana. Exactly what are we doing? Let's take, first of all, we'll take the different taxes and what the two states charge. You have a situation, let's...let's look at what Iowa...Iowa is 34 cents; we're over 70. Missouri's 13 cents; we're over 70. Kentucky is three cents; we're over 70. Wisconsin's 30 cents; we're over 70. But don't worry, Ladies and Gentlemen, they only want to raise it 10 cents a pack, so instead of 70, then we're going to 80. Ladies and Gentlemen, I think what you have to do, you have to look at what it's going to mean to the State of Illinois and how much it's going to change the State of Illinois' complexion. What of our competitors? Why does Kentucky, why does Indiana want us to raise the tax? Because they're going to make more revenue. Municipal tax in Illinois is 16 cents a pack; I...or Indiana, zero. County tax, this is in Chicago, 10 cents a pack; Indiana, zero. State tax in Illinois, 20 cents, 15 or...in...for Chicago; Indiana..."

Speaker Giglio: "Kindly bring your remarks to a close, Representative Piel."

Piel: "...fifteen and a half cents. Ladies and Gentlemen, we're saying that this is going to go to higher education. Mark my words. Mark my words. I realize there's a piranha effect and we continue raising taxes tonight, but mark my words, higher education is going to suffer. We've got the

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money in the General Revenue Fund. It can go to higher education. Please don't raise this tax, because we don't need to send more money to our competing states. Thank you."

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

Madigan: "Mr...Mr. Speaker, Ladies and Gentlemen, if you could...Mr. Speaker, if you could bring some order to the chamber. Mr. Speaker, Ladies and Gentlemen, I rise in support of the adoption of this Conference Committee. This is not an easy Conference Committee to vote for. There are some controversial items in the Report. For one thing, it provides that the Navy Pier in Chicago would be merged under the jurisdiction of McCormick Place. It's the attitude of the Governor that by bringing Navy Pier under the jurisdiction of McCormick Place, under his direction and the direction of the Mayor of Chicago, we can move ahead to restore and renovate Navy Pier, which for years has been considered to be an asset of the City of Chicago. The same time this Conference Report would provide the funding for numerous wastewater treatment projects in downstate Illinois. Mr. Speaker, could I have some attention? As I was saying, for those of you in downstate Illinois who are concerned with the funding of wastewater treatment projects, that is provided for in this Report. In addition, the Governor's drug initiative is contained in the Report, three part program: education, enforcement, treatment and prevention; also the Governor's science and technology initiative. Please understand this. For those of you who have been reporting to your local school districts that a certain amount of money will be available for their use in the next fiscal year, if this Report is not adopted, scale down the amount of money that you have been talking about to your local school districts. Because

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the failure of this report will constitute a \$100,000,000 dollar loss in the budget, as proposed by the Governor for the next fiscal year. Today, we have adopted the surcharge, we have adopted the budget. But if this report is not adopted, the money simply will not be there and the Governor will be required to use the reduction veto to scale back the amount of money that was provided for education. For those reasons, I would recommend an 'aye' vote on this report. Thank you, Mr. Speaker."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this. I did not understand what Speaker Madigan just said. You know, earlier in the day we appropriated through the process over \$400,000,000 for education and we turned around and passed an income tax that will generate another couple hundred million dollars. Now I don't know, but it seems like education is getting a ton of million... money, over a half a million dollars...over \$500,000,000, in my estimate, from what is going on. Now, he says we need more. Now, this tax originally was supposed to be going to the education of children. It was part of the Governor's program to use this to help fund education, to give money to local school districts. It is no longer there. It is gone from the...off the backs of the children to support them now to the hardware, to the hardware of the state. To Fund Navy Pier in the tune of \$150,000,000. And I say to you downstaters, you vote for this Bill, you're voting for another bail out for the City of Chicago. What we've seen here today, is simply an opportunity for more and more money to go to Chicago. So go ahead and vote for it, because it'll be hard pressed...for you to tell your people back in your Southern Illinois districts that you voted for

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a \$175,000,000, \$150,000,000 for McCorm...for Navy Pier for the City of Chicago. Now I don't understand it. We don't need this ten cents Cigarette Tax. Originally it had an idea that had merit. It no longer has an idea that's merit. We have lots of other ways of funding the needs of this state. We don't need another ten cents on cigarettes. I think this is a bad idea. I think we should vote 'no'. On one of these Bills we've got to say no, because if you don't, as I said earlier, we are going to be the largest taxed state in the union and you can take that back to your people and see how it's going to sell in your districts."

Speaker Giglio: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Representative Parke, you're exactly right. Speaker Madigan, I just don't know where you get those figures. If this is going to cost the projected budget...budgets of local schools \$100,000,000, and in my estimation that just simply cannot be the fact, when in fact we have funded before the revenue enhancement that you talked about in your earlier Bill, before that. The tune of 400,000,000 new dollars for education. We add to that a couple of hundred million more and certainly we support more money for education. But don't believe it for a minute that not passing this is going to somehow mean a cut back in local school funding. That's simply cannot be true. What this is going to do...cigarette revenues in Illinois are already shrinking. Shrinking, Ladies and Gentlemen, by two percent a year. This is probably going to double that shrinkage to four or five percent a year, and we might well be beyond the point of no return. And by creating this increased tax, create a negative revenue flow. In Madison County, my home county, this ten cents tax per pack is going to cost about six million dollars in

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sale of cigarettes and sundry products that are usually bought in the process of buying a pack or a carton of cigarettes. That's going to cost retail sales. It's going to cost profits for small business. And when it cost profits for small business, it cost jobs. You know, a lot of you on the other side of the aisle are always talking about the...the minimum wage and we ought to bring it up, and we ought to keep people employed. We are for that. If you really are for that, you ought to stand in opposition. Look at this tax before you pass it. You're always talking about where we're going to spend the money, millions of dollars, hundreds of millions. There just not going to be there, folks. What you're going to be doing is putting a lot of small businesses in trouble. They're going to be laying people off. This is not a good idea. In my district, people are going to take that...it's going to be about a twenty cent a tax...a pack, twenty cents per pack, if you just simply drive across the river. So if you want to save five or ten dollars a week go take your sales to Missouri now. And that just doesn't make good sense, because now they're going to fill up their gas tax...gas tank while they're over there, buy some cigarettes; and now they'll start buying their groceries over there. This is just the wrong concept. I urge you to reject this Conference Committee Report."

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

Hicks: "Thank you very much, Mr. Speaker. You know, we hear everybody talking about all the taxes we've had tonight and certainly we have had them. We haven't seen this, I don't think, in my seven years that I've been here, as many taxes in one evening. I think a lot of us stood here and voted for the Income Tax because it was for the kids. Some other

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people stood and voted for taxes on gasoline, a lot of other things. But let me tell you, you know, nobody tonights mentioned anything about the thing we call normal growth here in Illinois. Some \$750,000,000 of normal growth this year is coming in. Nobody's even talked about that, and yet they talk about more tax money. Where I'm from in Southern Illinois, I've got Kentucky, I've got Indiana and I've got Missouri, all bordering around me. They leave my area and drive into Kentucky and pay five dollars a carton less, five dollars a carton less for cigarettes on just the tax. They bring them in by the hundreds and don't think they don't. You talk about funding Navy Pier and I'm all for doing something for Navy Pier, but certainly not at a tune of \$150,000,000. A hundred and fifty million dollars going into the city and I'm not opposed to the rehab of Navy Pier, but if the City of Chicago wants to do that at Navy Pier, let them do it themselves. I ask you to take a very serious look at this, because here again just like the Gas Tax, you're talking about costing the State of Illinois money, not making of money, not being able to fund projects. If you think you've got a wastewater treatment plant that's going to be funded in Southern Illinois, come and talk to me about the things they promised me that haven't happened. All the different plants that haven't happened. The roads that didn't get built. You're really silly if you believe all of that because it's not going to happen. So if they promised you, you better get it in blood, because that's the only way you'll get it. Thank you."

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

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, the tax orgy continues but the ripple has

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begun, folks. In the board rooms around the country, those guys are crossing Illinois off their list. Are we trying to do...outdo New York and New Jersey and Massachusettes? Excuse me, Taxachusettes. And the little business guy is saying, 'Gees, I better go to Indiana'. Now he's not going to go to Indiana to buy cigarettes, he's just going to move his business over there. And the other guy who's being taxed out of business will just say, 'What the hell', he'll just close shop. That's what it means when...says increases in tax burden is bad for growth and jobs. Taxes should be broad based, but low. Excise taxes are not broad based, they're very narrow and cigarette taxes are regressive. According to the Congressional Budget Office, poor families, those with incomes below five thousand dollars, pay up to fifteen times as great a fraction of their income for excise taxes on tobacco as do families with incomes exceeding 50,000. And these inequities are especially inappropriate when a tax is increased for a purpose that is everyone's responsibility. Why should cigarette smokers pay for everybody else's education? What's so special about them? Excise taxes discriminate against narrow groups of consumers. They hit products whose consumers are disproportionately from minority and lower income groups. Excise taxes burden workers and proprietors in a few industries, not a broad base. Tax induced cutbacks in consumption hurt mostly small businesses. The mom and pop stores mostly, along with the growers and producers and distributors of those products. Ladies and Gentlemen, is June 30th, 1989 going down as a day of infamy? I mean, is this the day when all the citizens of this state say, 'My God, what are they doing down there to me?' Let's at least say no on one of them."

Speaker Giglio: "The Gentleman from DuPage, Representative

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Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of House Bill 760 for several reasons. The greatest of which is the necessary component that this Bill fulfills in completing our budgetary requirement for the people of Illinois. The higher education component that is in this Bill consists of projects for the University of Illinois, Southern Illinois, Northern Illinois, Sangamon State, Chicago State, Danville Area Community College and multi-university centers. Without the \$90,000,000 that is generated by the Cigarette Tax addition of ten cents, the hole that would be left in the budget as the Speaker recited, would have to be fulfilled by necessary budget cuts implemented by the Governor. It is a responsible tax, because it is a tax that we can handle for the people of Illinois. I suggest to you that yes, although this evening has been filled with a great many items and a lot of discussion, that we are about to complete the necessary items to complete the subject and the cycle of our education process. Because of that essential education component and the necessary elements that go through there to complete our budgetary cycle, I rise in support of House Bill 760."

Speaker Giglio: "Representative Krska, the Gentleman from Cook. The Gentleman has moved the previous question. All those in favor say 'aye', opposed 'no'. The previous question has been moved. Representative Countryman to close."

Countryman: "Well, thank you, Mr. Speaker. I think everything has been said that needs to be said. We started out talking about eighteen cents on cigarettes, and I just want people to be clear. This is ten cents on cigarettes. If you don't vote for this, education isn't going to make it in the budget, and all we've done today is for naught. I

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know this is the last vote, but if you stand for education in Illinois and if you stand for higher education, then you need to vote for this Bill. I thank you for your vote."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to House Bill 760?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Representative Dunn, one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In spite of the high tech provisions in this legislation, Navy Pier and another tax are too much for me. I voted for two taxes tonight and that's all I'm going to vote for. I vote 'no'."

Speaker Giglio: "The Gentleman from Cook, Representative Preston, one minute to explain your vote."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Conference Committee Report is really the best of all possible worlds. One, not only will it assist in raising needed revenues for education, but exactly as was stated by one of the previous speakers, we might actually by passing this tax, discourage some usage of cigarettes in the State of Illinois. Can you imagine that? We're actually doing something for the moms and pops here. Not only for the moms and the pops, but also for their children by reducing emphysema, by reducing bronchial disease and by reducing cancer in Illinois; we might actually be doing more by passing this tax than we have with the whole vast... array of taxes that we considered before this evening. This is a good Bill. It raises money and discourages smoking. What could be better? I vote 'aye'."

Speaker Giglio: "Lady from Cook, Representative Davis."

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

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House. I agree with the Speaker Madigan's surcharge to support education, but I do not agree with supporting education with addictions. The lottery can be an addiction. Cigarette smoking is an addiction. And if we get addicted to the use of that tax dollar, I doubt seriously that we will promote stop smoking. I vote 'no'."

Speaker Madigan: "Have all voted who wish? Speaker Madigan in the Chair. Have all voted who wish? Have all voted who wish? Please record yourself. The Clerk shall take the record. Clerk shall take the record. On this question there are 45 'ayes' and 59 'nos'. The Clerk shall poll the absentees."

Clerk O'Brien: "A Poll of those not voting. Keane. Martinez. Tate. Williams. And Wyvetter Younge."

Speaker Madigan: "Mr. Martinez. Record Mr. Martinez as 'aye'. Record Mr. Tate as 'aye'. Are there any further changes? Mr. Farley wishes to be recorded as 'aye'. Record Mr. Keane as 'aye'. Mr. Keane as 'aye'. Any further changes? Any further changes? On this question there are...Mr. Countryman. Mr. Countryman."

Countryman: "Mr. Speaker, I'm a little confused as to what my rights are as the Bill Sponsor. Can I put this on Postponed Consideration?"

Speaker Madigan: "The answer is yes. Is that what you prefer?"

Countryman: "Yes."

Speaker Madigan: "The matter shall be put on the Order of Postponed Consideration. And Representative Barnes wishes to change her vote from 'no' to 'aye'. The matter is on the Order of Postponed Considera...Supplemental #10, House Bill 1191. The Chair recognizes Mr. Keane. Mr. Keane. Mr. Keane."

Keane: "Thank you, Mr. Speaker. I move for concurrence of Conference Committee Report #1 to House Bill 1191. This is

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known as the University of Illinois Hospital, Michael Reese, Cook County Transfer. Basically, what the Bill does is it amends the University of Illinois Hospital Law. First it forgives the capital debt that the U of I owes the state. Second, it expressly authorizes the Board of Trustees to lease part of the lands...hospital lands, buildings, facilities and equipments. Equipment to Cook County for up to 50 years. It also amends the University of Illinois Enabling Law, allowing the university to lease medical research and health facilities. It amends the Cook County Civil Service Law to handle the civil service transfers. It amends the State Property Control Act. It allows the state university to convey tangible personal property. The Bill also repeals the law that transfer the Illinois Mental Health Institutes in Chicago to the U of I. And the Conference Committee Report basically says that the University of Illinois in Cook County, in implementing the lease are bound by the...agreement. It indicates that under the Cook County and state university retirement system articles, that transfer of credit through the Cook County system is allowable for two years. It...under the universi...the state university retirement article, it guarantees earned and accrued rights of employees transferred on the commen...just some conditions. The State of Illinois...there were three conditions that the Cook County put on as necessary for them to accept the university hospital. Of the first one, the ICARE contract for Cook County hospitals has been agreed between the state and the county hospital. The state will finance or develop a \$64,000,000 replacement ambulatory care facility, which will be done in probably in any...in either situation whether or not the building is transferred. And it will start...there's no timetable on that, except at a

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reasonable time. And finally, Cook County had asked for \$20,000,000 to rehabilitate the U of I facil... the University of Illinois Hospital. That demand has been withdrawn. I would be happy to answer any questions and ask for a favorable Roll Call."

Speaker Madigan: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know it's late. It's noisy, but I hope the Members really pay attention to what we're about to do here. We should not allow the University of Illinois to complete this so-called merger. We should not allow the University of Illinois to act unilaterally, on its own, without General Assembly consent, without Board of Trustee consent and most of all, without the consent or the wishes of the majority of the people of this state. This merger, which started out as a three party agreement, is now a two party issue because the affiliation between the University of Illinois and Michael Reese, has already taken place, without General Assembly input or approval. If we pass this Bill, what we will do, we will cosign what the university has unilaterally done. And we should not allow that to happen. There are two issues that we have to address here. The first..."

Speaker Madigan: "...Mr. Young...Mr. Young, you can save your breath and your energy. The matter just failed in the Senate...on the First Report. And it shall be taken out of the record. Senate Bill 572. Senate Bill 572, Mr. Giorgi. Ladies and Gentlemen, the Bill of the Session. Mr. Giorgi."

Giorgi: "Mr. Speaker, this is the First Conference Committee Report on Senate Bill 572, and there have been some modifications from the first time that we spoke about riverboat gambling. But this provides...provides only

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five licenses the first year, four on the Mississippi and one on the Illinois for the first year, and the year after that five more if the Gaming Board deems it willing. There will be a Gaming Board appointed by the Governor, confirmed by the Senate. A person well versed in law enforcement will be on the Gaming Board, a CPA and an attorney. And the license for the operator/owner of the boats will be \$25,000 dollars a year. People that want to supply equipment to the people in the gaming business will pay a \$5,000 dollar license. There will be a two dollar admission for anyone on the boat and that'll be split 50 percent with the state and 50 percent with the...with the boat license...address. And the tax on the game will be 20 percent of the adjusted gross, 25 going to the locals and 75 percent going to the state GRF."

Speaker Madigan: "For what purpose does Mr. McCracken, seek recognition?"

McCracken: "I was trying to do it politely, but this has not been on our desk an hour and we are not in agreement with this one. And I demand that we wait until it's been distributed and on the Members' desks for an hour, which would put it at one minute to twelve when it's ready to be called."

Speaker Madigan: "Our records indicate that this matter was distributed at 10:45."

McCracken: "10:4...No, no. 10:59. You have one minute to get it done so no debates..."

Speaker Madigan: "This Gentleman, the Head Page indicates that it was distributed..."

McCracken: "It isn't when it's distributed by the Head Page, Mr. Speaker. It's when it's on the Members' desks, that's when the hour is timed from."

Speaker Madigan: "He is the Gentleman who does the distribution, so calm down for a minute, will you please?"

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McCracken: "No, no. I'm not going to calm down. We're not in agreement with this one. This one is not on the track."

Speaker Madigan: "Mr. Giorgi, the Gentleman has raised a parliamentary point of order and your option is to move to suspend that rule."

Giorgi: "Mr. Speaker, I so move that we suspend the rule."

Speaker Madigan: "The Motion is to suspend the rule that the matters lie on the desk for one hour. And on that question, those in favor will vote 'aye' and those opposed will vote 'no'. The voting is open. Mr. McCracken to explain his vote."

McCracken: "I ask the Chair to rule, it requires 71 votes to suspend that rule."

Speaker Madigan: "The...the Parliamentarian has ruled 60 votes, Mr. McCracken."

McCracken: "Sixty..."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Mr. Tate."

Tate: "Yes, in the event this...this Motion would carry, I would like to verify this Motion."

Speaker Madigan: "Mr. McCracken. Mr. McCracken."

McCracken: "I rose for the verification."

Speaker Madigan: "This is a Motion to suspend the rules. This is a Motion. All those in favor please record themselves as 'aye'. Have all voted who wish? Have all voted who wish? Please record yourself. The Clerk shall take the record. On this question there are 62 'ayes', 48 'nos'. The Motion is adopted. Mr. Clerk, read the names of those not voting."

Clerk O'Brien: "Poll of those not voting. Black. Breslin. Leitch. Phelps. Turner. And Wennlund."

Speaker Madigan: "Mr. Turner wishes to be recorded as 'aye'. Are there any questions of the...Mr. Clerk, read the names of

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those voting 'aye'."

Clerk O'Brien: "Balanoff. Bowman. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. White. Williams. Wolf. Woolard. Anthony Young. Wylvetter Younge. And Mr. Speaker."

Speaker Madigan: "Mr. Kulas."

Kulas: "Leave to be verified, Mr. Speaker."

Speaker Madigan: "The Gentleman has...has denied your request to be verified. The Chair questions the presence of Mr. Kulas in the chamber and the Chair sees Mr. Kulas. You are verified, Sir. Mr. McCracken, any further questions? Any questions?"

Tate: "Yeah, we have questions."

Speaker Madigan: "Proceed."

Tate: "Okay. First of all, we would like to abbreviate this. If your Members would sit in your chairs, it would be a little easier to accommodate..."

Speaker Madigan: "Will the Members please sit in their chairs for this very courteous Gentleman, who has asked you to sit in your chairs? Questions?"

Tate: "Representative Ronan?"

Speaker Madigan: "Mr. Ronan. Is Mr. Ronan in the chamber? Remove the Gentleman from the Roll Call."

Tate: "Mr. Flinn?"

Speaker Madigan: "Mr. (sic - Mrs.) Lou Jones wishes to be

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verified. She's verified. Verify Representative Stern.
What was your question, Mr. Tate?"

Tate: "Mr. Flinn?"

Speaker Madigan: "Mr. Flinn. Mr. Flinn in the chamber? Mr.
Flinn is in the front of the chamber."

Tate: "Representative Satterthwaite?"

Speaker Madigan: "Representative Satterthwaite is at her chair.
Mr. Ronan has returned to the chamber. Restore Mr. Ronan."

Tate: "Representative Novak? No, there's...Novak?
Representative Hannig?"

Speaker Madigan: "Mr. Hannig is in his chair."

Tate: "Representative Steczo?"

Speaker Madigan: "Mr. Steczo is in his chair."

Tate: "Representative...Representative Balanoff?"

Speaker Madigan: "Mr. Balanoff. Is in the center aisle."

Tate: "Representative Hicks?"

Speaker Madigan: "Any further questions, Mr. Tate?"

Tate: "Yeah, Representative Hicks?"

Speaker Madigan: "Mr. Hicks. Mr. Hicks. Mr. Hicks is in his
chair. Mr. Tate."

Tate: "Representative Wolf?"

Speaker Madigan: "Mr. who?"

Tate: "Wolf?"

Speaker Madigan: "Mr. Wolf is in his chair."

Tate: "Representative Santiago?"

Speaker Madigan: "Mr. Santiago is in his chair."

Tate: "Representative Currie? Representative Currie?"

Speaker Madigan: "Representative Currie. Is in the aisle. No
further questions. There are 63 'ayes', 48 'nos'. The
Motion is adopted. Mr. Giorgi, on the report."

Giorgi: "Mr. Speaker, there is another part to this Conference
Committee Report and that is tax relief for Arlington Park.
We take, you know, we take note of the disaster that

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occurred and recognize the special classifications allowed by the Constitution, but rather than screening a TIF for a modified enterprise zone like we did for Sears and Diamond Star, we're just going to allow the assessed value of Arlington Park to be established to the value of the park before the grandstand was completely decimated by fire in 1987. And the assessment shall increase or decrease by the average rate of changes in assessment of commercial property in the township of that location. I urge your support of Amendment...of Conference Committee #1 to Senate Bill 572."

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Don't forget that Arlington Park was the other shoe which dropped in the 1986 Chicago White Sox deal. And don't forget that the owner of the Arlington Race track is Mr. 'Duchossis', who is one of the wealthiest people in the United States of America. And don't forget that if you have a casualty problem at your home, you're not going to get a break on your taxes that says that...that the property value will be the same as it was before the fire, instead of after you complete some fancy improvements. And don't forget that when we discussed that issue in 1986, it was generally acclaimed and I never heard anybody say anything to the contrary, that Mr. 'Duchossis' netted...netted \$80,000,000 in the fire and still owned the valuable vacant land in Arlington Heights upon which the new track was built. So, if you think that we're helping the proper class of people to help with the property tax break, go ahead and vote for this. But I think we should defeat this and send this into a Second Conference so that this Amendment can be stripped off. And if we're going to talk about riverboat gambling we ought to talk about that

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and not subsidies for Mr. 'Duchossis', who has plenty of them already as a result of off-track betting, was created to subsidize him and a few others. And so he's had plenty of subsidy and the poor man will just have to suffer as far as I'm concerned. I'm going to vote 'no' and urge everyone else to vote 'no' on this."

Speaker Madigan: "Mr. Stephens."

Stephens: "Well, thank you, Mr. Speaker. I...you know, if you just stop and think about what we're doing here this evening, it just seems like we've gone nuts. The...a lot of real tough issues. This one is a good example. The best reason I've heard that we ought to do this is so that we can be like Iowa. Now, you know, if you want to be like an Iowan, that's probably pretty admirable, but maybe you can go live there. I think that's pretty silly. We're talking about putting boats out on the rivers so that we can...so that we can gamble on those boats. Those are casinos. If you're gonna have casinos that are floating, then you're gonna have them on foundations next. We don't want to be a gambling state. We're not talking about lottery or a little bingo. We're talking about cards on the table, real live gambling. And, you know, one of my...one of my fantasies has always been to get on a riverboat and have a few beers and float down the river, get off at East St. Louis and get beat up and robbed. That's what this is going to lead to. It just...this is just not...just not what the public policy of the State of Illinois ought to be. And the longer we're here this evening, the crazier it gets. But I guess that's where we're gonna be this evening and we got gas taxes and income taxes and legislative perks, and we're gonna have gambling, and...Mr. Speaker, I'm...I'm just dismayed this evening. I think the taxpayers and the good hard working family

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people of Illinois are going to be disappointed when they wake up tomorrow morning and see the damage that we have wrought. And, Mr. Speaker, I rise in opposition to this Motion."

Speaker Madigan: "The question is, 'Shall the report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Mr. Hicks to explain his vote."

Hicks: "Thank you very much, Mr. Speaker. You know, Ladies and Gentlemen, I was one of the six or seven that supported riverboat gambling just a few days ago. And got up and said I was for it, whenever they asked us all to vote 'present'. But with the Arlington Park stuff on it, I can't support it. I hate that because I am really for the riverboat gambling and I have to vote 'no'."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Wennlund to explain his vote."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One more time, this isn't the issue of gambling, this is the issue of economic development. It's the issue of survival for the western part of Illinois and other economically deprived areas in Illinois. You can't think it...about gambling. We have parimutuel betting. We have lottery. We have pull tabs. We have everything you can think of that's state supported. This issue is economic development. I urge more 'aye' votes."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 32 'ayes' and 75 'nos'. And the report fails. Supplemental #9, House Bill 760. Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I won't belabor this. We had it in record a little while ago. The Speaker, the Minority Leader both addressed

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it. It's ten cents on the Cigarette Tax. It's necessary to the budget. If we don't have this, we can't have the projects in higher education. And all our work for the day may go astray. I ask for your favorable vote."

Speaker Madigan: "The question is, 'Shall the report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Mr. Dunn to explain his vote. Mr. Dunn to explain his vote. Have all voted who wish? Have all voted who wish? Mr. Matijevich to explain his vote."

Matijevich: "Mr. Speaker, if it were nine a.m. in the morning, we could vote 'no' and something else could be brought before us. But you know, there's a 344,000,000 hole in the budget. And isn't that something, that those who are saying that their priority is education, spoke against this Bill and the Income Tax Bill. Now you tell me how you are going to fund education with nothing. You can't fund education with nothing. The dollars have to come from somewhere. Now, sure there's some growth in revenue, natural growth, but this isn't 18 cents a pack anymore, it's 10 cents a pack. Now if you want to go home and say you're going to fund education, that it's your first priority, you can't do it by voting 'no'. You just can't do it. And at...about a quarter to twelve, you can't come up with 71 votes after midnight. It's the only game in town. The only one left. Now are you going to leave those kids high and dry? Are you going to leave..."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Nothing. I was going to say, are you going to leave them with nothing to read, nothing to add or subtract? You know, reading, writing, arithmetic and all that stuff I've heard you say, the basics of education. It's got to be done with dollars. Now don't be a hypocrite, you've got to have the money. Don't leave a \$344,000,000 hole in the

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budget. It's simple as that."

Speaker Madigan: "Mr. Johnson to explain his vote."

Johnson: "You know, we...we've passed some measures in here tonight that are, I suppose people could argue about, they're questionable. We've passed some taxes and we've argued both ways, but it seems to be ironic that the last tax we're considering is the one that most certainly ought to be the easiest to vote for. People who don't want to pay this tax, then they don't have to buy cigarettes and pollute other people's lungs. That's not really the issue. The issue is where the money's going, to education, to waste water treatment, to parks, to prepare this state for the future. It seems to me that the Governor's initiative in this area, where the money's going, makes this the very easiest of all revenue enhancement measures to vote for. This is the good Bill. It stands out, not like a sore thumb, but like a well thumb amongst some taxes that maybe have some questionable validity. It's a good Bill and I urge a 'yes', 'yes' vote."

Speaker Madigan: "Mr. Hoffman to explain his vote."

Hoffman: "Thank..."

Speaker Madigan: "...Mr. Hoffman..."

Hoffman: "...Thank you...thank you, Mr. Speaker. Ladies and Gentlemen of the House, if there's any measure that we've dealt with this evening that ought to be an easy vote, it's this one. You know and I know that as we have moved through this legislative Session, we've discussed this issue and everyone has said or most people have said, a cent tax is the easiest tax to vote for. This is a ten cent tax, not an unreasonable level, going for causes which I think we all can agree with. Now, we can't fill the hole in the budget as Representative Matijevich said, with thin air. You have to fill it with resources and you have the

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ability right now to do that very thing. And I ask your 'aye' vote on this legislation."

Speaker Madigan: "Mr. Cullerton to explain his vote."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Can you imagine someone reading the newspaper in a couple of days from now, seeing all the taxes that we did pass, and then learning that the only one that we didn't pass was the Cigarette Tax. Now that is really a sad commentary on our actions. You might disagree with the other ones, but this is...I'm repeating what other people have said, this has a dual purpose. You know, it's funny that a physician that I have, he never lobbies me about anything on the medical society, but once, all he says is...the one thing you can do to save lives down there is to increase the cigarette tax. It's truly a user's fee. The money is going to obviously good purposes. And it's...it's really something you should reexamine when... if you voted for any of the other taxes, you should vote for this one."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Parke feels that he will persuade someone. Mr. Parke."

Parke: "Thank you..."

Speaker Madigan: "We're all anxious to hear, Mr. Parke..."

Parke: "Good, I'm glad to hear that. This Bill is going to raise \$90,000,000 supposedly. Again, I would like to reiterate that this money is going to be going to the Navy Pier in terms of...it's supposed to come up to over \$90,000,000 on this Bill. So, as far as I'm concerned, this is one Bill that we don't have to pass and the hole in the budget that has been referred to quite frankly, is going to be the hole in the pocket of the taxpayers of Illinois."

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Speaker Madigan: "Mr. Shaw to explain his vote."

Shaw: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. But, the only thing I...I'm in agreement with the...with the Cigarette Tax, basically. But one of the things that I'd like to say to the Sponsor, I would like to see him put an Amendment on this Bill...put an Amendment on this Bill outlawing contraceptives, because we about to run out of taxpayers on the taxes we have passed here this evening. And...and we going to need some new tax payers. But I will vote 'aye' on this Bill."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. The Clerk shall take the record. Mr. Sieben."

Sieben: "Mr. Speaker, change my vote from 'no' to 'yes'."

Speaker Madigan: "Record Mr. Sieben as 'aye'. Record Mr. Ackerman as 'aye'. On this question there are 60 'ayes', 47 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If I could have your attention for one second, please? Tried to explain my vote, Mr. Speaker, tried to explain that it was an exercise in futility...because it just lost with 21 votes in the Senate."

Speaker Madigan: "Thank you, Mr. Piel. Supplemental Calendar #7, Senate Bill 95, Mr. Wolf. Mr. Wolf? Senate Bill 95. Ladies and Gentlemen, can we have your attention? There is a Bill in the record. Senate Bill 95, Mr. Wolf."

Wolf: "Thank you, Mr...thank you, Mr. Speaker and Members of the House. I move for adoption of First Conference Committee Report to Senate Bill 95. Senate Bill 95 is the omnibus Bill pertaining to pension legislation, and contains a number of changes to some of the major systems in the state. There are a number of changes to all of the five

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major systems in the state, primarily the three percent increase in the survivor's benefit together with the compounding of the three percent. Also, the pen...the pension funding is contained in this Bill rather than in Senate Bill 22, including the phasing in over a period of seven years of the state contributions to bring it up to 100 percent plus funding of the unfunded liability. The package containing provisions pertaining to the Chicago Police, Chicago Firefighters, the Cook County Park District, Chicago Municipal Laborers, is all a package that has been negotiated between the City of Chicago and the systems. I move for adoption of Senate Bill 95 and urge your support."

Speaker Madigan: "Mr. Hoffman. Mr. Hoffman. Ladies and Gentlemen, give your attention to Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As one of the signatories to this Conference Committee on Senate Bill 95 and a participant in the development of the process, in terms of dealing with employer/employee relationships. To put it in proper balance with all...with all benefits, those state benefits we dealt with the Executive Branch, those benefits from municipalities or cities. We dealt with the municipalities and they worked it out and that's what we have included in this. And we would...I stand with Representative Wolf asking your support for Senate Bill 95, the First Conference Committee."

Speaker Madigan: "Those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 102 people voting 'aye', 10 people voting 'no'. The First

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Conference Committee Report on Senate Bill 95, having received a Constitutional Majority is hereby declared passed. Record Mr. Bowman as 'aye'. Record Mr. Terzich...Mr. Terzich."

Terzich: "Mr. Speaker, I would like to ask the Sponsor if it was the..."

Speaker Madigan: "Mr. Terzich, we've already taken the Roll Call."

Terzich: "I just basically wanted to get a legislative intent, Mr. Speaker."

Speaker Madigan: "Mr. Clerk, open the Roll Call and, Ladies and Gentlemen, please record yourself. Dump the Roll Call and open it again. Vote. Those who want to vote 'aye', vote green, 'no', red. Vote. Mr. Ryder. Mr. Terzich."

Terzich: "Yes, I would just simply like to ask the Sponsor that if it was the legislative intent that a former Member who is retired is entitled to contribute to the General Assembly, pursuant to Chapter 105...108 in behalf of the Code?"

Speaker Madigan: "Mr. Wolf."

Wolf: "Repeat the question, will you, Representative Terzich?"

Terzich: "Whether the legislative intent is that the former Member who is retired and is presently contributing into the pension system, the General Assembly would be entitled to it?"

Wolf: "The answer...the answer is yes."

Terzich: "Thank you."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 108 people voting 'aye', 4 people voting 'no'. There being a Constitutional Majority in favor of the adoption of the First Conference Committee Report on Senate Bill 95, the matter is hereby declared passed. On the Concurrence Calendar on page three

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of the Regular Calendar there appears House Bill 2195, Mr. Kulas. Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House concur with Senate Amendment #1 to House Bill 2195. What the Senate Amendment...Senate Amendment did, it added a Section which amended the RTA Act, which authorized negotiated acquisition of railroad cars. And I would move for concurrence."

Speaker Madigan: "Those in favor of the Motion signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Please record yourselves. This is a Motion to concur. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question...on this question there are 82 'ayes', 21 'nos'. The Motion to concur is adopted, and this Bill having received a Constitutional Majority is hereby declared passed. On page two of the Regular Calendar on the Order of Concurrence, there appears House Bill 497, Mr. Levin. Mr. Levin."

Levin: "Thank you, Mr. Speaker. I would move that the House do concur in Senate Amendment #1 to House Bill 497. This is the tag end of the IRAP program that was contained in Senate Bill 392. This sets up a procedure for paying back amounts owed the public utilities. I would ask for concurrence in Senate Amendment #1."

Speaker Madigan: "Mr. Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies...would the...would the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Peterson: "Representative, I haven't the foggiest notion what this concurrence is all about. Would you please tell us what it is?"

Levin: "Okay. This...this provides a procedure through DCCA for

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paying past amounts that are owed to public utilities under the IRAP program. The calculations are done by the Illinois Commerce Commission. And this sets up the procedure for paying the utilities the amount that are owed them."

Peterson: "Is this...is it...everybody agreed on it? Are there any problems? No opponents?"

Levin: "If...if you got MEAD sponsoring it, everybody's agreed."

Peterson: "Oh. Thank you very much..."

Levin: "...You know...I know they don't carry utilities..."

Speaker Madigan: "...The question is, 'Shall the Motion be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 104 people voting 'aye', 11 people voting 'no'. The Motion is adopted, and the Bill having received a Constitutional Majority is hereby declared passed. On page three of the Calendar there appears House Bill 2405, Mr. Krska. Mr. Krska."

Krska: "What House Bill 2405, increase the Land Sales Registration Act of 1989 to replace the Illinois Land Sales Act which sunsets on December 31, 1989. This legislation was presented by the Department of Professional Regulation to rewrite and provide for the registration subdivision land in subdivisions to divide into 25 or more lots that are offered for sale. There is no opposition to this Bill. I move for concurrence."

Speaker Madigan: "Those in favor of the Motion signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Someone record Mr. McNamara as 'aye'. Have all voted who wish?"

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The Clerk shall take the record. On this question there are 92 'ayes', 21 'nos'. The Motion is adopted, and the Bill having received a Constitutional Majority is hereby declared passed. On Supplemental Calendar #6 there appears House Bill 2365, Mr. Hoffman. Mr. Hoffman. This is a Conference Committee Report concerning the abatement of asbestos. Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Conference Committee Report related to the Asbestos Abatement Act. It provides for under emergency conditions that an employee of the school district, consistent with rules and regulations established by the Department of Public Health, can clean and dispose of less than three linear feet or three square feet of friable or non-friable asbestos containing material in schools. And I move the adoption of First Conference Committee Report on House Bill 2365."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield to a question? Yes. Representative Hoffman, has the Illinois School Board Association signed off on this?"

Hoffman: "Yes. In fact, the source of this was a school group, the EDRED group. Yes, they are."

Parke: "Thank you."

Speaker Madigan: "Mr. Stephens."

Stephens: "Representative, how does this affect local school districts? Are we... are we helping them deal with the asbestos problem? Are we giving them any money in this Report? Are...taking off regulatory burdens or what?"

Hoffman: "We are helping them by recognizing in emergency situations, that they need to deal with on a short term notice, consistent with rules established by the Department of Public Health that an employee of that school district

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can move it out."

Stephens: "What's this...three million square feet...what..."

Hoffman: "...No, no... three linear feet..."

Stephens: "...Oh..."

Hoffman: "...That's like a yard..."

Stephens: "...Yeah, I know what a linear foot is..."

Hoffman: "...Okay, you know what a linear foot...okay, or three square feet."

Stephens: "Oh, I thought you said three million..."

Hoffman: "... And it's friable or non-friable."

Stephens: "Fine with me. I'm happy if you're happy."

Speaker Madigan: "The question is, 'Shall the Report be adopted?'

Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Please record yourself. Have all voted who wish? The Clerk shall take the record. On this question there are 113 people voting 'aye', 1 person voting 'no'. The Conference Committee Report having received a Constitutional Majority is hereby declared passed. On Supplemental #8, Senate Bill 97, Mr. Mautino. Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. The Conference Committee Report on Senate Bill 97 covers two provisions. The cancellation notice as it pertains to the excess in umbrella liability policy insurance that was previously adopted by this House. It also provides for the notification on the estimates as it pertains to crash parts that are used in the repair of an insured motor vehicle. It's specific...it is the watered down version and it is strictly the notification provisions, and it provides for that nonoriginal equipment crash part to be designated on the estimate. And the following statement include...included that the assessment has been prepared

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based on the use of one or more crash parts supplied by a source other than the manufacturer of your vehicle. Warranties applicable to these replacement parts are provided by the parts manufacturer or distributor, rather than a manufacturer...of the vehicle. That's all it does. I move for its adoption."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. One quick question. Has the insurance industry signed off in the first part of this legislation?"

Mautino: "Yes. It is...it was the agreed Amendment of Representative...or Senator Berman's Bill that was originally on 2888. Yes, it's an agreed Amendment."

Parke: "Okay. On the second part, on the replacement parts, of most of the...most of the opposition to this been removed also?"

Mautino: "Yes, as I understand it."

Parke: "Thank you."

Speaker Madigan: "Mr. Hartke."

Hartke: "Yes, I stand in opposition to this. You know, this is the only in crash parts Bill notification. And we've defeated this Bill about six times this year and I think it deserves another 'no' vote."

Speaker Madigan: "Mr. Edley."

Edley: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I have a conflict of interest on this. I don't think the wholesalers have signed off on it. It's the same piece of legislation that we defeated twice before and I would encourage a 'no' vote. I'm going to vote 'present'."

Speaker Madigan: "Mr. Stephens."

Stephens: "Well, just to reiterate that this is the same old battle and we've defeated this before. I think we should

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hold our ground and try to win one for the people tonight."

Speaker Madigan: "Mr. Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The portion of this Bill having to do with the notice of cancellation for umbrella liability policies has certainly got the approval of this side of the aisle. There's no problem with it."

Speaker Madigan: "Mr. Sutker."

Sutker: "Thank you, Mr. Speaker. Ladies and Gentlemen, look closely at this Bill. We have defeated this Bill time and time again. This is back here in the same form it has been defeated previously. This is not disclosure. This does not relate to standards. This does not relate to qualities. This does not relate to specification. This is an outrage that is brought about to us in the last minutes of the last hours. I urge a defeat of this Conference Committee Report."

Speaker Madigan: "Representative Parcels."

Parcels: "I just wanted to make an announcement that it is now midnight and I believe maybe this vote will take 71 votes unless it does not have an immediate effective date."

Speaker Madigan: "Those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk...Have all voted who wish? Please record yourself. Please record yourself. The Clerk shall take the record. On this question there are 59 'ayes' and...record the Speaker as 'no', 59 'ayes' and 52 'nos'...53 'nos'. Mr. Clerk, poll the absentees."

Clerk O'Brien: "A poll of those not voting. There...Representative Capparelli is the only one."

Speaker Madigan: "Mr...record Mr. Balanoff as 'no'. And there being 58 'ayes' and 54 'nos', the matter fails. Mr.

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Cullerton in the Chair."

Speaker Cullerton: "Representative McPike on House Bill 2374.

Mr. Clerk, read the Bill. Representative McPike on House Bill 2374."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding that this an agreement between the Chamber of Commerce and the construction industry. Provides for the creation of the Hazardous Substance Construction Disclosure Act. It gives contractors and subcontractors the right to stop work upon discovery of a hazardous material until the hazardous material is removed. To my knowledge, I repeat, it's an agreement between the Chamber of Commerce and the construction industry. I move for the adoption of the Report."

Speaker Cullerton: "The Gentleman has moved for the adoption of Conference Committee Report...First Conference Committee Report on House Bill 2374. On that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee #1 to House Bill 2374?' The voting is open. Have all voted who wish? Mr. Clerk, please take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. The House does adopt Conference Committee #1 to House Bill 2374, the Bill having received the required extraordinary Constitutional Majority is hereby declared passed. Representative Terzich, House Bill 2517. Amends the Mobile Home Landlord and Tenant Rights Act."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I move to adopt Conference Committee Report #1 on the mobile home. Basically, it amends to put in a couple provisions upon sale of a mobile home facility, and provides for tenant's exercise of termination of lease. And I would

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move for its adoption."

Speaker Cullerton: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2517. On that question, the Gentleman from Cook, Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, there was an agreement that this Bill would go to Conference Committee this summer to provide for input from both the mobile homeowners, who opposed this Bill, and from the park owners. I would ask that we do not concur, because when agreements are made, they should be kept. And so I really think that we should vote 'no' and it does take 71 votes now, is that correct?"

Speaker Cullerton: "Yes, that's correct, Sir."

Balanoff: "Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Conference Committee Report does three things. First, it makes a semantical change regarding various examples of what constitute violations of the terms of a lease agreement. It also allows the park owner where it ceases operations to give notice to the tenants to move. However, it is not currently governed by statutory law, and this statute would give the tenant one year's notice where a park tenant...or where a park owner wants to cease operation. That is not covered in current law. Right now, a lease can be terminated for any reason with 30 days notice under this Act. This is a new area in this statute. This statute has also been construed by some park tenants to give them what in effect is a life estate. That is, even if a park owner wants to close down and even if he wants to give them a long notice, these tenants are claiming that by virtue of

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some poorly drawn language in this statute, they cannot be dispossessed. They do not own the land, they are merely tenants. That is a crazy interpretation of it. The Act was never intended to be that way. This is not harmful to the tenants. This covers an area of law not covered now. I rise in support of the Conference Committee Report."

Speaker Cullerton: "Further discussion? The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen, you want to watch this one. Right here, at the...after midnight, somebody is coming to us with something that didn't go through the committee process, everyone of you or almost all of you got people in your districts who live in mobile homes. This is one you really want to watch, if you don't want to disenfranchise all those people. It is very suspicious to me when a promise is made that a Bill would not be brought forth, and then it is brought forth without committee, brought forth after midnight, brought forth months before it was supposed to be brought forth. This is very suspicious that the mobile homeowners, not the park owners, but the mobile homeowners in your district will be extremely upset with this, I tend to believe. I haven't seen it and I have the greatest respect for the Gentleman who just spoke, but I know how these things work at this eleventh hour. This is something you should be very careful about. We can deal with this as promised a few months from now. We don't have to rush to judgement without anybody in this room really knowing what's in this Bill. I suggest either a 'no' or a 'present' vote. And I think it's important to the people in your district."

Speaker Cullerton: "This Bill will require 71 votes for passage. The question is, 'Shall the House adopt First Conference Committee Report to House Bill 2517?' The voting is open.

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Representative Terzich to explain his vote."

Terzich: "Yes, there were certain statements made with regard to this here legislation about Homeowners Association and promises broken and skeptical of this...this has been on the desk for quite a long period of time and there is none of the second hour baloney that the...the previous speakers made of a...Since simply sets out rights that have been made available to anybody, any tenant whether they be a mobile homeowner or not. It certainly is a fair adjustment. I don't know of any Home or Mobile Home Association that is against this legislation. It simply states out that if a mobile home is sold, what rights they have. They're extremely fair and extremely just, and I don't know of any Homeowners Association or Mobile Home Association that would be against this legislation."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 42 voting 'yes', 48 voting 'no', 23 voting 'present'. This Bill having...this House having failed to adopt the Conference Committee Report #1 to House Bill 2517, and the Gentleman requests a Second Conference Committee be appointed. Representative Mautino, House Bill 2520."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The Conference Committee on House Bill 2520 is in its original form and agreed to by Representative McCracken and I. It includes the establishment of the Illinois Rural Bond Bank and all the provisions that were embodied in the original legislation, with the exception of the continuing appropriation, which was removed by the Conference Committee. And it also took out the obligation of the State of Illinois on any bonds that were issued, and I move for its adoption."

Speaker Cullerton: "The Gentleman has moved for the passage...the

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Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2520. On that, is there any discussion? There being none, the question is, 'Does the House adopt Conference Committee #1 to House Bill 2520?' Voting's open. Representative Mautino to explain his vote."

Mautino: "Yes, I wanted the correction on the board which is the Second Conference Committee, that stripped everything...thank you..."

Speaker Cullerton: "...Fine. I'll ask the...Okay, it's the Second Conference Committee Report. Mr. Clerk, take the record. On this question there are 114 voting 'yes', no one voting 'no'. And the House does adopt the Second Conference Committee Report to House Bill 2520, and the Bill having received the required extraordinary Constitutional Majority is hereby declared passed. Representative Cowlshaw on a Motion, on Senate Bill 283. This be a Motion to refuse to recede from House Amendment #1. Representative Cowlshaw."

Cowlshaw: "Yes, thank you, Mr. Speaker. I move to recede from House Amendment #1 to Senate Bill 283. This is the Bill that increases...I'm sorry, Mr. Speaker...I apologize for the interruption. I want to recede from House Amendment #1 to Senate Bill 283. This is the Bill that provides for the annual increase in the math awards given by the Illinois State Scholarship Commission. We adopted...we adopted an Amendment that simply removed the effective date in order to keep the Bill moving through the process. We were uncertain at the time as to whether the tax increases would pass and whether we would have sufficient funds to put the math awards at the levels called for in this Bill. It is now apparent that we will be able to do so. Therefore, I would like to recede from House Amendment #1 to Senate Bill

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283, and provide these math awards through the Illinois State Scholarship Commission."

Speaker Cullerton: "The Lady has moved to recede from House Amendment #1 to Senate Bill 283. On that, is there any discussion? There being none, the question is, 'Shall the House recede from Senate Amendment #1...House Amendment #1 to Senate Bill 283?' The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 117 voting 'yes', none voting 'no'. The House having receded from House Amendment #1 to Senate Bill 283, this Bill having received the required Constitutional Majority is hereby declared passed. Representative Parke, Senate Bill 918."

Parke: "Thank you, Mr. Speaker. In Senate Bill 918, I wish to recede from Senate Amendments 1 and 3."

Speaker Cullerton: "Let me correct the record. On the previous Bill, Senate Bill 283, required an extraordinary Majority and it did receive extraordinary Majority, is hereby declared passed. The Gentleman...Representative Parke is... ask that the House adopt Conference Committee #1 to Senate Bill 918. On that, is there any discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "I'd like just a brief explanation as to what the Conference Committee Report does."

Parke: "Thank you..."

Speaker Cullerton: "...Representative Parke..."

Parke: "...I think that's a fair question. First of all, the Bill clarifies that no civil or criminal liability is attached to any employee acting upon the request of his employer in regards to lease cars. Second of all, it reduces the proposed criminal penalties from a Class...to a Class A misdemeanor from a Class 3 felony. In addition, it

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eliminates the possibility of punitive damages."

Speaker Cullerton: "Representative McNamara."

McNamara: "Yes. What you're doing is, is on a lease car, if I understand that, a lease car dealer, you are reducing the penalties in each case to a lease car dealer, is that correct?"

Parke: "In essence, it's not to a bonafide dealer, it is to...in the cases where a unscrupulous individual will go to somebody leasing the car. Say to them, 'look, you've had your car for a couple of years, sublease it to us. Well, take care of your payments and we'll get you another car'. What happens is, then the individual may end up, because the person that's taking the car, may end up stealing it or in fact, end up having two car payments, because they after a month or two stop payment on the first lease car. We are therefore protecting the consumers who are leasing cars and saying, you do not have the right to sublease without permission from the car leasing companies."

McNamara: "Then why are you reducing the penalties for that? Who are you reducing those penalties for?"

Parke: "Because Members on your side felt that the penalty was too extreme and asked me to reduce it."

McNamara: "Thank you."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall the House adopt Conference Committee #1 to Senate Bill 918?' The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question the House does adopt Conference Committee #1 to Senate Bill 918 and the Bill having received the required Constitutional Majority, is hereby declared passed. Representative Curran, Senate Bill 1046. Second Conference Committee Report on Senate Bill 1046. Out of the record.

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Representative Munizzi. Representative Munizzi, Senate Bill 1375, second Conference Committee Report."

Munizzi: "Thank you, Mr. Speaker. I ask that the Second Conference Committee Report be adopted. I'd like to yield to Representative Steczko who's a little more informed about the changes."

Speaker Cullerton: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker. I'd move for the adoption of the second Conference Committee Report on Senate Bill 1375. Senate Bill 1375 is an Omnibus Local Government Bill and deals with a number of issues, one of which states that corporate authorities of any incorporated municipality in downstate Cook...downstate Illinois may contract with the county in which the municipality is located to furnish police protection in the county outside of the incorporated municipality. That was...that was a provision that was requested by Representative McCracken. It also provides that the townships in the State of Illinois can provide emergency public assistance. That was a recommendation made by the Department of Public Aid General Assistance Task Force. It provides a provision regarding the incorporation of the Village of 'Volo'. It also provides notice when a municipality annexes land related to townships and notice to townships and to counties. It passed...it provides language that was currently...that was previously provided in House Bill 465 regarding the sale of liquor in designated buildings under the control of the township. When House Bill 465 was passed, it...the General Assembly neglected to place a provision in the law which says...stated that these buildings must adhere to the rules adopted by ordinance in the various municipalities. That language is contained in this provision. It also provides a change in the swearing in of township officials. That

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was requested by the Cook County township officials. Presently, these township officials have to be sworn in by judges. This Section allows persons before entering their duties of office to have the oath administered by any person so authorized and it increases the competitive bid limit in townships in Cook County from \$5,000 to \$10,000. There is no opposition to the provisions of this Bill and I would move for its adoption...or adoption of the Report, Mr. Speaker."

Speaker Cullerton: "The Lady has moved for the adoption of the second Conference Committee Report on Senate Bill 1375. On that question the Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsors yield?"

Speaker Cullerton: "She indicates she will."

Hultgren: "I have a question with regard to the general assistance in the emergency situations. If I understood the explanation, that's strictly an optional thing that the township can do and it's not requiring the township to render that general assistance. Is that correct?"

Steczo: "That is correct, Representative. And right now there is no law which authorizes the issuance of emergency assistance to a local governmental unit general assistance applicants."

Hultgren: "That's fine. Obviously where I was...I was concerned as to whether we're imposing some requirement, but if it's optional..."

Steczo: "No."

Hultgren: "...that's fine. Thank you."

Steczo: "There's also no fiscal impact."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall the House adopt the second Conference Committee Report on Senate Bill 1375?' The voting is open.

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Have all voted who wish? This Bill requires 60 votes for passage. Have all voted who wish? Mr. Clerk, please take the record. On this question the vote is 102 voting 'yes', 6 voting 'no', 8 voting 'present'. This Bill...the House does adopt Conference Committee Report #2 to Senate Bill 1375. The Bill having received the required Constitutional Majority, is hereby declared passed. Representative Homer, House Bill 1496."

Homer: "This is...Thank you, Mr. Speaker and Ladies and Gentlemen. This is a Bill which...which provides immunity for standing order of physicians for public health clinics and also for not-for-profit clinics that serve indigent...that serve indigent patients. The Bill has had a thorough hearing, it's been signed off on by the Medical Society and the Trial Lawyers. I know of no opposition to the Bill and I would urge the adoption of the first Conference Committee Report."

Speaker Cullerton: "Have you completed your remarks, Sir? Representative Homer, have you completed your remarks?"

Homer: "Yes. Yes."

Speaker Cullerton: "The Gentleman has moved that the House does adopt Conference Committee #1 on House Bill 1496. Are there any questions? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1496?' The voting is open. This is final action. 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' and none voting 'present' and the House does adopt Conference Committee #1 to House Bill 1496. The Bill having received the required Constitutional Majority, is hereby declared passed. Representative Preston, House Bill 1754."

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

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House. I move to adopt the first Conference Committee Report on House Bill 1754. The Bill amends the Condominium Property Act to revise provisions relating to payment of common expenses after a judicial foreclosure sale of a unit. It also revises provisions relating to disclosures required when a condo unit is sold. The...there was some language problems that have been worked out. The Bill passed the Senate and I hope it will pass the House and I move to adopt."

Speaker Cullerton: "The Gentleman has moved for the adoption of the first Conference Committee Report on House Bill 1754. On that is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee #1 to House Bill 1754?' The voting is open. Have all voted who wish? Have all voted who wish? Representative Levin to explain his vote."

Levin: "Yes, just to indicate that I do represent condominium associations. This Bill has been agreed to by all parties."

Speaker Cullerton: "Representative Mautino."

Mautino: "For the record, I've just been informed that on House Bill 2520 which I presented and it was 114 votes and I did vote 'yes', I was just informed it didn't appear on the board, so for the record I'd like to put that in the record."

Speaker Cullerton: "The tape will so indicate."

Mautino: "Thank you."

Speaker Cullerton: "On this question...Mr. Clerk, please take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt Conference Committee Report #1 to House Bill 1754, and the Bill having received the required extraordinary Constitutional Majority...or...I'm sorry, the

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Constitutional Majority, it only needs 60 votes, is hereby declared passed. Representative Regan, House Bill 1883. This is on Supplemental #7, Mr. Clerk."

Regan: "Thank you, Mr. Speaker and Members of the House. Second Committee Report to 1883, now that it's finally to the floor, has waltzed through the process. I think we've come to an agreement on some of the Bills added in the Senate. It deals first of all on its basis with the third and most important Bill in the ritualistic crime series. Three states have already requested information in regards to this Bill. It's a serious problem. Kids are committing suicide because of this ritualistic cult activity; two in my district, a 16 year old and a 17 year old. It's extremely important that this Bill passes. In addition to that, we've got aggravated battery pushed up in penalties for persons that poison people and don't quite make it, to death, and I think that that should be jerked up a little bit because of the food danger that we have. The second part...or the third part is aggravated battery with a firearm. If someone takes a gun and he points it at you and he shoots and he hits you, doesn't kill you, it's a Class X felony. And I'd urge its adoption."

Speaker Cullerton: "The Gentleman has moved for the adoption of the...of Conference Committee...I'm sorry, the second Conference Committee Report on House Bill 1883. The Bill requires 60 votes and if it passes it will go in effect July 1st of 1990. On the question, any discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Bob, how does a person commit the offense of inducement of suicide?"

Regan: "Hello...It's actually...the wording has been changed to coercion. They still left the title as inducement, but we changed the word to coercion. And this happens through

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drugs, through brain washing, through confinement, and evidence of this in cases where it can be proven usually come through suicide notes written in blood. If they would name any names or would have any problem, if there was a witness that rolls over, then we can convict people that talk our kids into committing suicide..."

Johnson: "I know that's what it is, what the intention is..."

Regan: "If James Jones came to Illinois and did what he did in Guyana and lived, all those people that died, we could not prosecute Mr. Jones. There's ten other states that do have Bills similar to this legislation but it deals with other issues, not necessarily with ritualistic crime."

Johnson: "Speaker...Mr. Speaker. Yeah..."

Speaker Cullerton: "Representative Johnson."

Johnson: "Looking at the elements of the offense, I know what Representative Regan is trying to do and I think it's a worthy objective. I really do. I'm just concerned about the language of the...the language of the Bill. A person commits the offense of inducement to commit suicide, or unless it's changed from what I have here, when he encourages another, encourages to commit suicide and the other person commits suicide and he exercises substantial control over the other person through control of the physical location or use of psychological pressure, or use of social or philosophical or other principles or any other means. I would think based on that language, I could say to somebody that's my employee that I have a lot of control over, in a weak moment after he wrecked my car at a car wash, you're just worthless as a human being and you should do away with yourself. Well, I agree that I shouldn't say that and I agree that's not the kind of social conduct we want to approve of, but I don't think that ought to be a Class III felony depending...punishable by seven years in

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the penitentiary. If the Bill's changed since then, I...I withdraw my comments, but all I have is what I see in front of me. I think Representative Regan and his package is well intended on effecting a real problem in society and that is satanic ritual murders. Everybody's against that, but I just would hate to see us in an attempt to achieve a worthy goal, get into areas that we'll regret and well may be unconstitutional. So, when you vote on it, unless again the language changed from what I see, you really ought to be careful about what we're doing."

Speaker Cullerton: "Further discussion? Representative Johnson's seatmate, Representative Petka."

Petka: "Thank you, very much, Mr. Speaker, Members of the House. I know the time is late and we're all tired, we've been here a long...but I rise in support of Representative Regan's Bill. There's been a lot of work that has been put into this Bill. We've discussed it at great length on this House floor. The intent of this legislation is very clear and that is to close a significant loophole that now exists under Illinois law dealing with those individuals who are in cults, who induce others to kill themselves. And this has been a problem which has arisen in Representative Regan's district. It has received widespread attention and the basic tenet, the basic premise of this legislation is simply to make criminal those actions which right now are going unpunished. I think this is a very sensible way of dealing with this problem and I commend the Sponsor for this fine piece of legislation and I would urge its adoption."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Preston."

Preston: "Would the Gentleman yield for a question? Mr. Speaker, would the Gentleman yield for a question?"

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Speaker Cullerton: "He indicates he will. Representative Regan."

Preston: "Representative Regan, I'm looking at a copy of the Conference Committee Report #2 on House Bill 1883, and it looks to me like the penalty for aggravated battery with a firearm has been raised to a Class X felony. Is that correct?"

Regan: "That's correct."

Preston: "And what is the punishment for this Class X felony?"

Regan: "A Class X felony is a mandatory six years up to 30."

Preston: "Alright, and this has...this is for aggravated battery. What is the penalty now for aggravated battery with a firearm?"

Regan: "Aggravated battery with a firearm is a Class I felony."

Preston: "It's a Class I or a Class II felony?"

Speaker Cullerton: "Further discussion?"

Preston: "My understanding it's now a Class II felony. So this would be upgrading it from a Class II stepping over Class I and going directly to Class X as we do in monopoly when you land on the jail card."

Regan: "Well the objectivity here, is a person takes a gun and he uses it in committing a felony and he aims it at you and he shoots you and he hits you, the intent of that we would consider it would be a very serious crime. And I think that the jump is certainly worthwhile."

Preston: "Alright. I rise in opposition to the adoption of this Conference Committee Report. We are now once again skipping over not just increasing the penalties of crimes, pretty soon in Illinois there will be nothing but Class X. We're making every crime from jaywalking to murder a Class X felony as if they're all one and the same. What are we going to call murder if we're calling aggravated battery a Class X? I think the whole idea of having different penalties for different crimes of different severity is to

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have a system whereby the more serious the crime the more serious and lengthy the time that has to be served. In this case, we're jumping right over going from a Class II felony, skipping over Class I, going right to Class X, which is the same classification we have for murder and other of the most serious crimes. And aggravated battery, while it is indeed a very serious offense, ought to be treated as a very serious offense, but one step less severe than committing the crime...the murder itself and this doesn't do that. So, for those reasons and a variety of others, I'm...I urge a 'no' vote on this Conference Committee Report, though I have to commend the Sponsor of this for being very earnest and working very hard to arrive at a compromise."

Speaker Cullerton: "Further discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, I'd like to move the previous question."

Speaker Cullerton: "The Lady moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it, the previous question is put, and we'll have an opportunity to explain your vote for those who still wish to speak. The question is, 'Shall the House adopt Conference Committee #2 to House Bill 1883?' The voting is open. This is final action. Representative Williams to explain his vote."

Williams: "Yes. I rise in embarrassment because I signed this Conference Committee Report. I didn't...I was under the impression we were dealing with inducement for suicide. Even though it got late and they brought...didn't see the Class X aspect of this, I thought that they said that they were only going to raise it to a...one level, from a Class

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III to a Class II and they've jumped all the way to a Class X and I'm in total disagreement with it. And although I signed the Report, I have to rise to oppose this Bill and I beg the indulgence of this Body because I signed what is a horrible Conference Committee Report. Please, if there's a way to remove my name from the Conference Committee Report, please do."

Speaker Cullerton: "The Gentleman from Sangamon, Representative Curran. One minute to explain your vote."

Curran: "Mr. Speaker, I rise in strong support especially of the provision in this Conference Committee Report which provides stronger penalties for those who commit violent felonies with a firearm. We've been talking in this chamber for weeks now about how bad it is for people to commit crimes and how we need to have gun control in this state. The real solution in this state is what Representative Regan just provided for, and that is to get tough with the criminals who use guns in the wrong way, not to make criminals out of law abiding citizens. This is an excellent Bill. As a matter of fact the reason I wasn't able to testify in favor of the Bill and I'm only testifying now in explanation of my vote, is...cause I signed in as a Co-Sponsor. This is an excellent Bill and I applaud Representative Regan for his efforts."

Speaker Cullerton: "Representative Morrow. One minute to explain your vote."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Even though I have a lot of respect for the Sponsor, the original Bill did deal with suicide, it had nothing to do with aggravated battery. I have filed a slip to remove my name off of House Bill 1883. I will urge all my colleagues on this side of the aisle to vote 'red', because the original intent of this piece of legislation

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has been removed."

Speaker Cullerton: "Mr. Clerk, please take the record. On this question there's 82 voting 'yes', 26 voting 'no', 9 voting 'present'. Representative Wolf."

Wolf: "Mr. Speaker, a question of the Chair?"

Speaker Cullerton: "Yes, Sir."

Wolf: "Since this is July the 1st, shouldn't we be taking an Attendance Roll Call at this point?"

Speaker Cullerton: "Yes. Well, Mr...Representative Wolf, if I could first indicate and finish the action on this Bill, the...Mr. Clerk took the record, there was 82 voting 'yes', 26 voting 'no' and the House does adopt the Second Conference Committee Report to House Bill 1883, and the Bill having received the required Constitutional Majority, is hereby declared passed. Yes, Representative Wolf, in answer to your question. We're going to determine whether or not the House is going to attempt to finish its work tonight or come back in tomor...later on today. We don't know the answer yet, so we'll find out. Representative Giglio in the Chair."

Speaker Giglio: "The Chair would like to inform the Body that we have approximately five Appropriation Bills and perhaps 20 some Bills that we'd like to finish. The Senate is going and we'd like to continue and we would expect to adjourn tonight at approximately 2:00 or 2:30. So, bear with us and hopefully we'll finish our business tonight if everything goes well. At this time we'll take a quorum Roll Call, a Roll Call for Attendance. Mr. Clerk, Roll Call for Attendance. It's a Roll Call for Attendance. Have all voted? At this time there are 117...Mr. Clerk, take the record. At this time there are 117 voting. Representative Capparelli is an excused absence. With that there's 117 answering the Roll Call, a quorum is present."

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On the Supplemental Calendar #7 appears House Bill 2363, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we would adopt the first Conference Committee Report of House Bill 2363. The Bill has two provisions, the first one is a...the first one deals with the issue of a bill of particulars and it puts a time limit on responding to a bill of particulars. The second Section deals with that Section of the law dealing with medical malpractice actions. It's an agreed Amendment with the Medical Society and the Trial Lawyers. What it does is to correct the Section requiring a specialist to be consulted before filing a lawsuit and before filing the appropriate affidavit. It's an agreed Bill, I would move for its passage."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the first Conference Committee Report to House Bill 2363?' All those in favor vote '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? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no', 2 voting 'present' and the House does adopt the first Conference Committee Report to House Bill 2363, and this Bill having received the extraordinary vote, hereby declared passed. House Bill 112 on the Order of Concurrence, page 2 of the Calendar. Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is also an agreed Bill. It deals...When I say it's agreed, it was agreed by representatives of the Cook County Treasurer's Office and the attorneys and tax purchasers from both Cook County and other counties. It

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deals with redemptions from tax sales. A very interesting subject matter at 12:45 in the morning, because it deals with redemption under protest procedures which permits the owners or other persons interested in a property sold for taxes to raise objections to the sale without risking the loss of the title. Specifically, it deletes the restriction of protest and notice matters, it insures that defenses to the tax which were waived by virtue of the taxpayers failure to pursue earlier available remedies, will not be reviewed to interfere with legitimate tax deed petitions. The second part of the Bill deals with the vacatur of erroneous tax sales."

Speaker Giglio: "Excuse me, Representative Cullerton. Representative Hultgren. Hultgren."

Hultgren: "Is this a Concurrence Report or concurring in Senate Amendments?"

Cullerton: "Yes, we're concurring with Senate Amendment #1."

Hultgren: "Thank you."

Cullerton: "These are just technical Amendments to the House Bill that you passed. The second Bill...the second Section in this Bill changes the interest rate on erroneous sale refunds to the lesser of one percent per month or the interest the tax purchaser would have received if the sale were redeemed. These safeguards allow the courts to deal with deliberate purchase of sales in error or extended litigation over whether a sale should be vacated or included. Also a fund is created which would be mandatory in Cook County and optional elsewhere in the state, to allow payment of interest on sale in error refunds for monies ultimately provided by delinquent taxpayers. I hope everybody understands this and I would move for its passage."

Speaker Giglio: "Any discussion? Hearing none, the question is,

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'Shall the House adopt...shall the House concur in Senate Amendment #1 to House Bill 112?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. 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 110 voting 'yes', 1 voting 'no' and 1 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 112, and this Bill having received the extraordinary Constitutional Majority, is hereby declared passed. Representative Cullerton in the Chair."

Speaker Cullerton: "Representative Phelps, Senate Bill 1426."

Phelps: "Thank you, Mr. Speaker and Members of the House. I move to adopt the First Conference Committee Report to Senate Bill 1426. It essentially does three things; one, it requires the Department of Transportation to maintain forested lands instead of grasslands on DOT controlled property adjacent to and between divided lanes of state highways. Number two, it would let the basically exempt vehicles which are loaned to a customer as a temporary substitute transportation from insurance and other regulatory provisions pertaining to rental agencies. Lastly, it has...it allows...provides that DOC that receives four percent of all timber sales to be put into the Forestry Development Council and actually sets up the...promulgates the rules for management of the Illinois Forestry Council. I move for its adoption."

Speaker Cullerton: "The Gentleman's moved for the adoption of the first Conference Committee Report on Senate Bill 1426. On that is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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Speaker Cullerton: "Yup."

Black: "Thank you. Representative, I notice you have a transfer of fish and wildlife money to the Illinois Council on Forestry Development. You know, sometimes we try to resist those kinds of transfers. The Department of Conservation doesn't have any statement in our file. Are they neutral or have they taken a position on this transfer of fish and wildlife funds?"

Phelps: "Representative Black, this is their proposal."

Black: "I wonder why they didn't put in a strong word of support if it was their proposal? I guess it must be too late."

Phelps: "I don't know. Right."

Black: "Let me ask you one other question that the Department of Transportation had a concern with on this forestation. Are you...have you worked something out with them so that where these trees are planted, they don't have to come along then and put miles and miles of guardrail so they won't be held liable if you run off the road and crash into one of your trees?"

Phelps: "I think that would be down the road several years. I...it wasn't part of our discussion, so..."

Black: "Is that 'down the road' a play on words or what? As far as you know they don't have any opposition to this as you've drafted it now?"

Phelps: "I cannot tell you. No. I don't know."

Black: "Okay. I...Mr. Speaker, to the Bill. I...we don't have any indication of where IDOT is on the Bill either, but I'm going to trust the Gentleman to work this out because I think we've talked about it before and nobody stands in opposition of the planting of trees in the median and along our highways. But, there is a question of liability at some point in time when those trees are enough to do damage to your car and life and limb, as to whether IDOT has to

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come along and put guardrail along every mile where they've so - planted. I think the Gentleman could get it worked out and I guess you'll just have to vote your conscience on this Bill."

Speaker Cullerton: "This Bill will require 71 votes for passage. The Gentleman's moved for the adoption of the First Conference Committee Report on Senate Bill 1426. The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill...Senate Bill 1426?' The voting is open. Well, it's almost open. The voting is open. This is final passage. 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', 1 voting 'no', 2 voting 'present' and the House does adopt Conference Committee #...first Conference Committee Report to Senate Bill 1426, and the Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. On the Calendar on page 2... Representative Wait, for what purpose do you rise?"

Wait: "Thank you, Mr. Speaker. I'd like the record to reflect that on Senate Bill 1258 I was called off the floor, and had I been here I would have voted 'no'. Thank you."

Speaker Cullerton: "The recording will so indicate. On the Calendar on page 2 on the Order of Concurrence, appears House Bill 790, Representative Giglio."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, 790 is a Bill for the Sheriff of Cook County. And the Senate Amendment says that the Cook County Sheriff's Merit Board are allowed to deputize the members of the county board and that's all it says. I would ask for a concurrence."

Speaker Cullerton: "The Gentleman has moved for the...for the House to concur with Senate Amendment #1 to House Bill 790. On that, is there any discussion? The Gentleman from

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Vermilion, Representative Black seeks recognition. Anyone else seek recognition? Representative...Representative Didrickson."

Didrickson: "I just move to concur with Representative Giglio's Motion. Hear it's a good Bill and a good 'yes' vote."

Speaker Cullerton: "Representative McNamara."

McNamara: "Yes, just a question. Who are they deputizing?"

Giglio: "The members of the Sheriff's Merit Board."

McNamara: "Oh. Okay, fine. Thank you. I thought you said the county board. Okay. Thank you."

Speaker Cullerton: "Representative Terzich."

Terzich: "Yeah. Representative Giglio, what does that mean, deputize members of the..."

Giglio: "Well, those that are members of the Sheriff's Merit Board, that they will be in line and be deputized just like the people who work for the sheriff. That's all it says."

Terzich: "Would that mean that they would carry guns and arrest people, or..."

Giglio: "No, just the badges."

Terzich: "They would get badges. Does that entitle them to anything else other than a badge?"

Giglio: "Just a badge."

Terzich: "No pension benefits or anything? You know put them in line like a sheriff's police."

Giglio: "No. No the sheriff's police has their own. It's just for the members of the board, Representative."

Terzich: "Why don't you give them a legislative aide badge, maybe that might suffice."

Giglio: "Well, we can probably give that to them too. I'd move for the concurrence."

Speaker Cullerton: "Further discussion? There being none...This Bill will require 71 votes. The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 790?'

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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 107 voting 'yes', 1 voting 'no', 1 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 790. Representative Pullen...and the...Representative Davis. Representative Davis votes 'aye'. Representative Trotter. Alright, I'll tell you what. Mr. Clerk, we'll ask that the Roll Call be dumped and we'll just take another Roll Call. The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 790?' The voting is open. Have all voted who wish? Have all voted who wish? Representative DeLeo. Representative..."

DeLeo: "Mr. Speaker. Mr. Speaker."

Speaker Cullerton: "Yes, Representative DeLeo."

DeLeo: "I was wondering...I know for the past few years every even year we have a new Member's class and I know that you've been active in the new Member's class. I'd like to ask Leadership that I get appointed to the welcoming committee for the new Membership class of 1990. I think there's going to be 118 new Members and I'd like to welcome them to Springfield in 1990."

Speaker Cullerton: "Mr. Clerk, please take the record. On this question there are 108 voting 'yes', 3 voting 'no', 4 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 790, and this Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Pullen, House Bill 1878."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we adopt the first Conference Committee Report with respect to House Bill 1878. The base Bill permits physicians to notify spouses if a patient is

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infected and the physician believes that the patient will not notify the spouse, him or herself. In addition, the Bill provides that the Department of Corrections shall begin July 1st, 1990 to test for HIV incoming inmates. For those that are in prison at that time, to test them at their next regular medical examine and to test them before they are released and notify their spouses if they are infected. If the problem in Illinois is anything like the problem in Maryland, then it appears that some 60 inmates per year could become infected...could be becoming infected as we speak, in Illinois prisons. I don't believe that our prisoners deserve an unajudicated death sentence. And I believe that this Bill is very important to pass. Thank you."

Speaker Cullerton: "The Lady has moved for the adoption of the first Conference Committee Report to House Bill 1878. On that is there any discussion? The Gentleman from Cook, Representative Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have consistently voted against these type of Bills, and I'm calling to...rising to explain why I've had a change of heart and I'm rising in support of. As I think about the prison population, the people who have been released from prison are coming back to my neighborhood. The AIDS population is spreading more and more, particularly in my neighborhood. And I think it's very important for the inmates and their spouses to know who is being released from the prison population back into our neighborhoods, and I rise in support."

Speaker Cullerton: "Any further discussion? The Gentleman from Cook, Representative Levin. Did you seek recognition? No. Okay, then. The question is, 'Shall the House adopt Conference Committee #1 to House Bill 1878?' The voting is

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open. Have all voted who wish? This Bill requires 71 votes for passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 102 voting 'yes', 2 voting 'no', 10 voting 'present' and the House does adopt Conference Committee #1 to House Bill 1878, and the Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. On Supplemental #9. Is Representative McNamara?...on House Bill 514."

McNamara: "Thank you, Mr. Speaker. On our Second Conference Committee Report the original Act provided that an organization other than schools, such as volunteer organizations which devote their time to recreational, social or educational services, may require its volunteers to sign a statement under the penalty of perjury. On the Second Amendment...on the Second Conference Committee which we agreed to, we took out the Section of the Bill that dealt with a...indicated report and we changed that to an actual charge. I urge its approval."

Speaker Cullerton: "Have you concluded your remarks, Representative?"

McNamara: "What? I'm finished unless somebody has some questions."

Speaker Cullerton: "Yes. The Gentleman has moved for the House to adopt the second Conference Committee Report on House Bill 514. On that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee #2 to House Bill 514?' The voting is open. Have all voted who wish? This Bill will require 71 votes for passage. 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 Conference Committee...the second Conference

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Committee Report to House Bill 514, and the Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Keane, House Bill 2485."

Keane: "Thank you, Mr. Speaker. I move the adoption of Conference Committee Report #1 to House Bill 2485. Basically, this is an initiative of the Attorney General. It was agreed to by the Department of Revenue. The Report clarifies and requires corporations that are delinquent in taxes to obtain a tax clearance letter from DOR before their annual corporate papers and fees may be filed and paid. This provision would thus be used where other DOR collection actions have been unsuccessful. I move for the adoption of the Conference Committee Report."

Speaker Cullerton: "The Gentleman has moved for the adoption of the first Conference Committee Report on House Bill 2485. On that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2485?' The voting is open. Have all voted who wish? The Bill requires 60 votes for passage. Mr. Clerk, please take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present' and the House does adopt Conference Committee Report #1 to House Bill 2485, and the Bill having received the required Constitutional Majority, is hereby declared passed. Representative Terzich, 243. Senate Bill 243. Representative Terzich, this Bill will require 71 votes for passage. This is...Senate Bill 243."

Terzich: "Yeah. Senate Bill 243 simply covers that the House will recede from Amendment #1 and now the Bill simply applies for annexation of property within the water reclamation district. And I would move for your support...adoption of Senate...Amendment...First Conference

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Committee Report."

Speaker Cullerton: "The Gentleman has moved for the adoption of Conference Committee Report #1 to Senate Bill 243. On that, is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you, very much, Mr. Speaker. A quick question of the Sponsor."

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

Black: "Thank you. I have a note here, special delivery. It says Conference Committee Report #1 was going to have some language in there for annexation provisions for Palatine and Hoffman Estates. Hoffman Estates, I've heard that word somewhere today. Is that language in there, do you know?"

Terzich: "That's all that's in there."

Black: "That's all that's in there. All of this salary stuff is out, right?"

Terzich: "Well, that's correct. That's already passed."

Black: "Oh, that's already passed. So the...I just got another special delivery message that says you're right. Thank you."

Terzich: "Yeah, it says keep quiet. Right?"

Black: "Right."

Terzich: "Thank you."

Speaker Cullerton: "Any further discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report...the First Conference Committee Report to Senate Bill 243?' The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? This requires 71 votes for passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question...on this question, 86 voting 'yes', 27 voting 'no', 2 voting 'present' and the House does adopt Conference Committee Report #1 to Senate Bill

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243, and the Bill having received the required Constitutional Majority, is hereby declared passed. On Supplemental #10, House Bill 32, Representative Hallock. If not Representative Hallock, Representative Hannig. Representative Hannig, this is Representative Hallock...is the principal Sponsor, you're the hyphenated Cosponsor of House Bill 32. No takers. Representative Hallock has returned. House Bill 32."

Hallock: "Thank you, Mr. Speaker, Members of the House. House Bill 32 began in this chamber by being a Bill on merit scholarship. It's been changed completely since that point in time and now does several things. The Conference Committee put in several provisions, including a provision that said that no high school facility may be deactivated for more than five years. That provision is repealed. It says that when a new unit district is created from the territory of two or more community unit districts the teacher continued service in the involved districts shall retain their seniority, and many other provisions. I would ask for your support for this Conference Committee Report."

Speaker Cullerton: "Representative Hallock, we're checking to see whether or not the Conference Committee Report has been printed. Yes, it has. The Gentleman has moved for the adoption of the first Conference Committee Report on House Bill 32. On that is there any discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield for a question, Mr. Speaker?"

Speaker Cullerton: "He indicates he will."

Klemm: "Representative Hallock, I noticed there's some changes in the tax rates on some of these consolidated schools, transportation and items such as that. Could you briefly, quickly tell us what it's about? Is there a referendum on this or what's the reason for it?"

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Hallock: "One Section in the Bill says that they are allowed a levy of .20 rather than .12 for transportation purposes during the year of the 2 percent or greater increase of enrollments."

Klemm: "So, this would be..."

Hallock: "A back door referendum."

Klemm: "Alright, thank you, very much."

Speaker Cullerton: "Any further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Well, I understand you want to pass this Bill, but I want to get my name off of it, if you don't mind. So, I'm sure it's a good piece of legislation, but it's late and I'm getting my name off because I've sponsored enough good legislation for one year. And I just wanted to take time to put that in the record. Is that okay?"

Hallock: "Well, I hate to lose you but we'll take you off the Bill."

Stephens: "Okay. God bless you."

Speaker Cullerton: "Representative Stephens, if you wish to remove your name as a hyphenated Cosponsor, you'll have to come down to the well... Representative Stephens, you'll have to come down to the well to fill out the appropriate form if you wish to have your name removed."

Stephens: "I think I did that, telepathically, or something. Mr. Clerk, do you have that? Okay."

Speaker Cullerton: "Are there any further discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 32?' The voting is open. And this is final passage. This Bill requires 71 votes for passage. 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 77 voting 'yes', 32 voting 'no', 4 voting 'present' and the

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House does adopt Conference Committee Report #1 to House Bill 32, and the Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative McCracken has an announcement."

McCracken: "Is everyone listening? The Governor's having his farewell party tonight. So, whenever you get done, head over to the Mansion for some late night libations. Very good."

Speaker Cullerton: "Representative, can the state afford this party? Representative Wojcik."

Wojcik: "I want you to know it's champaign and caviar, because that's the life style we're going to have from now on."

Speaker Cullerton: "Representative Dunn."

Dunn: "I'd just like to point out to the Members. I presume the man with the telephoto lens up here in the Speaker's Gallery is the staff photographer, but if he's not it's 1:00 o'clock in the morning, you might want to watch who he takes pictures of. It's the last thing that we need at 1:00 o'clock in the morning."

Speaker Cullerton: "Representative Curran."

Curran: "Tom, does this mean that the Governor's finally going to spend a night in Springfield?"

Speaker Cullerton: "Representative Mautino, did you wish to call either House Bill 2520 or 2798?"

Mautino: "2520 is already gone, Mr. Speaker."

Speaker Cullerton: "Okay. And 2798?"

Mautino: "Sure, I'll be happy to call it."

Speaker Cullerton: "This would be on Supplemental #10. House Bill 2798, Representative Mautino."

Mautino: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. When we passed Senate Bill 901 that addressed the question of shelf charters in the banking industry, we agreed at that time that an agreed

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Amendment by the Commissioner of Banks would be applied to another proposal. That proposal is the First Conference Committee on House Bill 2798. What this Conference Committee adopted adds to what was Senate Bill 901, but provides for different relocation restrictions for shelf chartered banks. If a bank is to be moved less than 3500 yards from its current location, the bank cannot be located closer than 200 yards from the existing state bank; or if a bank is to be moved more than 3500 yards from its current location, it may now relocate within one mile of any existing state bank. These restrictions will apply for five years after the application for a change in control is approved. This is an agreed Amendment and it was submitted by the Commissioner of Banks, signed off by both banking associations, community bankers and the indepen...and the Illinois Banker's Association. I move for passage of Conference Report #1 to House Bill 2798."

Speaker Cullerton: "The Gentleman has moved that the House adopt the First Conference Committee Report on House Bill 2798. On that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Mautino, there was controversy about the shelf banking or the shelf charter issues?"

Mautino: "Yes."

McCracken: "The banking association was against it. Does this have anything to do with that?"

Mautino: "This was the agreed Amendment by Commissioner Harris when we addressed Senate Bill 901. There was a difference of opinions on the shelf charter provisions. This Conference Committee Report was the one that has been agreed to by both banking associations and the Commissioner. This addresses the distance for...that must

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be involved with the shelf charters."

McCracken: "Alright, thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Cullerton: "He indicates he will."

Black: "Representative, I've had a couple of phone calls today on this Bill from people that are involved in credit unions, and they wanted me to ask you if there was anything in here about mandatory sharing of automatic teller machines and automatic teller machine systems?"

Mautino: "No, there is not. There's nothing in it. It addresses only the shelf charters and the holding company provisions and the distance of facilities. It does not address the..."

Black: "Okay."

Mautino: "...electronic funds transfers or the use of the electronic funds mechanisms in financial institutions."

Black: "Thank you."

Speaker Cullerton: "The Gentleman from Cook, Representative McNamara."

McNamara: "Yes, just one question. Does this have anything to do with increasing any of the branch banking facilities? Does it have anything to do with increasing a branch banking facility's..."

Mautino: "None whatsoever. This addresses the shelf charters, that's all."

McNamara: "Thank you."

Speaker Cullerton: "Yes. Representative Mautino, the good news is this Bill only requires 60 votes, the bad news is it won't take effect till a year from today. Any further discussion? Representative Mautino to close."

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Mautino: "Yes. I've been informed there's no effective date on it, but I'm submitting the Conference Committee Report at the request of Commissioner Harris just as it is, and I assume that that's what he wants done because of those two court cases involved in 901."

Speaker Cullerton: "Representative Mautino, I wish to check with the Parliamentarian so...before we can determine exactly how many..."

Mautino: "Would you please take it out of the record, because I understand there should have been an effective date in it. Would you take it out for a second?"

Speaker Cullerton: "Well, it may be that it has an earlier effective date than I indicated, so I will take it out of the record for now and we'll double check that. Representative Phelps, Senate Bill 1079."

Phelps: "Thank you, Mr. Speaker and Members of the House. I move to adopt the First Committee...Conference Committee Report to House Bill...Senate Bill 1079. What this does, it incorporates language from Senate Bill 680 which addresses the issue of school reorganization and using as an incentive a positive way of offering state assistance. It provides a supplemental study formula, reimbursement I should say of 8000per certified teacher. It's the same thing that Representative Hannig proposed in Senate Bill 680. I move to adopt."

Speaker Cullerton: "The Gentleman moves that the House adopt the First Conference Committee Report on Senate Bill 1079. On that question is there any discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield to a couple of questions?"

Speaker Cullerton: "He indicates he'll yield for a couple of questions."

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Cowlshaw: "What was the fate of 680 as this Session moved along?

Why couldn't it get by on its own."

Phelps: "I didn't hear all your question, Representative."

Cowlshaw: "What happened to 680 that it has to end up being incorporated in a Conference Committee Report? Wasn't that Representative Hannig's Bill?"

Phelps: "Yes, it was 680. I'm not sure, but they found that this...Senate Bill 1079 was essentially originally the six hour proficiency test and it was reduced to five hours, and it was incorporated into another Bill and they used this to come back."

Cowlshaw: "Yeah, I understand that. Alright. I had a lot of very serious questions about the validity..."

Phelps: "I remember that."

Cowlshaw: "...of House Bill 680 in the first place, and partly because that was never debated on this House floor, we have never examined the validity of some of the basic philosophies involved in what was in 680, which is now incorporated into this Conference Committee Report. The other objection that I have to this Report, is that it says that each...that on page 1, it says each school district shall annually include on the report card required by each school district, the total amount of time spent per pupil on the state student assessment testing and the total amount of time spent per pupil on the local student assessment testing. Now it never defines what is local student assessment testing. Every time you have a quiz in a classroom, is that student assessment? Of course it is. And every time a teacher gives a quiz does she have to keep adding up the number of minutes that have been spent through the whole school year giving quizzes as well as final exams in order to meet the obligations of the law? I think this is a terrible Conference Committee Report and it

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ought to be defeated."

Speaker Cullerton: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. Just briefly to speak to the provisions that formerly were Senate Bill 680 which was approved in Committee, came out of the...came on to the House floor but was never on a special order of call, and so consequently now has gone back to the Interim Study Committee for further consideration. That Bill provided and this Bill...this Conference Committee would provide and deal with the area of consolidation. It has something, a little bit, for both sides you might say. What it has is a provision that says that when a new school district is formed, the new school district will receive \$8,000 for...per certified full-time employee for the first three years. Now if that had been the case for the last three years, we estimate that would cost about \$1,000,000 a year to the state. So, it's not a real budget breaking kind of proposal, but what it really does do is for those people who believe that consolidation is the way to go to try to give smaller schools an incentive to combine with other smaller schools. It's sort of like the 'carrot' concept, only in this case it's maybe a 'super carrot' concept. For those who are opposed to consolidations, but nevertheless find small schools that have no other choices, it's kind of a soft landing for those schools. It gives them the opportunity by choice to combine with other schools and they do then find themselves with some additional funding that they would not already have, and in that respect I think helps the smaller schools. I would indicate that this is not a...in any way a Bill that would require or mandate in any way that schools consolidate, it would simply say that this money

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would be available if they so chose. So, I think that these provisions of that Bill which we discussed in Committee quite extensively, are good provisions. It had passed the Senate previously. I wish that I could have gotten it called, but like Representative Hoffman who today brought a Bill back and passed it out of here that hadn't previously been called, the provisions of this Bill are back in this Conference Committee. And I appreciate Representative Phelps giving me a chance to proceed with this and I would be happy to answer any questions on this part of the Bill, and I would ask for your support."

Speaker Cullerton: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you, very much, Mr. Speaker. I think the Gentleman did a very adequate job of explaining some very important consolidation incentives that are in this Bill. I would think that any concern over the report card and assessment testing can be worked out by 'ISBE' through the rulemaking process, but I think most people need to take a look at the consolidation incentives. I certainly intend to vote for the Bill."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Would the Gentleman yield, please?"

Speaker Cullerton: "He indicates he will."

Piel: "Representative Phelps, for the point of clarification and the way that the Committee Report is written, I'm not worried about the state student assessment testing, but on the local angle. I think it's on the bottom of the front page where it talks about local students assessment testing. I think I'm referring to the proper terminology on that. Is the...okay, it says the...how much time is

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spent per pupil on the state student assessment testing and total amount of time spent on the per pupil...on the local student assessment testing. Now I can understand what Representative Cowlshaw's concern was, is that in the local student assessment area, that they would be classifying quizzes and tests that were given in the classroom and not by the local school district. Would you explain what your intent is in this Conference Committee Report as far as that one specific area, please?"

Phelps: "There are many complaints from parents and school administrators and teachers regarding state required student assessment tests, and they get that confused with some of the local formalized tests. We're not talking about the everyday quiz, that's not the intent. So, the grade card will decipher between the two and clarify and I think it will show parents and people that the state's testing is not as severe as they thought. That's the intent."

Piel: "Thank you, very much."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1079?' This Bill requires 71 votes for passage. The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1079?' 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 97 voting 'aye', 16 voting 'no', none voting 'present' and the House does adopt Conference Committee Report #1 to Senate Bill 1079, and this Bill having received the required Constitutional Majority, is hereby declared passed. On Supplemental #11, Representative Homer on Senate Bill 1391. Representative Homer."

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Homer: "Thank you, Mr. Speaker. This is...the...not the first, but the second corrected version of the First Conference Committee Report."

Speaker Cullerton: "Any further discussion?"

Homer: "I think we all know what it does. No...it...I'll explain it a little bit, here. It has to do with some juvenile detention standards that we passed a year ago that go into effect this morning and are now in effect. This Bill would say that...that for the next 10 months there are some exceptions, but it provides that if there isn't a letter, it erases the exceptions. I think that's clear and I move to adopt."

Speaker Cullerton: "The Gentleman has moved that the House adopt the second corrected version of the First Conference Committee Report to Senate Bill 1391. This Bill will require 71 votes for passage. Is there any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, thank you, Mr. Speaker. We've had difficulty in this Session, and I've opposed any...any Resolution that would take us out of the federal funding, but we have in the last hours of this Session here, reached a compromise and the language in this proposal would delay the effective date, but provide an exception so that we would not lose the federal funding. And I hope that the language is sufficient, but it's a reluctant compromise but I join in the Sponsor of the Bill in asking your support."

Speaker Cullerton: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Well, Mr. Speaker, I don't need to amplify that. I...I know we've been here too long when Mr. Countryman and I agree on this important piece of legislation. Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Sutker."

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Sutker: "Mr. Speaker and Ladies and Gentlemen of the House, as you can see this particular Conference Committee Report has had a checkered past, and I refused to sign it. But I did sign...Wait a minute, now. But I did sign the last version and I think I owe the House an explanation. I signed the last version because it provides that in the event federal funding is jeopardized because of the relaxation of strict adherence to the...to the Public Act 85-1443, that our action would be immediately repealed or sunseted so that the protections I think are necessary, that Representative Countryman referred to, are intact. And, I would like to urge the Members of the House to give an opportunity to our legal authorities to provide for confinement of juveniles only in very serious cases which are enumerated for the six hour period. And therefore, I will be voting 'yes' on this Second...First Conference Committee Report, Second Edition."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Young. Anthony Young."

Young: "Yes, Mr. Speaker, and I know it's early in the morning and all the previous Speakers have agreed on this, but this is a proposition we have not passed during the entire Session. It's the wee hours of the morning. We've defeated most of the things in this Bill except for the original Bill. It wasn't a good idea during the rest of this Session. I don't think it's a good idea now. The things in here that may be worthwhile can wait. Let's not pass this Bill while most of us don't even know what we're doing any more."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Keane."

Keane: "Yeah, would the Sponsor yield?"

Speaker Cullerton: "Representative Homer?"

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Keane: "I've been told that...and I'd like the clarification, I've been told that if either we pass or don't pass this Bill, the six hour rule with the rule that you could only hold a minor for six hours could result in murderers or people who were accused of some violent crimes being let go at six, you know, within the six hour rule. Could you tell me whether this Bill would keep them in jail or would release them after six hours?"

Homer: "The direct answer to your question is this Bill would keep them in jail beyond the six hours."

Keane: "So, if we had...if we had someone who committed...a juvenile who committed a very heinous crime, he would not come under the six hour rule?"

Homer: "Yes, if he...if he committed homicide, aggravated criminal sexual assault, kidnapping, armed robbery or enumerated cases, he would be...he could be kept beyond the 6 hours, according to this Bill."

Keane: "Now, what happens if we don't pass this Bill?"

Homer: "If we do not?"

Keane: "Yes. Would we release these people under the six hour rule?"

Homer: "Right. Let me say, you know, we've had some...we've had some good humor with this, but it's a very serious matter and the Cook County State's Attorney's Office has been working diligently for quite a few days to try to...to address this problem. Because of a federal mandate in legislation we passed a year ago, the law as of today, July 1, 1989, is that...that counties can no longer detain juveniles, regardless of the crime, for more than six hours except in a juvenile detention facility. The problem is that in the serious felony cases, murder and the like, that it is absurd to believe that law enforcement can conclude its investigation within that six hour time limitation. As

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a result, juveniles in some cases will be charged because of a lack of evidence so as to retain that juvenile in custody, even when the investigation has not yet been completed. So, that is not in anyone's interest. The reason that some opposed what we're doing here is because they are concerned that we'll be jeopardizing a \$2,000,000 a year grant that the Federal Government now gives to our Juvenile Justice Commission. This Bill was carefully drawn up by the Cook County State's Attorney to try to both alleviate the problem and yet prohibit or protect against losing the \$2,000,000. And, this corrected Conference Committee Report has a specific safeguard in it that says that if as a result of the passage of this legislation we received notice from the Federal Government that we are thereby in violation of the federal law, and therefore, in danger of losing our \$2,000,000 grant that this Section becomes repealed. So, it's a reasonable attempt. I think the State's Attorney's Office has gone the extra mile and I can't see how this could have anybody's opposition at this point. If there is any danger to the federal funding, then by virtue of the language of this Bill, the Section is repealed. So, it's a good compromise, should satisfy everyone, and I would hope we would pass it with the required 71 votes."

Speaker Cullerton: "Representative Keane."

Keane: "To the Bill. Thank you very much. I know the hour is late and...but I think this is a very important Bill. If we don't pass this Bill, it's a strange thing. If we don't pass this Bill we will release juvenile murderers or juveniles who commit very, very difficult crimes. We will...they will be set free in a six hour period. So, in order to keep those people in jail so that a criminal investigation can be made and proper charges be determined,

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we must vote for this Bill. Otherwise, these juveniles will be turned loose and probably never caught again. Therefore, it's essential that we vote for the Bill."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall the House adopt the second corrected version of the First Conference Committee Report of Senate Bill 1391?' The voting is open. The voting is open. This is final action. Have all voted who wish? Representative Sutker. I think you spoke in debate, Sir. Do you wish to explain your vote?"

Sutker: "Yes, I...I would like to comment that this is only an extension of a short period of time to May 1, 1990, and then of course the Bill which was...which went into effect July 1, 1989, would be reinstated. This is a temporary attempt to provide an added tool to our law enforcement officers and at the same time to retain the funding which is so necessary in the juvenile justice program. And so, I urge an 'aye' vote."

Speaker Cullerton: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 voting 'yes', 30 voting 'no' and 8 voting present and the House does adopt the Second corrected version of the first Conference Committee Report to Senate Bill 1391, and the Bill having received the required extraordinary Constitutional Majority, is hereby declared passed. House Bill...Representative Mautino. Is Representative Mautino in the chamber? Okay. Representative Novak. On Supplemental #8, House Bill 779."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move for the adoption of the second Conference Committee Report to House Bill 779. There were a few things added to it, so if I could just take one or two minutes of your time to go over it. The original version

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of the law was extending the...or making the punishment for reckless homicide a Class 3 felony...is committed when a person recklessly operates a motor vehicle thereby causing another's death, operating the vehicle while DUI is prima facie evidence of recklessness. The Bill increases this from a Class 3 to a Class 2 felony for the penalty for reckless homicide if the defendant was DUI at the time of the offense. This is not a mandated sentence. Another part of the Bill that was added, the report adds residential burglary to the list of predicate offenses which if committed simultaneously with a murder would subject a person to the death penalty. This is a response to the Springfield murder case that was recently overturned by the Illinois Supreme Court. In addition, the Bill also adds a new crime as committed for computer tampering and computer viruses. It's a Class 4 felony and it was a part of...it was House Bill 498, that was never called in the Senate. It passed out of here very easily. The new crime is committed when another person either inserts a program commands which causes damages or disrupts a computer of the loss of its data. Lastly, there is a provision which was in Senate Bill 668. If the offense of unlawful use of weapons can be committed in a variety of ways. We know what most of those ways are, but this Bill adds a 13th paragraph to the unlawful use of weapons, making it a Class 4 felony to discharge a firearm from a vehicle. And one more item. The report also mandates an extended term sentence for a person convicted of aggravated criminal sexual assault when the victim was under 13 years old and the offense was accompanied by use of force or violence. The effect of the sentence is between 30 and 60 years. I move for its adoption."

Speaker Cullerton: "Alright, this Bill will require 60 votes for

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passage and if it does pass it will take effect July 1st of 1990, which is a year from now. On the question is there any discussion? The Gentleman from Macon, Representative Tate."

Tate: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 779 in this Conference Committee Report contains a provision which will make it a Class 4 felony to shoot a firearm from a vehicle. Now everybody from downstate Illinois that has ever known a hunter of any kind and unfortunately occasionally people go out and violate the current law and do what we call road hunting. Now road hunting is illegal, but road hunting in the State of Illinois is a misdemeanor. Now the guy that goes out and gets in his pickup truck with his son in the back of a pickup truck with a shotgun and gets out his shotgun and shoots at a pheasant, in this Bill is a Class 4 felon. And I'm not sure we want to make road hunting in the State of Illinois a Class 4 felon, I think that's probably a little bit too stiff. I think all of us would want to reconsider that and I'm not encouraging what is already an illegal act in this state, but at the same time, I think that's kind of a pretty harsh punishment for something that unfortunately happens a little too frequently in this state."

Speaker Cullerton: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Novak, you really don't mean, do you, to make it a greater offense to shoot...to shoot a firearm at a...at a pheasant out the window. It's not a very good idea, but to do that you don't really mean to make it a greater offense to do that than to drive a car drunk and cause an accident with a blood alcohol count of .45, but that's what this Bill does. I don't really...I think...I hope you don't intend to do that. When we as

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Representative Tate says downstate, realize and I assume you do too Representative Novak, that discharging a firearm from a vehicle is not something we want to encourage. And, I guess there is some penalties for it, but to make it a felony, put somebody in the penitentiary for a substantial period of time, make them a lifetime felon for shooting at a pheasant out a car window when you're driving along the country road or a rabbit, that's a little bit ridiculous, particularly when you contrast that with some of the offenses that are misdemeanors, that are a lot more serious social conduct than that is. This Bill has a lot of other weaknesses to it. I could pick out and dwell on any one of those, but for us to suggest that we're gonna make pretty, I don't want to say routinely accepted but fairly routine conduct in the country a felony, really is...is just absurd. I don't want to turn everything into a gun control issue, but I think anyone who realizes the realities of living in downstate Illinois and particularly in less populated rural counties, and maybe I think your counties probably maybe a little more populated than some as you get farther south, wouldn't want to pass this Bill, because it really doesn't make sense, and you're going to allow some various prosecutors to put people in the penitentiary for a substantial period of time...time for, but they sure shouldn't be considered a felon for doing it. With all due respect to the Sponsor who is a good man, well intended, this is not a good Bill, and we ought to exercise our ability here near the end of this Session to defeat this Bill. And I would ask for a verification if it receives the requisite number of votes."

Speaker Cullerton: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, thank you, Mr. Speaker. All the other

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speakers have indicated reasons why this Bill shouldn't be adopted, and I've got one more. This creates in the extended term provision, which we've always had as a permissive based upon aggravating factors, this creates a mandatory extended term in certain cases. I believe that that violates the constitutional safeguards and the purpose of the extended term. And for that reason, I suggest to you that this proposal was not even brought before the Judiciary II Committee, but appears to my knowledge for the first time in this Conference Committee Report, and I think the Conference Committee Report should be defeated for that reason."

Speaker Cullerton: "The Gentleman from Cook, Representative Santiago."

Santiago: "Mr. Speaker, Members of the General Assembly, I think that the... and I know, so the intent of this legislation is directed towards preventing gangs from using guns while driving vehicles. It is not the intention of the...the legislation to prevent anyone from shooting pheasants or hunting. This same Bill passed the Senate by a margin of 56 to nothing. This is not a gun control legislation. This is a gang prevention legislation. We're not out here to prevent you from using guns. And if you use your gun illegally, you should be thrown in jail. I...why should we let anyone use a gun illegally? But the whole intention of the Bill is to prevent the drive-by by gangs within the city limits."

Speaker Cullerton: "Further discussion? Representative Novak to close."

Novak: "Thank you, Mr. Speaker. Representative Johnson, you hit on a good point. You talk about some people might get in a pickup truck or a car and go in a rural area and go shooting a rabbit or a pheasant, but that's poaching.

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That's illegal. That's not supposed to be done anyway. I mean what person in his right mind is going to get in a pickup truck or a car and go around shooting animals? Aren't they capable enough of walking around and doing it? I mean, we're looking at...we're looking at prosecutors if they find a situation like this, they're going to take this into consideration. We're trying to stop these crazy gangs in the urban areas that are going around spray firing kids in the neighborhood and killing them. That's the intent of this legislation. And that's the only intent. Though one other thing I'd like to add is that the...on the mandated criminal term of a minimum of 30 years to 60 years, what person in his right mind wouldn't sentence some...sentence some deviate for criminal sexual assault for a victim under 13 years of age? They should lock that person up for life. I ask for your support."

Speaker Cullerton: "The Gentleman has moved for the House to adopt the Second Conference Committee Report on House Bill 779. The question is, 'Shall the House adopt the Conference Committee Report #2 to House Bill 779?' The voting is open. Representative Stephens to explain his vote."

Stephens: "Well, thank you, Mr. Speaker. Representative Tate talked about downstaters doing road hunting out of the pickup truck. I overheard a couple of DuPage County Representatives talking, and the way they do it up there, they use RVs and they throw open the doors in the back and they rush out and chase those rabbits down. It must be quite a scene in the more wealthy areas in our state."

Speaker Cullerton: "Have all voted who wish? Representative Granberg to explain his vote."

Granberg: "Thank you, Mr. Speaker, Members of the House. Ladies and Gentlemen, be aware of what you're voting against in

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this Bill. You're saying that people who commit aggravated criminal sexual assault against a child under the age of 13 years old should not give...be given an extended term sentence. Should not be given, that's what you're voting for. What kind of people are we not to do that? For an adult to be charged with criminal sexual assault against a child should not be given an extended term sentence, that's what you're voting against with this Bill right now. It's been declared constitutional by the U.S. Supreme Court. We think it's constitutional. It was taken up with a case in Louisiana. But remember, that's what you're voting against. If you don't want someone who's been charged with aggravated criminal sexual assault against a child of 13 years of age or under, you'll vote 'no' against this Bill."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 46 voting 'yes', 46 voting 'no' and 19 voting 'present'. And the House fails to adopt the Conference Committee Report...the Second Conference Committee Report to House Bill 2520 (sic - 779). And the Bill, having failed to receive the required Constitutional Majority, is hereby declared lost. Representative Mautino on House Bill 2798 on Supplemental Calendar #10."

Mautino: "Thank you, Mr. Speaker. The inquiries that were presented on 2798 Conference Committee had to do with the implementation date of the legislation, which is...which was an agreed Conference Committee Report. In this case the enactment of this legislation is on page 13 instead of the last page, and it is that 'This Act takes effect upon becoming law.' So it clarifies that aspect of the proposal and the Conference Committee only addresses the rulings that were presented by Commissioner Harris on the shelf charter provisions, and I move for its passage."

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Speaker Cullerton: "The Gentleman's moved for the House to adopt the Second Conference Committee Report to House Bill 25...2798. The record should indicate that the Bill does have a...an effective date and will require 71 votes for passage. Is there any discussion? There being none, the question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 27...I'm sorry, the First Conference Committee Report to House Bill 2798?' The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', 1 voting 'no', 3 voting 'present' and the House does adopt the First Conference Committee Report to House Bill 2798 and the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Curran. Representative Curran, this is on Supplemental #6, Senate Bill 1046."

Clerk O'Brien: "Supplemental Calendar #12 is being distributed."

Speaker Cullerton: "Representative Keane on Supplemental #12, which is being passed out right now, appears Senate Bill 286. It's an Appropriation Bill to the Illinois Community College Board."

Keane: "Thank you, Mr. Speaker. This is 286. Mr. Speaker, could I ask you a question? Are we moving for non-concurrence of...on...No."

Speaker Cullerton: "It would either be to recede or..."

Keane: "Why do we have non-concurrence on the board? Is there...I thought that might have been a message."

Speaker Cullerton: "Representative, I believe that your Motion is to recede from House Amendments #5, 6 and 7, which would be final action."

Keane: "Oh. Thank you very much. I move to recede from 5, 6 and 7."

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Speaker Cullerton: "The Gentleman moves to recede from House Amendments #5, 6 and 7 on Senate Bill 286. Is there any discussion? There being... Representative Breslin."

Breslin: "Could the Gentleman tell us what the Bill does?"

Speaker Cullerton: "Representative Keane, the question is which Appropriation Bill is this?"

Keane: "It's my understanding that this is the Illinois Community College Board. Yes. I'm told it is."

Speaker Cullerton: "Yes. Any further discussion? There being none, the question is, 'Shall the House recede from House Amendments #5, 6 and 7 to Senate Bill 286?' The voting is open. This is final action. 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 112 voting 'yes', none voting 'no', 1 voting 'present'. The House does recede from House Amendments 5, 6 and 7 to Senate Bill 286 and this Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Homer on House Bill 168. Representative Homer, let's take this out of the record for one second. House Bill 846, Representative Mays. Representative Ryder is the hyphenated Co-Sponsor of House Bill 846."

Ryder: "Thank you, Mr. Speaker. This is the Conference Committee Report on the Department of CMS, House Bill 846. I would move to adopt the Second Conference Committee Report."

Speaker Cullerton: "The Gentleman moves to adopt the Second Conference Committee Report on House Bill 846. On that, is there any discussion? Being none, the question is, 'Shall the House adopt the Conference Committee...Second Conference Committee Report to House Bill 846?' Excuse me, Representative Hultgren."

Hultgren: "Question of the Sponsor. Will he yield?"

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Speaker Cullerton: "Representative Ryder."

Ryder: "Yes, I will."

Hultgren: "In an earlier version, I believe there was provision for payment of a purchase price for a number of office buildings, which the state was on a lease/purchase arrangement with. It would appear to me that in the Second Conference Committee Report, there's no budgeted amount for the purchase but only for the continuing lease payments. Am I reading that correctly?"

Ryder: "Representative, it's my understanding that that money is for the purchase of those buildings. The reason that there is not a price indicated on the buildings as you may examine it is that the Senate requested that two certified appraisals, and I think it's MAI, would be required in order to establish the appropriate purchase price. The certificates of participation, which is to say the purchase thereof, is still part of this Bill."

Hultgren: "Thank you."

Speaker Cullerton: "The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 846?' All in favor vote 'aye', all opposed vote 'no'. 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 95 voting 'aye', 15 voting 'no', 4 voting 'present', and this Bill having received the required...The House does adopt Conference Committee Report #2 to House Bill 846. And the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. House Bill 850, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. House Bill 850 is the Department of Commerce and Community Affairs' Budget. There are numerous add ons to this budget as presented in the Conference Committee Report, the First Conference Committee

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Report. Really there are many, too numerous to mention. It does...I would be happy to answer any questions if I can."

Speaker Cullerton: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 850. On that, is there any discussion? The Gentleman from Cook, Representative Young, Anthony Young."

Young, A.: "Thank you, Mr. Speaker. I have a question for the Sponsor. My question regards the 25,000,000 that's in the Bill for the University of Illinois Hospital, and I wonder how the defeat of the merger affects that 25,000,000?"

Ryder: "Representative, it's my understanding that that...25,000,000 for the University of Illinois Hospital is, indeed, in the Bill. And that the purpose of that is just the opposite of the intention you indicated. It's my understanding that that is needed to continue the operation of the hospital should the merger fail. I'm not familiar with this...I'm not familiar with the status of the negotiations. It's my under...recollection that they failed earlier this evening."

Young, A.: "Well, just one thing, when I...I did ask a question but, I didn't indicate a purpose for the money, because I didn't really know what the money was for. But I guess my next question would be is that, this money will not benefit the University - Michael Reese affiliation in any manner, will it, Representative?"

Ryder: "I'm sorry. Did you ask if that would harm that affiliation?"

Young, A.: "No, I asked if it would benefit the University - Michael Reese affiliation?"

Ryder: "Not to my knowledge, Representative."

Young, A.: "Okay. Well, I guess, just my last question then is, if it's not involved with the Michael Reese affiliation and

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the Cook County affiliation doesn't affect it, what is the money for?"

Ryder: "I've been informed that the money is to take care of the shortfall of...that habitually occurs with the University of Illinois Hospital for their ordinary and contingent expenses, because their expenses exceed the revenues. That's what...that is what I have been informed."

Young, A.: "Okay. So, if I'm getting the correct understanding then this 25,000,000 will keep the hospital operating?"

Ryder: "I am informed that the answer is yes."

Young, A.: "And keep it operating as the University of Illinois Hospital until something else is done?"

Ryder: "I'm informed the answer is yes."

Young, A.: "Okay, I support it."

Speaker Cullerton: "Any further discussion? Representative Turner."

Turner: "Thank you, Mr. Speaker. I'd like to make a request or at least get some clarification on Section 45 (a) in this Bill. It provides for \$13,000,000 for the Affordable Housing Trust Fund. The language reads that that 35,000,000...that that \$13,000,000 is to go to the Illinois Housing Develop...Thank you, Mr. Speaker. I'm glad that that \$13,000,000 for the Trust Fund is in this Amendment, and I ask and encourage everybody to support House Bill 850."

Speaker Cullerton: "Representative Martinez."

Martinez: "Thank you, Mr. Speaker. Can I...Will the Gentleman answer a question?"

Speaker Cullerton: "He indicates he will."

Martinez: "He, in fact, answered before, but I want it for the record. The hospital in question is in my district, and I have a keen interest in this matter. Regarding the \$25,000,000, I think you stated that it will go...it will

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be for continuing services at the hospital, is that right? And it won't be for closing down that hospital? I would like to..."

Ryder: "No, Representative. In fact, since the last question by Representative Young, I've been handed a copy of a letter addressed to the Honorable Philip J. Rock from Stanley Ikenberry, President. Let me read to you one sentence in that which indicates and I quote, 'I am therefore requesting as a contingency, your support in appropriating 25,000,000 for FY90 to enable continued operation of the University of Illinois Hospital.' Absent this, in absent of significantly improves...improved level of reimbursement from the Department of Public Aid, we project a potential operating deficit at the University of Illinois Hospital during the coming year in the range of 35 to 37,000,000."

Martinez: "This figure will not go towards the previously proposed merger of the hospital with Michael Reese?"

Ryder: "Representative, I am told that this is for the ordinary and operating funds of the hospital to meet their payroll, to meet their commodities."

Martinez: "Very good. Thank you."

Speaker Cullerton: "Further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Didrickson. Thank you, Mr. Speaker. I move the previous question."

Speaker Cullerton: "You don't have to. It's the last person seeking recognition. The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 850?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Representative Bowman to explain his vote."

Bowman: "Just to announce that I have a potential conflict of interest in this, but there are a number of other items

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besides the University of Illinois on which I am voting on this."

Speaker Cullerton: "Have all voted who wish? Representative Jones to explain her vote."

Jones: "Yes, Mr. Speaker and Members of the House. I just would like to ask Mr. Daniels (sic - Ryder), since this is money that's going to the University of Illinois Hospital, this 25,000,000, could you tell me that the equipment that they moved over to Michael Reese, would all the equipment be moved back to the University of Illinois Hospital?"

Ryder: "To explain my vote."

Jones: "Mr. Speaker."

Speaker Cullerton: "Yes."

Jones: "I didn't get a answer from my..."

Speaker Cullerton: "He's in the process of looking through his documents. His handlers have surrounded him, and they are about to give him the answer, and he will relate it over the microphone."

Jones: "Thank you."

Speaker Cullerton: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. My handlers have indicated that we're unable to answer that question at this time. We are told that the 25,000,000 is for ordinary and contingent operating expenses."

Speaker Cullerton: "Mr. Clerk..."

Jones: "Okay. Mr. Speaker..."

Speaker Cullerton: "Explaining your vote."

Jones: "Mr. Speaker, I would like to explain my vote. Since they are not going to merge, I would like for it to go on record that the equipment that they've moved from the University of Illinois Hospital be moved back to the University Hospital from Michael Reese. Okay. Is there someone that's standing around here...Is that the staff of

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University of Illinois? Oh, is nobody here from University of Illinois that can answer that..?"

Speaker Cullerton: "We're...we're doing explanation of vote and your request is on the record."

Jones: "Thank you."

Speaker Cullerton: "Mr. Clerk, please take the record. On this question there are 84 voting 'yes', 24 voting 'no', 7 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 850. Representative Steczo. And this Bill, having received the extraordinary...the required extraordinary Constitutional Majority, is hereby declared passed. Representative Steczo on Senate...House Bill 1287."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move for the adoption of the Second Conference Committee Report on House Bill 1287. The Second Conference Committee Report retains the original purpose of the Bill. It also provides for a levy for DuPage County for the purposes of acquiring land and building buildings for the DuPage County Home. It authorizes an increase in the cap for the Rockford Park District general levy with a front door referendum. It authorizes the Rockford Park District to levy up to .03 by backdoor referendum for real estate acquisition and also provides for the Chicago Park District to issue bonds with the...not to exceed .25 EAV for required environmental quality work. I would answer any questions that the Members might have but would move for the adoption of the Second Conference Committee Report on House Bill 1287."

Speaker Cullerton: "The Gentleman has moved for the adoption of the Second Conference Committee Report on House Bill 1287. On that, is there any discussion? The Lady from Cook, Representative Wojcik."

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

Speaker Cullerton: "He indicates he will."

Wojcik: "Representative, is this by front door or backdoor referendum?"

Steczko: "Which...Representative, which Section?"

Wojcik: "I would like you to explain it to me, because I don't have it on my desk."

Steczko: "Could you repeat that, please?"

Wojcik: "I'm asking is it a front door or a backdoor referendum?"

Steczko: "On which Section? Which Section?"

Wojcik: "I don't know which Section. You've got the Bill. Would you peruse it and tell me what's happening with it, please?"

Steczko: "There are four Sections: DuPage County for the DuPage County Home gets a levy for .025; then Rockford Park District backdoor 3¢ for real estate acquisition; Rockford Park District front door referendum 3¢ for general levy and Chicago Park District bond issuance up to .25 EAV for environmental quality work."

Wojcik: "Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I do not agree with this Conference Committee Report. I would like my name removed as a hyphenated Co-Sponsor of this Bill."

Speaker Cullerton: "Further discussion? The Gentleman from Winnebago, Representative Hallock. Further discussion? The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 1287?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hicks wishes to vote 'no'. Have all voted who wish? Have all

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voted who wish? This Bill requires 71 votes for passage. Have all voted who wish? Mr. Clerk, please take the record. Representative Steczo. Representative Steczo wishes to poll the absentees."

Clerk O'Brien: "Poll of those not voting. Barnes and Capparelli. No further."

Speaker Cullerton: "Representative McCracken."

McCracken: "Who could possibly be afraid of a referendum issue after what we've gone through tonight? There are people in my county who are starving for lack of a front door referendum. And we need this, and we've given taxes to everybody in the state, so let's put a few 'green' votes on for our best friend, Representative Steczo, who always does the right thing by us. This is good for the Rockford Park District. What else is it good for, Representative? And it's good for many other things throughout this state."

Speaker Cullerton: "Representative Leitch..."

McCracken: "So you have no reason to worry about this vote."

Speaker Cullerton: "Representative Leitch wishes to be recorded as voting 'aye'. Representative Leitch. Representative Pullen wishes to be recorded as voting 'aye'. Representative Kubik wishes to be recorded as voting 'aye'. Representative Myron Olson wishes to be recorded as voting 'aye'. Representative Goforth. There's a number of people seeking recognition. Representative McCracken, perhaps we should have this Roll Call taken over again? Representative Steczo? Mr. Clerk, if you could dump this Roll Call, and we can take the Roll Call again. The question is, 'Shall the House adopt Conference Committee #2 to House Bill 1287?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this...on this question there are 71 voting 'yes', 41

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voting 'no', none voting 'present'. The House does adopt the Second Conference Committee Report to House Bill 1287 and the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative McGann, House Bill 1718."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. The Second Conference Committee Report on House Bill 1718 answers the concerns of most of this General Assembly. It deals strictly with the City of Chicago, and I would ask for an 'aye' vote. Be happy to answer any questions."

Speaker Cullerton: "The Gentleman has moved for the adoption of Second Conference Committee Report to House Bill 1718?' On this, is there any discussion? The Gentleman from Cook, Representative Anthony Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Second Conference Report on House Bill 1718. It's been limited just to the City of Chicago. It's very important for the city to have the ability to limit referendums to particular establishments within a precinct, and I urge an 'aye' vote."

Speaker Cullerton: "The quest...Representative Balanoff."

Balanoff: "Yea, for a question. What specifically does it do? I want to know what it does."

Speaker Cullerton: "Representative Keane...McGann to answer the question."

McGann: "Thank you, Mr. Speaker. In regards to the questions asked, we've had this over a couple times. We're concerned statewide, so we put it in the City of Chicago. What it's saying is in your district, you have a real bad, bad operation that is not community given and it's not doing its job. You can put a referendum, get 40% of the voters to...close that individual operation."

Balanoff: "So it would change it so from now you can vote a

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precinct dry, but this would make it so you can vote one establishment dry?"

McGann: "Otherwise, you'd have to vote a precinct. We're talking about the one."

Balanoff: "Right. So it would make it so you can vote just one establishment..."

McGann: "Get rid of the bad place."

Balanoff: "What? Great, okay. Thank you."

Speaker Cullerton: "The question is, 'Shall the House adopt the Second Conference Committee Report on House Bill 1718?' The voting is open. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? This Bill requires 71 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there's 45 voting 'yes', 60 voting 'no' and 4 voting 'present' and the House fails to adopt the Conference Committee Report #2 to House Bill 1718 and the Bill, having failed to receive the required Constitutional Majority...Representative McGann."

McGann: "Mr. Speaker, Second Conference Committee Report passed out of the Senate 57 - zip. I think that this is important for those people in the City of Chicago and our communities that have bad taverns. Please help me out in this area. Please."

Speaker Cullerton: "Representative Homer...Representative Homer wishes to vote 'aye'. Representative McNamara wishes to vote 'aye'. Representative Breslin votes 'aye'. Representative Didrickson votes 'aye'. Representative Turner."

Turner: "Thank you, Mr. Speaker. I rise to explain my vote while others are...will hopefully come on board. I personally can sympathize with Representative McGann. There...I'm in the process of rehabing a house in my community. There's a

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tavern on the corner that does not have central air-conditioning. As a result, they open the doors and windows and they play the music at two, three, four o'clock in the morning. It's important to be able to close down one facility and not be able to vote a precinct dry. This Bill only deals with the City of Chicago. We're not trying to shut down everybody, but if you got one joint that is not necessarily conducive to that particular community, we should be able to have that...and it takes 40% of the people in that particular community to vote on the issue of that tavern should be closed. I urge and plead with you to support this particular piece of legislation, because it can help make a bad community a better community. And we ask you to vote 'aye' on House Bill 1718."

Speaker Cullerton: "Representative Kirkland wishes to vote 'aye'. Representative Barger wishes to vote 'aye'. Representative Mulcahey wishes to vote 'aye'. Representative Granberg wishes to vote 'aye'. Representative Edley wishes to vote 'aye'. Representative Curran wishes to vote 'aye'. Representative Kubik wishes to vote 'aye'. Representative Sieben wishes to vote 'aye'. Representative Kubik."

Kubik: "Why don't we save some time and dump the Roll Call and do it over again."

Speaker Cullerton: "Alright, Mr. Clerk, there's still a number of people wishing to seek recognition, so maybe we can get...dump this Roll Call. I'll call the question again. The question is, 'Shall the House adopt the Second Conference Committee Report of House Bill 1718 for Representative McGann?' All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? The Bill requires 71 votes. Representative Williams. Representative Williams."

Williams: "Yes, I wish to explain my vote. I think that what we

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really got to understand is that in many of the precincts in the..."

Speaker Cullerton: "Representative McGann, Represent..."

McGann: "I'm asking you only for 71 votes. Why do you want to do this to me? It doesn't affect most of you. This is only for the City of Chicago. If you had to live in our communities and live with what we have to live with, you would have given me an 'aye' vote. I can't understand the vindictiveness that's going on in regards to this area. I've got a lot of good friends over on the other side of the aisle; they've always helped me. This is important to Chicago. I answered all their needs. I put it...confined only to the City of Chicago. I need 71 votes. Please help me. The Minority Leader should help me; everybody should help me. Forget the personal vindictiveness. This Saturday night we don't need it. I've asked for many things in this House through my tenure of time. I've only asked in an honest, progressive way. This is only helping the City of Chicago. We got to do away with the problem we have up there."

Speaker Cullerton: "Representative Johnson."

Johnson: "I'm just going to...We'll wait and see what happens here."

Speaker Cullerton: "I thought you wished to...Representative Matijeovich, explain his vote."

Matijeovich: "Speaker, different times I've said I'm totally opposed to this philosophy, and I still am. But since it does only include the City of Chicago and anybody that would put that personal effort into a Bill, I can't help but vote anything but 'aye'."

Speaker Cullerton: "Representative Morrow, one minute to explain your vote."

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

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House. This Bill, House Bill 1718, I'm voting 'green' on this Bill, because I received a call this week from a young lady in my district. And she called me. She was calling about a tavern next door to her, a single tavern on her block where there were young men out in front of the tavern at all hours of the day and night, drinking, selling drugs, making the whole neighborhood a bad place. This young lady called me terrified to even walk outside of her door. If this can help, try to help, young ladies walk the street in safety, I think we should give 71 votes on this piece of legislation. Let's not hold this Bill up just because of personalities. Let's take care of the personalities within our districts and protect them."

Speaker Cullerton: "Representative Deuchler wishes to be recorded as voting 'aye'. Mr. Clerk, take the record. On this question there are 74 voting 'aye', 38 voting 'no', none voting 'present'. And the House does adopt Second Conference Committee Report to House Bill 1718 and the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Mautino on House Bill 2030. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2030 and the Conference Committee Report #1 that has been on your desk establishes the Business and Education Partnership Commission. It has been worked out in detail between the State Board of Education, the Illinois Manufacturers Association, the interested education groups, and it provides for a report in a standardization and data to be comp...compiled and called for by the Council of Chief State School Officers in the 1990 plans for state comparisons. It establishes the Department of Public Accountability, which has input by the

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industrial and the commercial interests who are the employers of the students getting out of high school. At the conclusion of the study which will be established in that Department of Public Accountability on a state's rule that regulating education and no later than July 1st of 1990, the State Board of Education, the State Superintendent of Education shall establish and maintain a...a department for public accountability. The unit head shall be an assistant superintendent selected by the State Superintendent of Education, allowing for consultation with the Business Education Partnership Commission, which is also established. The Department shall be responsible for the recognition of supervision of activities for all public school districts in the state and for monitoring the progress of all school districts toward achieving student learning objectives. For the technical provisions and the standards that were established, I would like to note that the language which is embodied in this legislation, as I understand, too, has been agreed to in most part by all of the individuals involved. Representative Breslin has been the instrumental negotiator on the question of the certificates of probation or non-recognition, which were addressed in detail. Concerns were raised on an issue, and I would like to at this time turn over for those other questions on the Conference Committee of those issues to Representative Breslin for her comments."

Speaker Cullerton: "Representative Breslin."

Breslin: "I'd be happy to answer any questions. I would just note that this is a good compromise between both the State Board and the business community of Illinois. During these negotiations these people both learned a lot, and I believe that education will be more responsive to business needs if

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we pass this or if we adopt this Conference Committee Report."

Speaker Cullerton: "Representative Keane."

Keane: "Would one of the Sponsors yield?"

Speaker Cullerton: "Representative Breslin."

Keane: "On page 7, lines 7 through 13, it says that any district certified to be in financial difficulty cannot issue notes, bonds, teachers' orders, tax anticipation warrants or other evidence of indebtedness. How are they going to fund the operation of their school?"

Breslin: "It's not that they can't do it at all. It's just that the State Board of Education has the authority to prohibit them from getting further in debt. This is a provision that is copied from Chicago School Reform. The downstate business community think it is a good idea, and so they think it should apply statewide."

Keane: "Well, how many school districts do we have in financial difficulty in the State of Illinois now?"

Breslin: "There are 16, I think, that fill that term of financial difficulty."

Keane: "What was that?"

Breslin: "16."

Keane: "We have 16 districts in financial difficulty?"

Breslin: "Yes."

Keane: "Now, is the State Board going to come in and finance their operation?"

Breslin: "The State Board will, if the district makes a request under the provisions of Senate Bill 960 that are included here and have also already passed out to the Senate, provide grants if they come up with the financial oversight plan under the provisions of that Act."

Keane: "When does this Act take effect?"

Breslin: "Immediately."

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Keane: "Alright, what if the 16 school districts need money next week?"

Breslin: "If they need money now, they'll get money now. It's only when..."

Keane: "How will they get the money?"

Breslin: "It's...it's...they...they issue their...They issue tax anticipation warrants or whatever it is they need."

Keane: "Well, the Bill says that any school district that's been certified to be in financial district (sic - difficulty) cannot do it, until...they can't issue any instrument of debt until their financial plan has been approved by the State Board of Education. We have 16 districts in the State of Illinois that probably are in this position that may not have...Do they all have their financial plans approved?"

Breslin: "I am informed that they have been. They are all complying with the requirements of the State Board of Education. I understand..."

Keane: "Before the Bill has been passed."

Breslin: "No, the State Board has been working with these school districts. The State Board informs us that all of these school districts are being cooperative and are working very hard to get their financial difficulties in order. So, the State Board would not invoke this provision."

Keane: "Have...my only question is have all of their financial plans been approved by the State Board of Education? Because if they are not approved, these school districts will not be able to pay salaries next week. They won't be able to pay any debt; they won't be able to spend any money."

Breslin: "But this Article is not effective until January 1st, 1990."

Keane: "I thought you said it was effective immediately."

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Breslin: "Yea, there are several effective dates throughout the Bill, so parts are effective immediately. Staff informs me that this particular part is not effective until January 1, and the State Board of Education has no problem with it."

Keane: "Thank you very...that's enough. Alright, I thought...my understanding was this was effective immediately. You tell me it is not effective immediately. This part is not effective immediately. Thank you."

Breslin: "Correct."

Speaker Cullerton: "Representative Anthony Young."

Young, A.: "I have a question for the Sponsor."

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

Young, A.: "Is the...Is Chicago in this Bill?"

Breslin: "Chicago is not in this Bill."

Young, A.: "Thank you."

Speaker Cullerton: "Representative Cowlshaw."

Cowlshaw: "I move the previous question."

Speaker Cullerton: "Representative Cowlshaw moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it. In the opinion of the Chair, the previous question is put. And the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2030?' All in favor vote 'aye', all opposed vote 'no'. This is final passage. Representative Wyvetter Younge, one minute to explain your vote."

Younge, W.: "Mr. Speaker, I had a question of the Sponsor. I wanted to know whether or not there is anything in this Bill that will throw a school district in financial...into receivership if the test scores of the students are low?"

Speaker Cullerton: "Representative Breslin, to explain her vote."

Breslin: "No, no. There is nothing in this Bill that establishes receivership or any concept of receivership."

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Speaker Cullerton: "Representative Hultgren, one minute to explain your vote."

Hultgren: "Thank you, Mr. Speaker. I'm opposing this Bill because it empowers the emergency panel to require adjustments to the Property Tax Levy, adjustments without referendum, and...want to call that to the attention of people who are sensitive to that issue."

Speaker Cullerton: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Just briefly in addition to a tax increase without referendum, this Conference Committee Report would allow this committee to dissolve or reorganize the school district. We're talking consolidation...forced consolidation, with this Conference Committee Report. Be careful what you're doing."

Speaker Cullerton: "Mr. Clerk. Representative Davis."

Davis: "Yes, even though this...this 2030 does not affect Chicago, it is removing from some school districts their integrity. It is stating that this particular panel must approve all contracts that that particular board enters into, so I don't really think it's a very good Bill."

Speaker Cullerton: "Mr. Clerk, please take the record. On this question there are 83 voting 'aye', 24 voting 'no', 9 voting 'present', and the House does adopt the First Conference Committee Report for House Bill 2030 and the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. House Bill (sic - Senate Bill) 162, Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I move for the adoption for the First Conference Committee Report to Senate Bill 162. Senate Bill 162 now provides or rather contains only one... one provision and that is to exempt a debtor's interest in pension benefits from any bankruptcy proceeding, attachment, judgement, execution, distress for rent. And I

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would move for the adoption of First Conference Committee Report to Senate Bill 162."

Speaker Cullerton: "The Gentleman moves for the adoption of the First Conference Committee Report for Senate Bill 162. On that, is there any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Cullerton: "Indicates he will."

Countryman: "Representative, what did you say about distress for rent?"

Speaker Cullerton: "Representative Wolf."

Countryman: "Does this abolish distress for rent?"

Wolf: "It would exempt the debtor's interest. In other words it would prevent any debtor's retirement benefits from being attached by reason of a distress for rent."

Countryman: "But didn't have anything to do with distress for rent, is that right?"

Wolf: "Pardon?"

Countryman: "Did you say distress for rent?"

Wolf: "That's correct."

Countryman: "Only retirement benefits or does it abolish distress for rent?"

Wolf: "No, it doesn't abolish distress for rent. It exempts a debtor's interest in retirement benefits."

Countryman: "Okay, thank you."

Speaker Cullerton: "Representative Hultgren."

Hultgren: "Yes, thank you, Mr. Speaker. I believe the legislation, the First Conference Committee, does more than simply exempt the debtor's interest in a pension plan from distress for rent. I believe it exempts the debtor's interest in a pension plan from any kind of judgement, attachment, execution, distress for rent or seizure. I believe what it entitles a debtor to do is to place his

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savings in a qualified pension plan and thereby shelter those savings in a bankruptcy proceeding. It's...I think it's similar to legislation that Representative Preston had earlier, but in fact, far more reaching than that legislation. And I would suggest we want to look very carefully at it before we approve it tonight."

Speaker Cullerton: "Representative McCracken."

McCracken: "I rise in support of this. Representative Preston had a good idea when he originally introduced this, and it is identical to that good idea. I encourage my colleagues to vote on it."

Speaker Cullerton: "Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker. I have some reservations. It seems like debtors that are subject to bankruptcy that owns...owes the vendors and suppliers and other people a great deal of money, and yet has in their retirement plan, stock bonuses, pensions, profit sharings, annuities and all that, they're sheltered and they don't even have to give up all those goodies. And yet they can end up walking away from a debt that they owe a business person or another individual, who in good faith has dealt with this person in honesty, and then they walk away with all these hundreds of thousands of dollars in retirement benefits, leaving this small businessman to pick up the tab. I think it's a serious breach of an honest business transaction, and I don't believe it's fair."

Speaker Cullerton: "Representative Preston. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I very reluctantly rise in opposition to the Conference Committee Report to Senate Bill 162. There are some differences, I believe, between this Conference Committee Report and the Conference Committee Report that passed on House Bill 247...or Senate Bill 247. The

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differences have to do with the amount of money that can be funnelled into the profit sharing plan. I believe under this, the...all sorts of money can be put in at the last moment, if you...If you think you're going to be going bankrupt, you can take all, you know, God know how much money, maybe \$200, \$300,000 maybe more and make a contribution to your profit sharing plan to get away from the claim of creditors. Also under Senate Bill 247 that passed out of here, the...there...it is designed to exclude profit sharing plans where the individual is really the main or only principal of the corporation."

Speaker Cullerton: "Excuse me, Representative Preston. I would like to welcome to the Illinois General Assembly, Representative Woolard, who is up in the gallery. Representative Woolard, I'd like to welcome you to Springfield, Sir. For those of you who don't know Representative Woolard, he's in his first year here. Representative Preston, if you could finish your remarks, please."

Preston: "That's a hard act to follow. Anyway, for those...those reasons, there are a number of differences between Senate Bill 162 and Senate Bill 247, which passed out of...out of the House, went to the Governor's desk. And again, reluctantly, I would ask for a 'no' vote on the adoption of this Conference Committee Report."

Speaker Cullerton: "Representative Pedersen."

Pedersen: "I move the previous question, Mr..."

Speaker Cullerton: "It's not necessary. There's no one else seeking recognition. The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 162?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question there are 96 voting...95 voting 'aye', 20 voting 'no', 1 voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill...to Senate Bill 162 and the Bill, having received the required Constitutional Majority, extraordinary Constitutional Majority, is hereby declared passed. Senate Bill 1325, Representative Churchill. Representative Churchill. Representative Churchill. Out of the record. Representative Bugielski. Senate Bill 1339."

Bugielski: "Thank you, Mr. Speaker, Members of the House. I move that we accept the First Conference Committee Report on Senate Bill 1339. It exempts the City of Chicago from the requirement of receiving the approval of a plat by IDOT prior to the approval by the Chicago City Council. It exempts Chicago from receiving the Illinois Department of Transportation approval of a plat in respect to roadway access to a state highway if they fail to obtain the Illinois Department of Transportation approval on or after January 1st, 1988 and before the effective date of this Act. And Illinois Department of Transportation has agreed to this piece of legislation, and I ask for a favorable Roll Call."

Speaker Cullerton: "The Gentleman has moved for the adoption of the First Conference Committee Report on Senate Bill 1339. On that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1339?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. This is final action. 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 81 voting 'aye', 35 voting 'no', none voting 'present' and the House does adopt Conference Committee Report #1 to Senate Bill 1339 and the

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Bill, having received the required Constitution...extraordinary Constitutional Majority, is hereby declared passed. Representative McPike on House Bill 2776 on the Order of Concurrence."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Conference Committee clarifies that the Legislators can be reimbursed for a broad definition of printing which includes congratulatory notes. Yea, this is a Concurrence."

Speaker Cullerton: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 2776. And on that, is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2776?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. This is final passage. 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 71 voting 'aye', 40 voting 'no' and 4 voting 'present'. This Bill...and the House does concur in Senate Amendment #1 to House Bill 2776 and this Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. Representative Homer on House Bill 168. I'm sorry. Representative Black wishes to vote..."

Homer: "Thank you...Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 168 has some provisions that passed out of the House previously without dissent that had to do with liquidated damages in contracts with medical students for loans and grants to attend medical school. The Senate added an Amendment which was...has some similarities to a Senate Bill 1301 that was before us previously that would create a division of primary health care in the Illinois Department of Public Health and provide for health care programs that would be funded under the plan to include

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various community health centers, rural health clinics and the like, in shortage...medical shortage areas. The significant difference, however, between this provision and the one that was in Senate Bill 1301 is the price tag. This has been pared down significantly and is limited to 5% of the total privilege tax collected by...from insurance policies written by out of state insurance companies, estimated to be \$8,000,000. It's a permissive program which would be within the discretion of the Department of Public Health. Any funds not used in the program would return to GRF. It passed out of the Senate by a substantial margin. I would urge adoption of this Conference Committee Report."

Speaker Cullerton: "The Gentleman's moved for the adoption of the First Conference Committee Report on House Bill 168. On that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I must rise in opposition. I realize it's the end of the Session, but this is an \$8,500,000 diversion from GRF to a new...to a new program, authorizes a grant program, permits monies from various areas to be used for several new programs. The Department opposes the diversion of funds. I rise in opposition."

Speaker Cullerton: "The Bill requires 71 votes for passage. Representative Parke."

Parke: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I regretfully must rise in opposition to this Bill. We have beat this concept at least three other times. It's a bad precedent, to redirect money out of the General Fund. We have voted against this consistently. I ask that this Assembly also vote against it at this time."

Speaker Cullerton: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Obviously

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the Bill started out at \$69,000,000 to try to solve a problem downstate for medical problems and medical students and nurses, taking the money just directly out of the General Revenue Funds. It now says \$9,000,000, but it still jumps over the appropriation process. And if anybody is listening, this is the same Bill we beat about three times. I would advise a 'no' vote."

Speaker Cullerton: "Any further discussion? The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 168?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. This is final passage. The Bill requires 71 votes for passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question...I'm sorry, Representative Homer."

Homer: "Well, you can go ahead and take the record, Mr. Speaker. I want to keep this Conference Committee Report alive. I would move for Postponed Consideration, perhaps take it out..."

Speaker Cullerton: "Okay. Mr. Clerk, please take the record. On this question there are 58 voting 'yes', 50 voting 'no' and 2 voting 'present'. And the Gentleman wishes to have the Conference Committee #1 on House Bill 168 put on Postponed Consideration. House Bill 1217, Representative McPike."

McPike: "Thank you, Mr. Speaker. When this Bill left the House, it was an increase in the bond authorization of \$1. Now it's an increase in the bond authorization of \$1,287,068,620. I move for the adoption of the Report."

Speaker Cullerton: "The Gentleman moves for the adoption of First Conference Committee Report on House Bill 1217. On that, is there any discussion? There being none, the question is, 'Shall the House adopt the Conference Committee Report #1 on House Bill 1217?' All in favor vote 'aye', all

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opposed vote '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 72 voting 'aye', 38 voting 'no', 3 voting 'present' and the House does adopt Conference Committee Report #1 to House Bill 1217 and the Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed."

Speaker Madigan: "Speaker Madigan in the Chair. House Bill 1218, Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When this Bill left the House, it was an increase in Build Illinois Bond Authorization of \$1. Now it's an increase of the Build Illinois Authorization of \$700,000,000. Move for the adoption of this Report."

Speaker Madigan: "Those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 77 'ayes', 37 'nos'. The Report, having received a Constitutional Majority, is hereby declared passed...Constitu...extraordinary Constitutional Majority, is hereby declared passed. Mr. Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, as a reminder, the Governor has invited all people to the Mansion immediately after adjournment. Rules and regulations, the Mansion require that no minors are allowed unless they are accompanied by their parents, so I ask you to remember that rule. Also, Mr. Speaker, I'd like to take this opportunity to thank all Members of the House for their cooperation during this Session, a long and trying one as it may have been, for the accomplishments that they

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have made during the Session. In particular, I would like to thank the Republican Members of the House for their excellent help and cooperation in attempts to pass Priority 1."

Speaker Madigan: "I, also, would like to thank all of the Members of the House for their hard work, many hours, devotion and dedication to our job. You are all to be congratulated and commended. We are prepared to adjourn. Mr. McPike moves for the adoption of the Adjournment Resolution. Mr. Clerk, read the Resolution."

Clerk O'Brien: "Senate Joint Resolution 89, resolved by the Senate of the 86th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Saturday, July 1, 1989, they stand adjourned until Wednesday, October 4, 1989, at twelve o'clock noon. Together with House Amendment #1 amends House Joint Resolution 89 to read when the House of Representatives adjourns on Saturday, July 1, 1989, it stands adjourned until Wednesday, October 4, 1989, at twelve o'clock noon. And...when it adjourns on that date, it stands adjourned until Tuesday, October 17, 1989, at twelve o'clock noon."

Speaker Madigan: "Mr. McPike moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Pike...McPike moves for the adoption of the Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Agreed Resolutions."

Clerk O'Brien: "House Resolution 820, offered by Representative Ryder; 821, Flowers; 822, Weaver; 823, DeJaegher; 824, DeJaegher; 825, DeJaegher; 826, DeJaegher; 827, DeJaegher; 828, DeJaegher; 829, Weller; 830, Stephens; 831, Deuchler;

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832, Kubik; 833, Bob Olson; 834, Phelps; 835, McAuliffe;
836, Krska; 837, Curran; 838, Kubik; 839, Preston; 840,
Harris; 841, Harris and 842, Keane."

Speaker Madigan: "Mr. Matijevec moves for the adoption of the
Agreed Resolutions. Those in favor say 'aye', those
opposed say 'no'. The 'ayes' have it. The Resolutions are
adopted. Further Resolutions? General Resolutions."

Clerk O'Brien: "Senate Joint Resolution 11, Novak; Senate Joint
Resolution 13; Senate Joint Resolution 24, Sutker; Senate
Joint Resolution 25, Bob Olson; Senate Joint Resolution 30,
Stange; Senate Joint Resolution 34, Weaver; Senate Joint
Resolution 39, Weaver; Senate Joint Resolution 42, Turner;
Senate Joint Resolution 68, Mulcahey; Senate Joint
Resolution 73, Wojcik."

Speaker Madigan: "Committee on Assignment. Death Resolutions.
Introduction and First Reading."

Clerk O'Brien: "House Bill 2820, offered by Representative
Sutker, a Bill for an Act in relation to consumers. First
Reading of the Bill."

Speaker Madigan: "Committee on Assignment. Anything further, Mr.
Clerk? Anything further, Mr. Clerk?"

Clerk O'Brien: "No further business."

Speaker Madigan: "There being no further business, those in favor
of the adjournment...The Motion is that the House stand
adjourned. Those in favor say 'aye', those opposed say
'no'. The 'ayes' have it. The House does stand
adjourned."

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