

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "The House will come to order. Representative Cowlshaw and the House will come to order. The guests in the balcony may wish to rise and join us for the invocation this morning. We'll be led in the invocation by Representative Lou Lang."

Lang: "Dear Lord, as we prepare to finish the people's business and return to our homes, some of us, to try to be reelected, some of us not. Let us remember that we have a responsibility on a daily basis to represent the people of the State of Illinois with care and with concern and let us all say, Amen."

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

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

Speaker McPike: "Roll Call for Attendance. Representative Kubik."

Kubik: "Thank you Mr. Speaker. Let the record reflect that all of the Republicans are present today."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, the only excused absense is Representative Andy McGann for the funeral of his wife. By the way, I might add to the Members they might be interested...last night I reported that I met the Governor last year when we were leaving one of our late night sessions. Wouldn't you know it, last night, I left the Mansion View around 7:30 and the Governor was coming back from the Capitol going to the Mansion and he was across the street and he had a friendly wave and he said, "John, here's my two new dogs." I saw his two new dogs last

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

night. Brenda was in the compound with the old white dog, not too old, but they're all beautiful dogs and the Governor seemed real friendly, and I think that means we're going home today."

Speaker McPike: "Mr. Clerk, take the record. One hundred seventeen Members answering the Roll Call, a quorum is present. Representative Wennlund."

Wennlund: "Thank you Mr. Speaker. I rise to call an immediate Republican Conference in Room 118."

Speaker McPike: "Well, you know by the time you get back, we're going to be adjourned."

Wennlund: "Well, if you've got the votes to pass it Mr. Speaker, go right ahead."

Speaker McPike: "It doesn't take much to adjourn. It's just a Motion. We'll be half...we'll be half way back to our Districts by the time you get to Room 118. Alright, Mr. Wennlund, there will be a Republican Caucus immediately in Room 118. Mr. Wennlund, how much time would you estimate that you would be gone? Approximately one hour? Forty-five minutes? Half hour? One minute? Alright, we will reconvene. We will reconvene...the House will reconvene. We will reconvene at 12:10. The House will stand in recess until the hour of 12:10. There...there will be no Democratic caucus."

Speaker McPike: "The House will come to order. Representative McPike in the Chair. House Bill 2834, Representative Lang on a Motion to concur."

Lang: "Thank you, Mr. Speaker. I move that the House concur with Amendment...Senate Amendment to House Bill 2834."

Speaker McPike: "That's just the First Corrected Conference Committee Report. Mr. Clerk, House Bill 2834. Mr. Lang on...has moved to the House adopt the First Conference

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Committee Report on House Bill 2834. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 93 'ayes' and 20 'nos', and the House does adopt the First Conference Committee Report to House Bill 2834. This Bill, having received three fifths Constitutional Majority, is hereby declared passed. Representative Satterthwaite, Senate Joint Resolution 184."

Satterthwaite: "Mr. Speaker and Members of the House, Senate Joint Resolution 184 adopts the components of the material that needs to be presented to the citizens of the State of Illinois relative to the Constitutional Amendment 130 dealing with education. The Amendment has been dis...or the Resolution has been distributed to Members in two different forms, and I want to call to Members' attention that the one that we are adopting is the one that has hand-written, on the face of the Resolution, Senator Berman, DeMuzio, Woodyard and Madigan as Senate Sponsors and Satterthwaite in the House. Since the printing of this document, we have added Representatives Mulcahey, Weaver and Ropp as Co-Sponsors here in the House. If you do not have that copy of this Resolution, you will find it deficient in one part, and so I hope you are looking at the appropriate Resolution. The Resolution, pursuant to the appropriate statutes regarding Constitutional Amendments, provides, for us, a brief explanation of the Amendment, the arguments for and against each Constitutional Amendment...this Constitutional Amendment, and the form in which the Amendment will appear on the separate ballot in the of...and go to the Secretary of State, and so I would ask that Members support this Resolution so that we can get

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

this information to the Secretary of State in a timely fashion."

Speaker McPike: "On the Motion, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The way the procedures for arriving at this document were handled is, I think, something of real concern to a good many of us. It was our understanding from the chairman of the committee that was responsible for putting this material together that each side, being the negative and the affirmative, was to prepare written material appropriate for the Blue Book, each side was to bring that finished document back and submit it, and we were told there would be no opportunity for either side to respond to the arguments of the other, that each of us was to work separately and our separate documents would be accepted as they were submitted at about 8:30 or 9:00 on the 30th of June. When we submitted our document, which I am proud to say, I helped to write, it appears that the persons who are in favor of this tax-raising Amendment decided that our material was so much better than theirs that they pitched theirs, started all over, and all they did was write a document that responds, point by point, to the negative points that had been put together by those of us who opposed this Amendment. That is not the procedure that we were asked to follow. Apparently, the chairman of this committee, and at least one Senator, who is a Chief Sponsor of the Amendment, believe that they set the rules and then they changed them to suit themselves. We tried to follow the rules. I have no objection to the language that now appears in here as far as what is the negative view. I object very strongly to the language that appears for the affirmative view

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

because, frankly, it's just a kind of means of stealing it from us. Therefore, I stand in opposition to this Resolution."

Speaker McPike: "Alright, Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker McPike: "Yes."

Churchill: "Has the Joint Committee established by Senate Joint Resolution 157 been convened as required by that Resolution?"

Satterthwaite: "Excuse me, I did not hear your question."

Churchill: "Has the joint Committee established by Senate Joint Resolution 157 been convened as required by that Resolution?"

Satterthwaite: "Yes."

Churchill: "Did the committee report to the Senate and House by June 25th as required by Senate Joint Resolution 157?"

Satterthwaite: "No, Representative. There was another Resolution that extended the deadline for that reporting date and...so the 25th deadline is of no consequence."

Churchill: "Has the committee, as of this date, adopted a report on the Amendment as required by Senate Joint Resolution 157?"

Satterthwaite: "Representative, as you well know since you were eventually, I believe, on the 29th of June appointed to serve on this committee and did appear at a number of meetings that that committee held, you know very well that we did adopt various portions of what is in the report before us now. However, before the real conclusion of the activities of that committee, the activities deteriorated to a partisan kind of a problem. This Resolution before us in no way refers to that committee. We find that there is no legal requirement that a committee be used in this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

process, and so we have before us a product that has come from the Senate as Senate Joint Resolution 184. It has within it all of the components that are required to be in it. Many of those components were addressed by the committee and are in the form that the committee approved, but because there is not a legal requirement for a committee to even be in the process, it is of no consequence whether or not a report was approved by that committee."

Churchill: "That's a fine closing argument and a fine conclusion to your closing argument, but you didn't answer the question. Has the committee, as of this date, adopted a report on the Amendment as required by SJR 157?"

Satterthwaite: "No."

Churchill: "Did the Joint Committee vote to adopt a brief explanation of the Constitutional Amendment?"

Satterthwaite: "Yes."

Churchill: "And what was the result of that vote?"

Satterthwaite: "It was approved, as I recall, in the same form as the brief explanation that is in the...Resolution before us."

Churchill: "And who voted for that and who voted against that?"

Satterthwaite: "I do not have any records of the vote in front of me, so I cannot tell you specifically."

Churchill: "Did the Joint Committee vote to adopt a brief argument in favor of the Amendment?"

Satterthwaite: "Yes, I believe we did."

Churchill: "And if so, what was the result of that vote?"

Satterthwaite: "I am told that there were five votes in favor of that argument."

Churchill: "And who were those five votes?"

Satterthwaite: "I do not have a record of any of the votes in

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

front of me."

Churchill: "Did the Joint Committee vote to adopt the form in which the Amendment will appear on the ballot?"

Satterthwaite: "I believe that that was one of the affirmative votes that we took. Yes."

Churchill: "What was the result of that vote?"

Satterthwaite: "That we approve the form as it is within this Resolution."

Churchill: "And can you tell me who voted for and who voted against that Amendment?"

Satterthwaite: "I cannot tell you, for certainty, in any instance who voted on which issues. The issue that you raise right now, however, was approved."

Churchill: "Did the Joint Committee vote on the adoption of a brief argument against the Amendment?"

Satterthwaite: "I believe that we did not vote on that."

Churchill: "Who are the members of the committee who represent the Minority for purposes of preparing the arguments against the Amendment as required by Chapter 1, Paragraph 103 of the Illinois Revised Statutes?"

Satterthwaite: "The members of the committee, whom, I assume, are the ones who were in opposition, were yourself, Representative Wennlund and Senator Karpziel."

Churchill: "Did Senator Karpziel vote for the brief argument against the Amendment included in this report?"

Satterthwaite: "I'm sorry. I did not hear the question."

Churchill: "Did Senator Karpziel vote for the brief argument against the Amendment included in this report?"

Satterthwaite: "I...My recollection is that that was a...verbal vote for 'ayes' and 'nays' without a recording of who voted for each."

Churchill: "This is for the arguments against the Amendment, so

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

you're stating that Senator Karpziel..."

Satterthwaite: "No, no, I thought you said for the brief
argu...the brief explanation."

Churchill: "No, this is the brief arguments against the
Amendment. Did Senator Karpziel vote for or against the
brief argument against the Amendment?"

Satterthwaite: "My recollection is that we did not take a vote on
that issue."

Churchill: "Did Representative Wennlund vote for or against the
brief arguments against the Amendment included in this
report?"

Satterthwaite: "My recollection is that we did not take a vote."

Churchill: "And so your answer would be the same for my vote.
Did the Minority members for the committee vote to adopt
the arguments against the Amendment included in the report
being submitted here?"

Satterthwaite: "Mr. Speaker, may we have some order? I cannot
hear the Gentleman's questions."

Churchill: "Thank you very much. This is a very important issue,
and these questions are very important for what will
transpire subsequently. Did the Minority members of the
committee vote to adopt the arguments against the Amendment
included in this report being submitted here?"

Satterthwaite: "Would you repeat the question?"

Churchill: "Did the Minority members of the committee vote to
adopt the arguments against the Amendment included in the
report being submitted here?"

Satterthwaite: "I believe I've already answered that question in
that I...I do not believe we took a vote on that particular
issue."

Churchill: "If they did not vote, then do you not believe that it
is inappropriate for this report to be presented to the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

General Assembly at this time?"

Satterthwaite: "I'll repeat what I had indicated earlier, before your specific questions, that the Resolution before us is not necessarily as a result of action of the committee. It appears that there is no necessity for a committee to have been involved in the process. This Resolution before us presents the arguments that were given to the committee, but not necessarily acted upon."

Churchill: "Does it violate Section 2 of the Illinois Constitutional Amendment Act if the Minority did not vote to adopt on the arguments against the Amendment in the report being presented here?"

Satterthwaite: "Section 2 only requires that the General Assembly act upon the reports, not that a committee have acted upon them."

Churchill: "And so it is your position that there has been no vote of the Joint Committee on the totality of the Amendment that you are presenting here?"

Satterthwaite: "That's correct."

Churchill: "And you served as the Chair of the Joint Committee?"

Satterthwaite: "I did."

Churchill: "For the...All of the answers that have been...On the Resolution...as a result of all the answers that have just been given by Representative Satterthwaite, the Chair of the Committee, it is my belief that this Resolution is defective and that it does not comply with the original terms of Senate Joint Resolution 157, that it does not comply with the statutes of the State of Illinois nor the Constitution of the State of Illinois. A 'yes' vote on this would be a 'yes' vote to do something which is not legal and which should not proceed out of this Body, and I would request 'no' votes on this, and, Mr. Speaker...Mr.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker...Mr. Speaker?"

Speaker McPike: "Yes."

Churchill: "At this time I would request a Roll Call Vote on this Resolution."

Speaker McPike: "Yes, This requires a Roll Call Vote, so there will be a Roll Call."

Churchill: "Thank you."

Speaker McPike: "Mr. Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, if this Senate Joint Resolution is not adopted today, where will the language come from that must eventually go on the ballot in November?"

Satterthwaite: "We don't know what...where it would come from and that is why we have to adopt the Amendment today or before we conclude our business."

Weaver: "So, it is a requirement of the law that some form of...Resolution language be adopted before the...November election?"

Satterthwaite: "Yes. It is required in our statutes that the General Assembly prepare these parts that are before us in this Resolution so that they may be presented to the Secretary of State for preparation of the Blue Book that comes to all of the residents of the State of Illinois previous to the general election this fall."

Weaver: "So what would be our options as a Body if this Resolution were to fail today?"

Satterthwaite: "We are not sure what that would entail. I presume it might even entail a...request for a Special Legislative Session to care...to take care of it, but I don't know of any precedent that gives us direction."

Weaver: "Okay. Mr. Speaker, Ladies and Gentlemen of the House, on this Senate Joint Resolution 184, as the Lady has

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

indicated, we may be subject to a recall to Special Session if the language is not adopted today. Take a careful look at the language in this Senate Joint Resolution because it may be something that appears on the ballot in November, and if it is not adopted, we may have to come back and do it again."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, I've read Section 2 in the Constitution, and I see nowhere in there that it...it gives authority to a committee to propose the pros and cons of the...Amendment. As some of you know, I oppose this going to a referendum, but now I don't see how anybody can oppose this Resolution where we provide the information to the voters on the pros and cons of...the Amendment. This is something that has to be done and even...one of the opponents earlier said that she has no trouble with the language of the...Resolution, the pros and the cons, only that the...pros copied some of the arguments, I guess and used it for their...their side of the issue, but I don't think any of us...you know, we...we already said we wanna go home today. Does anyone...anybody wanna come back in a Legislative Session to do this issue? The issue is before you. It can be resolved merely by your vote, and I would urge all of the Members, Republicans and Democrats, to vote 'aye' on this Resolution."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we're really talking about here and what the bottom line of this discussion is all about is, is that the chairman who was appointed by the Speaker under Joint Resolution #157 which is nowhere mentioned in this Resolution 184, made a commitment to the committee and to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

the opponents, and that commitment was that there would be no games played here. No games played. The proponents will draft the arguments in favor, and the opponents will draft the arguments against, and then we're not going to switch them back and forth and respond to each other. Whatever the opponents draft, that's what it is; and whatever the proponents draft, that's what it is. That agreement was violated. Flat out violated, because the proponents didn't like what was contained in the opponents' statements against it. That's what the bottom line is. No longer can Members of this General Assembly trust each other. No longer can Members trust the commitments made by the chairman of a committee on behalf of the proponents. Do you understand what this is all about? The only thing we have here in this General Assembly is our commitment and our word as a Member of this General Assembly. Those commitments were violated. That's what this is all about. This Resolution is flawed throughout as have many of its draftings. There are drafting errors throughout. It purports to represent what the Illinois Constitution says in Section 1 of Article X. It does not. It is in error. It is flawed, and when you vote for this you are opening up the whole issue to a Constitutional challenge before the Illinois Supreme Court. It may never see the light of day on November 3rd of 1992, on election day. The process has been flawed. Resolution #157 was not followed. The proponents have used every subterfuge to get around it and this is that subterfuge. If you believe at all in the integrity of the committee system in the General Assembly and in the integrity of commitments made and a person's word, you ought to vote against this and come back with something that follows the process. Vote against it."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I think what we're attempting to do here is to somewhat try to defuse the whole process. Really what happened was, when we voted to approve this Constitutional Amendment, we were attempting, at that particular point in time, to think about kids and what we could do to provide them with a quality educational system. To argue and to discuss the words or wording or a procedure at this particular point in time, I don't think is quite as important as the real issue is: What will we be able to do with the young people and the future? And so I would urge you to support this. There are obviously a number of words, phrases that I clearly think are not adequate, not even timely, even being here, but I think the process is such that we need to move ahead, support this Resolution and then let the debate begin between now and the election time in order to determine whether or not our State Constitution will be changed and that should be at the will of the people."

Speaker McPike: "The question is, 'Shall the House adopt Senate Joint Resolution 184?' All in favor vote 'aye', opposed vote 'no'. Representative McNamara, to explain his vote."

McNamara: "Thank you, Mr. Speaker. We are doing today precisely what we should be doing. We are discussing and putting the language on the ballot which is precisely what our charge is as a General Assembly. To abdicate our responsibility and to allow somebody else undefined to do it, is absolutely wrong. We do not charge our committees with making those decisions for us. This is our job. I thank the 'aye' votes that are up there."

Speaker McPike: "This Bill re...This Motion requires a...a majority of those voting. Representative Black."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Black: "Thank you very much Mr. Speaker. That...that was my inquiry of the Chair. Are you saying this just requires a simple majority?"

Speaker McPike: "That's correct. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 79 'ayes' and 33 'noes', and the House does adopt Senate Joint Resolution 184. Mr. Homer on House Bill 104."

Homer: "Thank you Mr. Speaker. This is a proposal that passed last July actually that went over to the Senate and was near the adjournment date and the Senate adjourned before the Bill was called there. Actually at that time it had a lot more provisions, now it has only one provision that was in that Bill at that time and that's a measure that affects only one school district, it's the Canton School District, and it deals with an issue where they lost a...some of their assessed valuation as a result of a Supreme Court Case. The Supreme Court Case of Commonwealth versus Edison versus the Department of Local Government Affairs. It was decided in 1981 and that case had the result of lowering their 1977 equalized assessed evaluation for the Cilco Duck Creek Power Plant that is located within the Canton School District boundaries, and it was discovered by officials at the school district approximately a year ago that the state board had never made an adjustment in their school aid formula to reflect the fact that their 1977 EAD had been lowered by this Supreme Court Case and so this Bill simply would correct and reflect accurately in the school formula what their actual 1977 EAD was after it was lowered by the Supreme Court. I've cleared this issue with the spokesperson on the Republican side, Mary Lou Cowlshaw, who's been very kind and gracious and supportive of this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

issue, and it's not a material issue. It would not take effect until the 93, 94 school year. I will try to answer any questions, and if none, then would ask for support of this report."

Speaker McPike: "The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 104? All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes' and no 'nays', and the House does adopt the Second Conference Committee Report to House Bill 104 and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Kulas on House Bill 4025."

Kulas: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I would move for adoption of First Conference Committee Report to House Bill 4025. This is a...the Conference Committee is basically the same as the Bill went out of the House. It's just an authorization to increase a transfer of funds for the Pollution Control Board. The Governor's office signed off on this and I would move for the adoption."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 4025? All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Turner 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes' and no 'nays', and the House does adopt the First Conference Committee Report to House Bill 4025 and this Bill having received a Three-Fifths Constitutional Majority is hereby declared passed. House Bill 40...4070, Representative LeFlore."

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

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

House. I would like to move to suspend the Rules to remove from the Table House Bill 4070 to be replaced to the come back...replaced to the Table to January 13, 1993, to extend the deadline."

Speaker McPike: "On the Gentlemen's Motion, Mr. Black."

Black: "Thank you very much Mr. Speaker. I thought he was going to run this Bill. His Motion is to extend the deadline?"

Speaker McPike: "Yes. That was the Motion."

Black: "Is...I don't know if this is like fine wine, I don't think it is going to be any better next fall than it is now, but I'll accommodate the Gentleman's request. We can extend the deadline."

Speaker McPike: "Thank you very much. And on the Gentleman's Motion to extend the deadline till January 13, 1993. There being no objections, the Attendance Roll Call will be used and the Motion carries. House Bill 4078, Mr. Homer. Mr. Homer."

Homer: "Thank you, Mr. Speaker. We need to take it out of the record for now."

Speaker McPike: "Alright, take this out of the record. Representative Hannig, Senate Bill 1071. Mr. Keane, Jim Keane? Mr. Keane? Senate Bill 2093, Representative McGann is an excused absence. Mr. Lang is the...will be given leave to handle Representative's McGann's Bills. 2093. Mr. Keane do you wish to handle these two Bills for Mr. McGann? Was that a 'yes'? Alright, Mr. Keane will be given leave to handle these two Bills for Mr. McGann. Senate Bill 2093, Mr. Keane."

Keane: "Thank you Mr. Speaker. This First Conference Committee Report failed in the Senate and they request a Second Conference Committee..."

Speaker McPike: "Alright the Gentleman asks for a Second

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Conference Committee. Senate Bill 2097, Mr. Keane. Mr. Keane. Mr. Keane. Turn on Mr. Keane."

Keane: "Thank you, Mr. Speaker. The Conference Committee Report on Senate Bill 2097 deals with the Chicago Park District and is a very simple Conference Committee. It just says that there schedules of meetings will be the same as all other counties within the state."

Speaker McPike: "And on that Motion. All in favor of the Gentleman's Motion, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes' and 1 'no'. The House does adopt the First Conference Committee Report to Senate Bill 2097 and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Hannig, do you wish to call this Bill? You don't wish to call it? Mr. Homer, did you wish to call yours? Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker McPike: "Representative Currie, House Bill 3261. Miss Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House accept the Second Conference Committee Report on House Bill 3261. This was the measure that yesterday was quite controversial, because we had added to the First Conference Committee Report provisions dealing with rape counselors. That provision is now gone and the measure as...in the Second Conference Committee Report includes Bills that have to do with domestic violence and the Marriage and Dissolution of Marriage statute and all of these had been approved by the House and by the Senate. I'm looking for my pieces of paper...the...the provisions include opportunities for the court to permit counsel to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

participate in mediation sessions at the discretion of the judge; a domestic violence training and curriculum task force in...within the Illinois Local Government Law Officers Enforcement and Training Boards; technical changes to the child custody modification statute; and another House Bill that permits the opportunity for counselors to participate in circuit and criminal court proceedings. The language in these Amendments were all approved and worked out with the Illinois Coalition Against Domestic Violence, the Legal Services Support Center, Illinois NOW and the Illinois State Bar Association. So I'd be happy to answer your questions and would appreciate your support for the Conference Committee Report."

Speaker McPike: "Representative Hultgren. Mr. Clerk, that's Representative Wennlund. Representative Hultgren is the one with the beard. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. I have a question of the Sponsor, please. Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Representative Currie, how did...Did this change the...the original provisions that would have allowed rape counseling for a minor without parental consent?"

Currie: "That's gone. That was the issue that we discussed at great length yesterday, and there is no reference to that issue in this Conference Committee Report."

Wennlund: "The Conference Committee Report concurred in Senate Amendments 1, 2, 3 and 4?"

Currie: "Yes. And I just described those Amendments, but I'd be happy to describe them to you again."

Wennlund: "Which...which Amendment had that language in it or was it the original Bill?"

Currie: "That...that was not an Amendment. In fact, that...that

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

language was on a different Bill altogether and the Conference Committee Report...the First Conference Committee Report, on this Bill included the four Amendments that had been adopted by the Senate and this totally separate measure, the controversial measure, that we discussed yesterday, but that measure had never before been part of House Bill 3261."

Wennlund: "But...but does this...does this...There is nothing in here with regard to child support guidelines, is there?"

Currie: "No."

Wennlund: "This appears to allow a minor...12 years of age or older..."

Currie: "No, no, no. That was...that was the Conference Committee Report that we addressed yesterday. That is gone. This is the Second Conference Committee Report, and there is no reference to that issue whatsoever. What we are left with are various measures that have previously been approved by this House. They are proposals from the Citizens' Council on Women, and there's one that was a proposal from the Coalition Against Domestic Violence. There is no controversy that I am aware of surrounding any of the Amendments that were adopted by the Senate."

Wennlund: "Thank you very much."

Currie: "Controversial..."

Speaker McPike: "Miss Currie."

Currie: "Thank you, Mr. Speaker. I'd appreciate your 'aye' vote."

Speaker McPike: "The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 3261?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Trotter's light is not working. Turn...Check your key. There it goes. Have all

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 110 'ayes' and 10...101 'ayes', and 10 'nos' and the House does adopt the Second Conference Committee Report to House Bill 3261, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. House Bill 3483, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report on House Bill 3483. We've had this Bill before. It limits now what we passed earlier in the House, private child support collectors, and it addressed a lot of concerns that were raised when the original Bill was passed. I move for its adoption."

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Yes."

Lang: "Representative, what changes have been made since the original Bill?"

Hasara: "Representative, the private collectors will still be licensed under the Act. They will be granted permission to contact an obligor more than once a week for collection, and they will be permitted to speak to an employer, but they are still regulated."

Lang: "Is this Bill...have...have you had any lawyers check to see if this Bill is in compliance with federal law?"

Hasara: "I'm sorry, Representative, I can't hear you."

Lang: "There's a federal law called the Fair Debt Collection Act that limits the rights of collection agencies...to keep them from doing some of the very same things that are in your proposal: calling an employer; giving private information about a person's bad debts to another person; calling at 2:00 in the morning or 4:00 in the morning;

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

sending post cards...with the information about the debt showing so that the mailman can see it or anybody else that would see the mail could see it. Those things are all prohibited by federal law. Apparently your Bill does not do that, so the question I ask is whether or not you've had some lawyers check to determine whether there's a violation?"

Hasara: "Yes, we have, and a...a lawyer drew up the original language of the Bill."

Lang: "Well, thank you. To the Bill...to the Conference Committee Report. I rise in opposition to the Conference Committee Report for the same reasons I rose in opposition to the original Bill. This...Although we have a great stake in the State of Illinois in collecting child support from people and, in fact, I have a Bill on this same...on the subject of allowing county clerks to collect child support, we have a terrible problem in the area of child support. But in our effort to collect child support from people, it is inappropriate for the State of Illinois to violate privacy rights of citizens of our state. Are we going to allow collection agencies, who thrive on commissions, to make calls at 2:00 in the morning and 3:00 in the morning and 4:00 in the morning and let them call at 2:00 and 3:00 and 4:00. Are we gonna allow them to do that? Are we gonna allow collection agencies to call private employers to give them private information about their employees that has nothing whatsoever to do with their job performance? Are we gonna allow them to send post cards that say right on there, 'You owe a debt,' so that everybody's neighbors can read that the person has a...has a debt that they owe? There's no one on this House floor more interested in collecting child support than me.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

We've got deadbeat fathers all over the State of Illinois. They should pay their child support. They should be thrown in jail if they don't pay their child support. I have no problem with that, but to expand the rights of collection agencies, beyond the federal law, is wrong. The federal law is very clear on what's fair and what's right about what collection agencies should or should not be able to do. The federal law says you can contact them once a week. The federal law says you cannot contact an employer. The federal law says that if a...if a debtor asks the collection agency not to call or write again, they can't call or write again. They must proceed to litigation. That's what this should be about. I'm for collecting child support, and I hope that the people who vote 'no' on this are also for collecting child support, but if we erode the protections that we have from collection agency abuse, none of us are safe, because all of us owe some money to somebody, and if we open up collection agency practices and make them this broad, we will be making a serious mistake for all of us. I would recommend strongly a 'no' vote."

Speaker McPike: "Representative Johnson."

Johnson: "Well, I think people oughta pay attention. I really like Representative Hasara, but this is an absolutely awful Bill. He says federal law requires it. We have a state law that...that limits what collection agencies can do to collect bad debts. Now, we came in here a year ago and, I think unwisely, gave private collection agencies the right to collect...Public Aid debts. We did it and so it's done. Representative Black and people on both sides of the aisle objected to it because they were afraid of this. I don't know if it was Representative Hasara, but we were repeatedly assured this isn't gonna happen, but as

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Representative Lang said, let me tell you what Conference Committee Report #1 is gonna do. They're gonna say no other private collection agency, except when you're collecting from the State of Illinois, can do these things. You could call people 20 times in the middle of the night. You could call them at their work. You can call and call their relatives. You can blackmail 'em and threaten to put their name in the newspaper and publish it and send direct mail...to...to all their friends and neighbors or their contacts at church. You can do everything in the world short of a place that you're gonna cause them mental or physical illness. For God's sake what are we trying to do around here? We have some fundamental laws that protect the decency of every human being, that you shouldn't be able to be called at 3:30 in the morning on any kind of a debt; that you shouldn't have your employer get a call that says you're in debt so you can be fired so you can be in debt more; that you shouldn't be able to be blackmailed as this Bill...this Conference Committee Report clearly permits. This is absolutely a step back to the last century when...when deadbeats went to jail. Maybe they should, but they sure shouldn't have this kinda thing imposed on 'em. This Bill ought to get zero votes, because it's the most stupid, inhumane Bill that we've considered this spring."

Speaker McPike: "Representative Flinn."

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

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the previous question is put. We've heard debate on this for many, many hours, and it's July 2nd. Representative

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Hasara, to close."

Hasara: "Thank you, Mr. Speaker. Since many of you did not get a chance to express your feeling this time on this report, I'd like to go over just a few points. First of all, the Fair Debt Collection Act...under federal law, it has been ruled that child support does not fall under that Act. So it is incorrect to say that this is not permitted under federal law. In fact that...this makes Illinois law much stricter than federal law in the collection of child support. Let me address just a few other points, please. The language about contacting relatives has been taken out of the Bill. These collectors may not contact any relative. Remember, they are still regulated by the Department of Professional Regulation, so they cannot just be...be out running around doing anything under this Act. They are still regulated. One of the previous speakers said, 'What are we trying to do with this?' Let me tell you what we're trying to do. Two things: We're trying to help kids receive the court-ordered support that they have been ordered to receive from either a mother or a father who is the obligor of the child support. That's the First thing we're trying to do. A very worthy goal in my opinion. Secondly, we're trying to help the taxpayers of this State who are footing the Bill for \$600 million worth of uncollected court-ordered child support under the Department of Public Aid's 4D Program. That's only under Public Aid. That isn't even the amount of private child support that goes uncollected. So those are the two things we're trying to do under this Act, and, lastly, one of the previous speakers said, 'It's the most inhumane Bill.' Well, pardon me, what is inhumane? Inhumane is not being able to even collect what a judge already says is due to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

the kids in this state. If this is inhumane, what do you think we're doing to all these kids that are owed \$600 million of public money and probably at least that much in private money? Let's have all 'yes' votes on this Bill. It's a wonderful Bill. It was changed to address many of the concerns that were raised when it was originally here, and I ask for your help in passing it."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3483?' All in favor vote 'aye', opposed vote 'no'. Mr. Dunn, to explain his vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As has been indicated earlier, this really is a terrible Bill. People came across the pond to form this country to get out from under and escape oppression. What this Bill says is you can harass someone by calling them any time of the day or night, as many times as you wish; you can send them harassing mail; you can call their employer; you can do anything to them which would not cause a reasonable person physical or mental illness and, of course, that's up to someone's judgment call. We have statutes on the books now that prevent this kind of action in every other instance, because the things that are allowed under this legislation are oppressive, they are harassing, they are unfair, they are unconscionable, and this is a terrible, terrible Conference Committee Report. Let's defeat this and get it back to a Second Report and take this business out of it. Thank you."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill, in a tougher version which addressed all the previous concerns which were specious arguments, acquired 75 votes

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

the last time. All these scare tactics about the government and Big Brother is gonna be on you, it doesn't apply anymore, and I think the people who stand in opposition know it. The government simply can't handle the case load. The court system can't handle the case load. In a perfect world that could, we all talk about how we need to privatize whenever necessary and this is certainly necessary and \$600 million and the lives of thousands of children in this country depend on it."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...I'm sort of flabbergasted by the rhetoric that I'm hearing here. The Sponsor keeps telling everybody that it is regulated. They are regulated. They're not gonna to be able to do this kind of stuff that you're saying that they're gonna be able to do. We are talking about the children of this state who should be getting the kind of money to buy bicycles for themselves; for being able to have a quality education; to live in a home that provides a safe place for them to live, and they're being denied that by men and women who are not paying their support. How can you, in good conscience, not support this legislation? Society is tired of footing the bill for the deadbeats who have been court ordered to pay for this. This should pass. It is time for this society to stand up and say that we are sick and tired of you and me and the taxpayers of this state year after year, month after month, day after day, paying for something that these men and women should be paying for themselves."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, I rise in support of this legislation. We are here this afternoon to pass

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

what is going to be a heart-breaking budget. None of us wants to pass it. None of us wants to vote for it, but we're probably going to do it. This is a way of restoring to the children of Illinois the moneys that are due them from delinquent parents. I urge you to vote 'aye' on this very important legislation."

Speaker McPike: "Representative McCracken."

McCracken: "I rise in support of this Bill as well, and I, historically, have resisted what often has been an extreme view of the opposition. I don't think this is such a Bill. The reason we can justify applying private collection practices in child support areas is because of its impact on the public treasury. This is not merely a private debt we're talking about, because if the debt is not honored, the children go on welfare. That justifies our involvement in this. We're not talking about just a private issue. This is a public issue, and I rise in support of this effort."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to correct the record. Representative Johnson was actually wrong. He described it as an 'awful Bill'. The truth of the matter is, it is without a doubt, the worst Bill I've seen here in the last six years."

Speaker McPike: "Representative Davis."

Davis: "Mr. Speaker, I rise in opposition to this legislation, because I don't think we should make private firms rich at the expense of children. The so-called collection of child support, what part of that dollar will be used for administration and what part of that dollar will be used to actually go to those children? I believe that government should assume its rightful responsibility and collect these

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

dollars. I do not believe that private collection agencies should be made rich at the expense of the children in the State of Illinois."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 73 'ayes' and 36 'nos'. Representative Dunn has requested a verification. Mr. Clerk, a poll of the...of those not voting"

Clerk O'Brien: "A poll of those not voting: Keane and Ronan."

Speaker McPike: "All right. Proceed with the verification of the affirmative."

Clerk O'Brien: "Ackerman. Balanoff. Balthis. Barnes. Brunsvold. Burzynski. Capparelli. Cowlshaw. Cronin. Curran. Currie. Daniels. Deets. DeJaegher. Deuchler. Doederlein. Edley. Farley. Flinn. Frederick. Giglio. Giorgi. Hannig. Hasara. Hensel. J. Hoffman. Manny Hoffman. Hultgren. Kirkland. Klemm. Leitch. Levin. Marinaro. Martinez. Matijevich. McAfee. McAuliffe. McCracken. McDonough. McNamara. McPike. Noland. Novak. Obrzut. Olson. Parcells. Parke. B. Pedersen. Persico. W. Peterson. Phelps. Preston. Pullen. Richmond. Ropp. Rotello. Ryder. Satterthwaite. Schakowsky. Schoenberg. Sieben. Steczo. Stepan. Stern. Tenhouse. Trotter. Wait. Walsh. Weller. White. Wojcik. Woolard and Mr. Speaker."

Speaker McPike: "Representative Dunn. Questions of the affirmative. Have a nice summer, Senator Munizzi."

Dunn: "Representative Edley?"

Speaker McPike: "Representative who?"

Dunn: "Edley."

Speaker McPike: "Hannig?"

Dunn: "Edley."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Hannig is here."

Dunn: "Never mind. He's here. Representative Farley?"

Speaker McPike: "Mr. Farley. Mr. Farley? Where's Mr. Farley? There he is, in the back. Mr....Just a minute. Representative Obrzut asks leave to be verified. He's right here. John Obrzut. Will you verify him? Proceed."

Dunn: "Representative Parcells?"

Speaker McPike: "Representative Parcells. Where is the Lady? Where is Representative Parcells? Does anyone know where Representative Parcells is? There she is. Anyone else?"

Dunn: "Representative Pullen?"

Speaker McPike: "Miss Pullen. Representative Pullen is in the rear."

Dunn: "Representative Woolard?"

Speaker McPike: "Representative Woolard. Larry Woolard. There he is in the rear. He's in the rear."

Dunn: "No...no further questions."

Speaker McPike: "Thank you. On this Motion there are 73 'ayes' and 36 'nos', and the House does adopt the First Conference Committee Report to House Bill 3483, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 1903, Representative Hasara."

Hasara: "I move to adopt First Conference Committee Report on Senate Bill 1903. This Bill repeals the early release that we passed earlier this week. I move for its adoption."

Speaker McPike: "Representative Homer."

Homer: "Thank you Mr. Speaker, Ladies and Gentlemen. I rise to support the adoption of this Conference Committee. Late on the evening of June 30, we passed Senate Bill 1783 which implemented the Governor's proposed budget reduction plan, and many Members here took a tough vote and voted for that Bill. There were 66 votes in favor. Because of their

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

recognition, that strong medicine was needed in order to balance the state budget and to be fiscally responsible. There was one measure in that Bill of particular concern to a number of those who supported this omnibus reduction Bill and that is the measure that this Conference Committee before us would repeal and delete from Senate Bill 1783. That provision would provide for an early release. Those convicted of murder in Class X so that they could be released 90 days before the their release date for the purpose of home detention and electronic monitoring. Under the current law the Department of Corrections can already send someone home 90 days early with home detention electronic monitoring, if they've committed less than a Class X felony. This legislature had taken the correct public policy position before that those convicted of the most serious crimes against victims in this state should not, I repeat, should not be entitled to any type of a home detection program where the Department of Corrections could release them early from their sentence for that purpose, and so I think what we do here is wise in deleting that portion of the Omnibus Bill that Members voted for because of their recognition of the need to make substantial cuts, but who feel as I do that we simply can not accept this portion of the Bill that would allow for the early release of murderers and Class X felons. So, I would hope that we would all support this measure. Put it on the Governor's desk, since he has already signed Senate Bill 1783."

Speaker McPike: "Representative Young."

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

Speaker McPike: "Yes."

Young: "Are the underlined provisions of the original Senate Bill 1903 contained in this Conference Committee, Representative

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Homer?"

Speaker McPike: "Representative Hasara. Mr. Young, Representative Hasara is the Sponsor of the Bill."

Hasara: "Yes. Would you repeat it once more, Representative?"

Young: "Are the underlying provisions are there? The provisions that were originally contained in Senate Bill 1903 before it went to Conference, are they still in the Bill?"

Hasara: "No. This is the only provision in the Bill, Representative."

Young: "There is only one provision in this Bill?"

Hasara: "Yes. That's right."

Young: "Thank you."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1903?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes' and 3 'nos', and the House does adopt the First Conference Committee Report to Senate Bill 1903, and this Bill having received a Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 1071, Representative Hicks. Mr. Hicks? Mr. Hicks, Mr. Hannig was the Sponsor of this until about five minutes ago, and now you're the Sponsor."

Hicks: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. When this Conference Committee Report becomes the Bill, it deals with electric rates and energy efficiency in the State of Illinois. It directs that the General Assembly...the goal of electric utilities is for resource planning...minimized cost of Illinois electric energy consumers. This Bill is intended to protect the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

environment, to change the usage of electricity in Illinois hopefully to conserve electricity. I'd be happy to try to answer any questions."

Speaker McPike: "Representative Black."

Black: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. Representative Hannig could not have done a better job of explaining that Bill. I commend Representative Hicks. This Bill is agreed to by the ICC. It's agreed to by Commonwealth Edison. It's a very good Bill and Representative Hicks, I have not heard such a clear explanation of a Conference Committee Report in my years here. I congratulate you Sir. I'm going to vote 'aye'."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Would the Gentleman yield to a question or two?"

Speaker McPike: "Yes."

Matijeovich: "Representative Hicks. Isn't it true that there is a court case pending to decide this very issue that is encompassed in this Bill? Are you aware of that?"

Hicks: "The Illinois Commerce Commission has informed us...it is their understanding that this does not affect that court case. That came from Bob Lane with the Illinois Commerce Commission. He directs me that...he has said it does not affect the court case."

Matijeovich: "Well my information is that it...that the court case does relate to this very issue and that consumers led by industrial customers are opposing the central Illinois Public Service on this very issue. Is it true, Representative Hicks, that if this Conference Committee Report is adopted that all consumers would pay higher utility rates?"

Hicks: "No it's not necessarily true, Representative."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Matijevich: "Well, that's a good answer that you want to give, but the fact of the matter that it is true."

Hicks: "Representative that's absolutely not true at all."

Matijevich: "It is true."

Hicks: There's a possibility...Representative, that's not true at all, and I object to you saying that my answer to you is incorrect. I object to that very strenuously."

Matijevich: "Well, I object to your objection, because it is true. The fact of the matter is that this Bill is opposed by industrial customers, it is opposed, it is not often that industrial customers agree with the citizens utility board, but all consumers will pay more if this Conference Committee is adopted, and I would urge the Members to oppose this Conference Committee Report. I understand a couple of other Sponsor's that we're going to present this Report, they decided not to and then I guess they ran to others to see who would pick up the Conference Committee Report. This is a matter that will cost consumers. It will cost the consumers. There is already in the law written into the statutes regarding energy efficiency. We have enough language regarding energy efficiency, and we don't have to have this that will...will affect the pending case, so I urge your opposition to this Report."

Speaker McPike: "Representative Laurino. Mr. Laurino? Mr. Laurino, would you come to the podium? Representative Schakowsky."

Schakowsky: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong opposition to this Conference Committee Report, which grants the Illinois Commerce Commission even more authority than they have today to pass along higher utility rates to consumers under the guise of energy efficiency programs. The only ones to benefit from

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

this legislation are the utilities themselves. This is a last minute attempt to undermine the case which is pending before the courts. I would suggest that this Body, this session has done enough to help the utility companies. Let's give consumers a break and vote 'no' on this Conference Committee Report."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you Mr. Speaker, will the Sponsor yield?"

Speaker McPike: "Yes."

Granberg: "Representative Hicks. It's my understanding as of two days ago, the Citizens Utility Board was in favor of this exact legislation? Is that true?"

Hicks: "That's my understanding, Representative. That's what I've been told...with people who have been negotiating this Bill for some time. It's also true that the industrials asked...was Repr...as one of the Representatives here just misrepresented, they were also opposed to it, is not true."

Granberg: "Thank you."

Speaker McPike: "Representative Levin."

Levin: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. First of all let me clarify the record...has never been for this concept. When it was over here on a Senate Bill, they lobbied vigorously opposed to it, and at that point, Representative Steczo agreed not to call the Bill that contained this language. What this does, makes no sense at all. It's probably the most ludicrous Bill this year. It says if there are conservation measures that save on the need for use of electricity, you have to make it up. They have to give the utilities higher rates so that if less electricity is used, they make more money. They make it up. Why have conservation, if it's not going to ultimately save the consumers and the industrial users money? This is

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

just wrong."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1071?' My apologies. Representative Hicks to close."

Hicks: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I haven't been called a liar in this House ever before. I don't like that. I don't like that at all. Representative, as I have right here an analysis that we all use, day in and day out, done by our staff, saying certain things, we use those day in and day out. If I misrepresent anything to you, I would say so. Representative, I don't know that I've misrepresented anything whatsoever to you, and I object whenever you don't like it, and you don't like what I say, and you don't like what other people say, well Representative I can't use that word and I can't imagine you using it. Ladies and Gentlemen I'd ask you to vote 'aye' on the Bill."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1071?' All in favor vote 'aye', opposed vote 'no'. Representative Black."

Black: "Yes. Thank you very much Mr. Speaker and Ladies and Gentlemen of the House. Let me just say...let me just reiterate what the Sponsor said. On Conference Committees late in the year we do have to rely on the Democratic Staff and the Republican Staff and in the Conference Committee Report analysis that both of our staff's work on, I quote, 'neither the Illinois Manufacturers Association nor the Citizen's Utility Board have any problems with this provision'. This Conference Committee analysis is dated July 1, 1992."

Speaker McPike: "Representative Daniels."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Daniels: "I just wanted to say on this issue, I agree with Representative Hicks."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. This Bill requires 71 votes. Representative DeLeo. DeLeo votes 'aye'. On this Motion, there are 63 'ayes' and 43 'nos', and the House does not adopt the First Conference Committee Report to Senate Bill 1071. Representative Hicks, did you wish a Second Conference Committee on that Bill? No. Mr. Homer, do you intend to call House Bill 4078? Mr. Homer do you intend to call this Bill? 4078? Mr. Homer?"

Homer: "Thank you Mr. Speaker. I would move pursuant to Rule 79(e) that we extend the deadline on House Bill 4078 until the end of veto session. This is a Bill that...it's being advanced at the request of the Cook County Circuit Clerk, and there's a question now with public...it has to do with child support enforcement, and there's a question about whether this Bill would put the federal guidelines...put the federal guidelines in, so because of that concern we need some additional time to work with Public Aid..."

Speaker McPike: "Alright, the Gentleman has asked the extend the dead line to January 13. The Motion will be to extend it to January 13, 1993. Hearing no objections, the Attendance Roll Call will be used. And the Gentleman's Motion carries. The House will stand at ease. The House will stand at ease for one half hour. We're waiting for paperwork. We're waiting for paperwork on this Nursing Home legislation...so, about a half hour it should be."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I would ask leave of the House for use of the Attendance Roll

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Call, to waive the posting notice and the rule whereby a committee cannot meet while we're in session, so that the Rules Committee can meet immediately in the Speaker's Conference Room to exempt Senate Bill 1295. That's an environment Bill. And the Republicans have cleared this."

Speaker Giglio: "Any discussion? Hearing none, you heard the Gentleman's Motion. The Gentleman have leave by the Attendance Roll Call. Hearing none, the Motion is granted. Motion carries. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29c(3), the following Bills have been ruled exempt on July 2, 1992: Senate Bill 1295, signed John Matijevich, Chairman."

Speaker Giglio: "Supplemental Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #4 is being distributed."

Speaker Giglio: "Supplemental Calendar #4. Representative LeFlore, on House Bill 2994. Is Representative LeFlore in the Chamber? The Gentleman from Cook, the First corrected Conference Committee Report on House Bill 2994."

LeFlore: "Mr. Speaker, I yield to Representative Turner on this Conference Committee Report."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. This Conference Committee Report does a couple of things. One, it amends the Public Aid Code in relation to Medicaid. It adds provisions that were requested by the ambulance providers and originally introduced in House Bill 3950, which passed the House but not exempted from consideration by Senate Rules. Secondly, it corrects...the other day when we dealt with the budget...budget reductions, there was technical language which affected the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Department of Children and Family Services. So it amends the Abuse and Neglected Child Reporting Act. It changes provisions that would be added to that Senate Bill, the Omnibus Substantive Bill sent to the Governor authorizing various cuts in State programs. Basically, it changed the date in regards to how long the program...when it will start and how long it will go until. The...It also adds provisions relating to Community Health and Developmental Disability Provider Participation Fee Trust Fund, that part of the fiscal year 1992 Medicaid Provider Assessment programs administered by the Department of Mental Health. This Amendment was requested by the Department of Mental Health and Developmental Disabilities. The second part, as I mentioned earlier, was requested by the Department of Children and Family Services. And the first priority is not opposed by the Department of Public Aid. And I move for the favorable adoption of Conference Committee Report #1 to Senate Bill...House Bill 2994."

Speaker McPike: "Any discussion? Question is, 'Shall the House adopt the First Corrected Conference Committee Report to House Bill 2994?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes' and no 'nays', and the House does adopt the First Corrected Conference Committee Report to House Bill 2994. And this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Steczo, House Bill 3815."

Steczko: "Thank you, Mr. Speaker. I would move that the House adopt the First Conference Committee Report on House Bill 3815. This Act contains two items. One was requested by the Liquor Control Commissioner. And it specifies that,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

with the the approval of the Liquor Control Commissioner, he can issue a new license to a new licensee for a premise where the original license had been revoked as a result of violating state tax laws. This is similar to legislation that we've passed before but more narrow. In addition, it contains an Amendment that this House approved unanimously to Senate Bill 1606 that deals with animal control wardens and allows them to have their powers if approved by the county board. Mr. Speaker, I would move for the adoption of Conference Committee Report #1."

Speaker McPike: "And on the Motion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3815?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 102 'ayes' and 7 'nos'. And the House does adopt the First Conference Committee Report to House Bill 3815. This Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Flowers, House Bill 3898. Representative Steczo, Senate Bill 186."

Steczko: "Thank you, Mr. Speaker, Members of the House. This is the Second Conference Committee Report on Senate Bill 186. As you recall, yesterday, the debate was centered around language in the First Conference Report that dealt with the definition of adequate education. The rest of the Conference Report was non-controversial. Conference Report #2 deletes the objectionable language from yesterday. So based on that, Mr. Speaker, I'll just offer Conference Committee Report #2 for adoption."

Speaker McPike: "Question is, 'Shall the House adopt the Second Conference Committee Report?' Mr. Black."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Black: "Has this been distributed, Mr. Speaker?"

Speaker McPike: "Mr. Clerk, has this been distributed? Yes.
Representative Cowlshaw."

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

Speaker McPike: "Yes."

Cowlshaw: "Representative Steczo, is it correct that this
Conference Committee Report contains everything that was in
the First one except that the part about the definition of
adequacy has been removed?"

Steczko: "Representative Cowlshaw, as I explained in my remarks,
that language that we debated yesterday on the House floor
has been removed."

Cowlshaw: "Thank you very much."

Speaker McPike: "Question is, 'Shall the House adopt the
First...the Second Conference Committee Report to Senate
Bill 186?' All those in favor vote 'aye', opposed vote
'no'. Have all voted? Have all voted who wish? Have all
voted who wish? Have all voted who wish? The Clerk will
take the record. On this Motion, there are 112 'ayes' and
1 'no'. And the House does adopt the Second Conference
Committee Report to Senate Bill 186. And this Bill, having
received a Three-Fifths Constitutional Majority, is hereby
declared passed. Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 186, Resolved by the
Senate of the 87th General Assembly, the State of Illinois,
the House of Representatives concurring herein, that when
the two Houses adjourn on Wednesday, July 2, 1992, they
stand adjourned until Thursday, November 5, 1992, at 12:00
noon."

Speaker McPike: "Representative Lang moves for the adoption of
the Adjournment Resolution. All in favor say 'aye',

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

opposed 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. Senate Bill 2233, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move for the adoption of the Second Conference Committee Report on Senate Bill 2233. We debated this Bill thoroughly yesterday. The only objectionable material was a certain quick take power that Senator Phillip wanted. This has been removed from the report. This not in the report. I would move adoption."

Speaker McPike: "Question is, 'Shall the House adopt Second Conference Committee Report to Senate Bill 2233?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there 100 'ayes' and 7 'nos'. And the House does adopt the Second Conference Committee Report to Senate Bill 2233, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Parke."

Parke: "Thank you, Mr. Speaker. An inquiry of the chair. When was the Adjournment Resolution...when were we supposed to report back? What was the date?"

Speaker McPike: "Mr. Clerk, read the dates."

Clerk O'Brien: "Thursday, November 5, 1992, at 12:00 noon."

Speaker McPike: "Thursday, November 5th. Senate Bill...on a Motion on Senate Bill 1295, Representative Hultgren, moves to suspend rule 79(e) and placed on the Order of Conference Committee Reports. Hearing no objections to the Gentleman's Motion, Attendance Roll Call will be used, and the Motion carries. Senate Bill 1295, Representative Ryder."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Ryder: "Thank you, Ladies and Gentlemen of the House. This Bill represents a package of environmental acts which include a permit program as required by the Clean Air Act. It also includes pollution prevention. Establishes a program called 'Partners in Prevention'. Prohibits landfill disposal of liquid used oil. Establishes a stream lined, fast track rule making for clean air act amendments. This Bill represents the culmination of negotiations for several months in which many interested parties participated, and I take particular pride in expressing to you that the folks who are now in support of this legislation include such diverse folks as the Illinois Environmental Council and the Illinois Manufacturing Association, the Illinois Petroleum Council and Steel Group Petroleum Marketers and the Chicago Lung Association. Truly, we have a piece of environmental law in which the interested parties have created something meaningful on behalf of the Illinois General Assembly and the people of Illinois. It is truly with a point of personal pride that I rise and ask you to support this First Conference Committee Report to Senate Bill 1295."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker. I, too, would like to rise in support of this significant legislation as a milestone, as far as negotiations are concerned, with all the diverse groups, all the time that was spent and energy to negotiate these items so we can begin to clean up these sites and adopt these Clean Air Amendments that are coming out of Washington. I would like to congratulate all the groups that worked so hard. I'd like to point out to the members of the body that there are no fees in this legislation and we will deal with that in the fall, hopefully. But please, support this significant legislation."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Representative Hannig."

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

Speaker McPike: "Yes."

Hannig: "Yes. Representative, for us down in coal fields, and we hear the term 'Clean Air Act', we get a little bit nervous, sometimes. How would this affect any of the existing or, perhaps, even hopeful coal mines in southern Illinois?"

Ryder: "Representative, I'm one of those folks that's (sic - who's) concerned about coal as a result of the districts you so kindly gave to me. And, as a result to that..."

Hannig: "Well, we'll just share that one. But how will that affect us in the coal fields of southern Illinois?"

Ryder: "It affects us in no way at all. The Act has no impact on the coal mining industry."

Hannig: "Very good. Thank you."

Speaker McPike: "Representative Klemm."

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

Speaker McPike: "Yes."

Klemm: "Representative, do I understand correctly that the Trip Reduction Phase of the Clean Air Act is not included at this time but will be resolved later on?"

Hannig: "That is correct, Representative."

Klemm: "All right. Thank you very much."

Speaker McPike: "Representative Balanoff."

Balanoff: "Does...Is there anything in this Bill that would establish a program for environmental clean up?"

Hannig: "Representative, the hazardous waste fees that were a part of this Bill ran into a problem and couldn't find an appropriate place to land. And as a result, unfortunately, those are yet to be determined. So the hazardous waste fees that we had negotiated and hoped would be part of the final package may be a little late in taking off."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Balanoff: "Well, that's something I certainly had hoped would be in the Bill. And..."

Hannig: "I appreciate your support in that."

Balanoff: "I'd like to work with you to make sure that that happens in the future."

Hannig: "I'm sure with your support, Representative, that we'll be able to accomplish that goal."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1295?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there 116 'ayes' and 1 'no'. And the House does adopt the First Conference Committee Report to Senate Bill 1295. And the Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Representative Flowers. Mary Flowers. Representative Flowers, on House Bill 3898."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with House Bill 3898. I move to...I move to adopt the First Conference Committee Report."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "I'll try to expedite this. But this hasn't been on our desk very long, and I see the word airport authority in here. Is that anything to do with airport authorities?"

Flowers: "I would imagine so."

Black: "What's it doing with airport authorities?"

Flowers: "Pardon me?"

Black: "What's...what airport authority Act are you amending?"

Flowers: "The Airport Authority Act. Representative Black."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Black: "Okay. I got the answer. Thank you very much, Representative."

Flowers: "Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Mr. Speaker, would the Sponsor yield for a question, please?"

Speaker McPike: "Yes."

Ryder: "Representative, in the earlier Bill, there was some legislation that was of particular interest to me. Is that legislation still in here concerning auctioneers?"

Flowers: "No, Representative. It's not."

Ryder: "I'm certainly sorry to hear that."

Flowers: "I agree with you."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3898?' All in favor vote 'aye', opposed vote 'no'. Representative Hicks."

Hicks: "Mr. Speaker, I was going to say, if we don't know what's in the report, maybe we ought to not vote for it. But it don't (sic) look like very many people are going to vote anyway. But we'd all like to know the answer to Mr. Black's question, really. Maybe some of us would change our minds."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I think Representative Hicks is right. And that confusion may be my fault."

Speaker McPike: "Excuse me. Mr. Black, you've already spoken in debate."

Black: "Well. All right. I was just going to try to clear up airport authority. He used my name..."

Speaker McPike: "Oh. Okay."

Black: "...in debate."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "All right. Proceed."

Black: "It's my understanding that the only airport authority in this has to do with Bloomington-Normal. They are in the process of expanding their airport. It has nothing to do with Lake Calumet, O'Hare, anything else."

Speaker McPike: "That was very helpful, Mr. Black. Representative...Have all vote...Representative Flowers, did you want to say anything. You have 27 votes here. Ms. Flowers."

Flowers: "I would just like for clarity, this applies to all airport authorities not just that one particular one."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, I understand this is the Clean Up Bill that we passed for the 25 airports in Illinois so they could make their land productive and get off the property tax roll. This has to do with their authority to issue bonds without pledging property taxes to pay the bonds off. It's only on money generated from efforts from the activities at the airport like a golf course or a hotel or an enterprise zone and so on."

Speaker McPike: "Representative McCracken."

McCracken: "I'm not sure. But I don't think that's what this Bill does. I was looking for Lake Calumet. I was hoping it was back. But, it seems to me the part about the airport authority is more technical. It limits the scope and contracts for a term not to exceed 20 years. It inserts the term 'real property' wherever it appears. I don't think it does anything on that score. I mean this harmless is my point."

Speaker McPike: "Would the Body please refrain from the whistling. Representative Giorgi."

Giorgi: "Mr. Speaker, I think the language Representative

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

McCracken referred to is the language Chapman and Cutler recommended. Chapman and Cutler recommended that language for the issuance of general revenue bonds and the payback of those bonds pledged on solely on revenue generated by efforts of the authority. This is an attempt to put authorities on a pay-as-you-go basis where they don't have to depend on the property tax to pay their perpetuity."

Speaker McPike: "Pay their what?"

Giorgi: "Perpetuity. You want me to specificity?"

Speaker McPike: "Mr. Balanoff, did you wish to speak against this? It only has 16 votes. It's really not..."

Balanoff: "I was actually going to speak against it for a different reason."

Speaker McPike: "It's really not necessary."

Balanoff: "You're right. I just thought that the idea of quick taking for a waste energy facility or an incinerator was real bad."

Speaker McPike: "Mr. Hoffman."

Hoffman: "I just...this is an inquiry of the chair. Maybe you know. Does this have the stuff about the quick take down south? Do you know? Well then, I need...I have a possible conflict. I'm going to vote 'present'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 16 'ayes' and 74 'nos', and the House does not adopt the First Conference Committee Report to House Bill 3898. The Lady requests a Second Conference Committee Report. The House will stand at ease. Senate Bill 1607, the Bill's been read a second time previously. Mr. Clerk, are there any Amendments? The House is in session."

Clerk O'Brien: "Floor Amendment #2, offered by Representative

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

LeFlore."

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Senate Bill 1607 has been amended to allow the Department of Public Aid..."

Speaker McPike: "Just a minute, Mr. LeFlore. This has been...staff informs me...would you take it out of the record just for a second?"

LeFlore: "Take it out of the record."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. But I'd like to remind the chair that yesterday I informed the chair that I had 4:50 in the pool for adjournment and my time starts right now. Can we do this in the next 9 minutes and go home, please, so I can win the pool?"

Speaker McPike: "It would be possible. Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate refused with the House of Representatives in the adoption their Amendments to the Bill with the following to wit: Senate Bill 1892, returned together with House Amendments #4 and #10. Action taken the by the Senate July 1, 1992. Linda Hawker, Secretary of the Senate'."

Speaker McPike: "...are we prepared to move ahead here? Senate Bill 1607, the Bill's been read a second time. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative LeFlore."

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. I'd like to table Floor Amendment #2."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative LeFlore."

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. Floor Amendment #3 to Senate Bill 1607 allows the Department of Public Aid to transfer up to \$25 million for Earn Fair. The transfer is permissive. I ask for your support on this Amendment #3."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Perhaps, we could get an Amendment? Here comes the Amendment. Thank you. Could you give me just a few minutes to take a look at it?"

Speaker McPike: "Certainly. Mr. Dunn. Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have a question for the Sponsor. Amendment #3 seems to indicate that the funds appropriated are for the purposes of the Work Opportunity and Earn Fair Act. I presume that that is Senate Bill 1717 which we passed the other day. Is that so?"

Speaker McPike: "Mr. LeFlore."

LeFlore: "It's true Representative."

Dunn: "Senate Bill 1717 contained...I don't have it before me...but it contained Earn Fair provisions and it also contained some other things including some kind of a pilot program for Chicago and East St. Louis and some job programs of some kind. What I'd like to know from the Sponsor is, is it your intent that any money appropriated, pursuant to this Amendment, be distributed statewide among those who are participating in Earn Fair and only for them?"

LeFlore: "That's correct. It's statewide, Representative."

Dunn: "And is it your intention with this Amendment, because

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

funds are probably going to be very, very limited if there are any funds for this purpose, that they be plugged into a statewide formula for Earn Fair first before they are applied to anything else as set forth in Senate Bill 1717?"

LeFlore: "Correct."

Dunn: "And...and if...and anything else contained in Senate Bill 1717 shall only be considered for appropriation and expenditure if an adequate level of funding has been provided for Earn Fair first?"

LeFlore: "Correct."

Dunn: "And the reason I say that, Mr. Speaker, Ladies and Gentlemen of the House, is that some of us are nervous that, in the event funds are located for transfer pursuant to this Amendment, that those who support this Amendment may find themselves in an awkward position that there are only a million or two million dollars, and those funds don't end up in Earn Fair, they wind up in overhead to rent space, buy equipment and provide jobs for staff to conjure up some program that will be funded. So, I commend the Sponsor for answering my questions, and I hope it is clear that if this Amendment passes and any funds are appropriated pursuant to this Amendment that they be plugged into Earn Fair only and not into anything else. Thank you."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, it was my understanding that Amendment #2 would be...that you have withdrawn, was identical to Amendment #3. Is that your understanding?"

LeFlore: "Yes, that it was...it was the same intent. If you

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

check line 12 of the Amendment, they said, 'Unexpended reserves'."

Black: "I think the problems we're having is that Amendment 2...the language simply isn't anywhere near. I mean it isn't even related to Amendment #3. Can we have a...Mr. Speaker, if the Sponsor's willing, could we have counsel take just a quick look at this?"

Speaker McPike: "You can have your legal counsel look at it, certainly."

Black: "Thank you."

Speaker McPike: "Mr. Ryder. Representative Ryder."

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

Speaker McPike: "Yes."

Ryder: "Representative, this appropriation that you make, is it solely at the discretion of the director?"

LeFlore: "Yes."

Ryder: "So that he must make an action to designate an unexpended reserve in order to fund this amount?"

LeFlore: "Exactly, Representative."

Ryder: "And under this Amendment and under substantive law, he is under no obligation to do that?"

LeFlore: "No. He isn't."

Ryder: "Thank you, Representative. Nothing further, Representative."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker. A question to the Sponsor."

Speaker McPike: "Yes."

Giglio: "Representative LeFlore, this money...this 25 million, is there an understanding that this money will help those people who will not be getting anything, thusfar, as far as General Assistance from the City of Chicago?"

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

LeFlore: "If they meet the guidelines. This is for employables not unemployables. People who is (sic - are) able bodied to work. This is what this Amendment will be used for, for the Earn Fair program."

Giglio: "And this is to help those people where, last year, they gave them 9 months of some assistance and this year, at the beginning, I understand they were going to give them 6 months of assistance. As there wasn't anything left, so this is going to take the place of a...and replace some of the money they may get?"

LeFlore: "Exactly. But they'd be working for it."

Giglio: "Okay, fine. Thank you."

LeFlore: "...instead of a handout."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted? All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1607, a Bill for an Act making Appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. I would just like to have a favorable vote on this important Amendment, Amendment #3 to Senate Bill 1607."

Speaker McPike: "Question is, 'Shall Senate Bill 1607 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there 102 'ayes' and 7 'nos'. Senate Bill 1607, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 1727. Bill's been read a second time previously. Are there any Amendments?"

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Clerk O'Brien: "Floor Amendment #1, offered by Representative Daniels, Ryder and Leitch."

Speaker McPike: "Representative Ryder. Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 is the appropriation section which states that the sum of \$31 million, 200,000 or so much thereof may be necessary is appropriated from the Nursing Home Grant Assistance Fund to the Department of Revenue. I move for its adoption."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1727, a Bill for an Act to provide for the ordinary and contingent expenses of the General Assembly. Third Reading of the Bill."

Speaker McPike: "Representative Daniels moves for the passage of Senate Bill 1727. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this...On this Motion, there are 113 'ayes' and no 'nays'. Senate Bill 1727, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 1806. This Bill's been read a second time previously. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Klemm."

Speaker McPike: "Mr. Klemm. Mr. Klemm."

Klemm: "Withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Clerk O'Brien: "Floor Amendment #2, offered by Representative Daniels."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is a Nursing Home Grant Assistance Act which provide (sic - provides) for grants to private pay nursing home residents of up to \$2,000 per year if their adjusted gross income minus nursing home expenses does not exceed 250% of the federal poverty level. The grants are financed by a \$1 per patient, per day fee paid by nursing homes. The program will be administered by the Department of Revenue, financed through a dedicated fund, the Nursing Home Grant Assistance Fund. The FY '93 appropriation level which was just passed is \$31 million. The law provides, in the event of insufficient funds, per-year grant payments will be reduced proportionally. Nursing home fee payments will be payable quarterly beginning September 30th. The Department of Revenue will provide, by rule, for monthly payments if the provider chooses. Grants to residents will be payable quarterly beginning in October. Hospital-based, long-term care units are not included in the fee nor are residents of these units eligible for the grant payments. The fees and grants are payable only for the Fiscal Year 1993 since this Act sunsets after that time. The Act prohibits nursing homes from billing the resident or any other payer for the \$1 fee. I move for the favorable adoption of Amendment #2, and I'll be happy to answer any questions."

Speaker McPike: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I may have a potential conflict of interest on this Bill if it becomes amended, and I shall vote my conscience."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?'"

All those in favor say 'aye', opposed, 'no'. The 'ayes' have it, and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1806, a Bill for an Act to create the Nursing Home Grant Assistance Act. Third Reading of the Bill."

Speaker McPike: "Representative Daniels moves for the passage of the Bill. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 101 'ayes' and no 'nays'. Senate Bill 1806, having received a Three-Fifths Constitutional Majority, is hereby declared passed. House Bill 2758, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do concur in Senate Amendments 1 and 2 to House Bill 2758. This is the assessment program that will fill a \$1.4 billion hole in the state's budget for the coming fiscal year. The proposal is exactly as we saw it a couple of days ago, that is, hospitals will be assessed at a 2.5% level. The nursing homes will be assessed \$6.30 per patient, per day. Spousal impoverishment is restored to the full federal maximum, and the developmentally disabled facilities will be taxed at 13% of revenues. It's my understanding that most of the provider community is in support of this measure. This is the way we fund the Medicaid program for hospitals, for long-term care and developmental disability facilities that serve the state's poor. I would be happy to answer your questions, and I would certainly appreciate your support for the Concurrence

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Motion. This is the way we solve our budget problems."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker. I just, at this time, want to declare my perceived and possible conflict in voting for this Bill, and I will vote my conscience."

Speaker McPike: "Question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2758?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I may have a potential conflict of interest with this legislation, but I shall vote my conscience."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, I have spoken in support of this program previously. There has been an additional element brought into the program because of the insistence of certain Members of this Body. In my earlier presentations, I explained, this is the Governor's Assessment Plan to provide for funding for the Illinois Medicaid Program. There are a variety of ideas, a variety of plans in this area. All of them have been discussed. They've been considered. They've been dissected. The bottom line consideration is that Illinois must have a well funded Medicaid program for hospitals and for nursing homes. There may be aspects of this that you don't like. There are aspects of it that I don't like, but I have to come back and say to you that nobody has advanced a better idea and for those reasons, again, I request an 'aye' vote in support of this assessment program advanced by Governor Edgar to provide full funding for the Medicaid program. Thank you."

Speaker McPike: "Representative Daniels."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. As this Body knows, there's been considerable negotiation through the years dealing with the Hospital Assessment Program and the Nursing Home Assessment Program. As everyone here is aware, we had some difficulty with this, and certainly the hospitals that many of us represent had tremendous concerns, but there are principles that were put into the law which are now allowing us to offer our support. For instance, this Bill will sunset after the period of one year. There will be a blue ribbon committee that will be set up to study in depth this whole process. There will be a rate structure set into law, and there will be an effort to mitigate some of the differentials that exist between hospitals and the state. On the nursing home side, what a tremendous grant assistance program this Body just approved with the working relationship of the Governor's Office and everybody here. This affords the opportunity, along with that Nursing Home Grant Assistance Program, to offer the people of Illinois an opportunity to meet our needs in the Medicaid Assessment Program. Now there's a lot of us that (sic - who) would say that we have some concerns about it, but a program that will last a year, a program that will be studied very carefully in the ensuing term, and a program, frankly, that leaves us no choice to adopt because of the mandates that are coming out of Washington - unfunded mandates estimated over the last two years to be in the amount of \$312 million that the Federal Government is requiring us to meet in the Medicaid program. Now, I didn't offer my support when it first came up earlier, and I didn't do so because I thought it was lacking some elements. I wanna compliment all parties here in the General Assembly, because I think this is an example

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

when, yes, you spend a little extra time, you can get a better product. For that reason, I offer my support. I encourage those of you that (sic-who) can to join with me and the Speaker and the others here to pass this Bill into law."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. It is a really sad day in the State of Illinois when we have to impose taxes on people who are sick in order to help to finance our health care programs. It is never easy to impose another tax on someone in a nursing home or someone who has to go in for hospital care, and, yet, we know, that if this program does not go into place, we will have a \$1.4 billion dollar hole in the budget. If we are not able to easily make the cuts in budget that we are going to be required to make now, how can we possibly go back and cut another \$1.4 billion primarily out of our health care programs for our sick and elderly? I don't like having to make this vote any more that any of the other people who are voting green, I am sure, and, yet, it is the only humane thing to do at this point. We cannot afford a 30% cut to our medical care providers and to the care level that our sick people can have. I, reluctantly, vote 'aye'."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As unpleasant as this is this evening, as I mentioned the last time this Bill was presented, is that \$6.30 is a very unpleasant thing to tell people in nursing homes that there is going to be their expense. The concern that I have is that that is the best case scenario that we're gonna be faced with. If we do not pass this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

legislation tonight, as we know, the Governor has sent out letters to nursing homes telling them that there is a 30% reduction in the cost that they are going to get from this state. I may respectfully remind you what that means is that he then will have to pass on to those nursing homes the option of either going out of business or passing on to the fore-payers the additional cost. So, instead of having 6.30 a day as an additional expense, it could be \$12, 14, 16 a month...a day additional expense. It is obvious that this must pass tonight or else we're gonna find people with a burden that they can no longer afford and put our nursing home industry at risk in this state that we may never be able to recover from. I would ask the Body to do the tough thing and the right thing and pass this legislation tonight."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Twice this week I have voted 'no' on the Medicaid Provider Assessment Program. I have spent about two hours at this desk this afternoon calling four hospitals in my district and 20 nursing homes in my district. These people, by solicitation of their opinion by mail about three weeks ago, were almost unanimous that this was not the right program. Today, when it gets down to the nuts and bolts, the tough time to make the tough decisions, three out of the four hospitals want this program. About 16 out of the 20 nursing homes want this program. I've been down here six years. There's been a lot of tough votes, but I don't know of any more wear and tear upon my mental and physical abilities than I've seen in the last couple of days and the last couple of hours. The only vote that will provide for the continued service and, actually,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

existence of some of our nursing homes, is a green vote today. I ask your support also."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my 'aye' vote, a lot of people were concerned what the senior citizens thought about this legislation, but many of us receive communications from the American Association of Retired Persons indicating their strong support for this legislation. Let me read just a couple of sentences from the letter I got. 'AARP State Legislative Committee has gone on record as supporting the Provider Tax Program to be considered by the Governor'."

Speaker McPike: "Thank you, Ellis. Thank you. Thank you. Thank you, Ellis. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 71 'ayes and 44 'nos', and the House does concur in Senate Amendments #...Senate Amendments #1 and 2 to House Bill 2758, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Supplemental Calendar #5. Representative Giglio...just a minute Representative. Mr. Clerk, Supplemental Calendar #5. Just a minute, please. Just a minute."

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

Speaker McPike: "On Supplemental Calendar #5, appears Senate Joint Resolution 185. Mr. Clerk, read it."

Clerk O'Brien: "Senate Joint Resolution 185, sponsored by Speaker Madigan, pursuant to Section 3 of Article 8 of the Constitution and upon the recommendation of the Legislative Audit Commission, William G. Holland of Springfield, Illinois is appointed Auditor General of the State of Illinois for a term commencing on August 1, 1992."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Representative Giglio."

Giglio: "Mr. Speaker, the Democrats would like to caucus immediately in Room 114."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. The Republicans call an immediate conference in Room 118."

Speaker McPike: "All right. For approximately one-half hour. Would that be sufficient, Mr. Wennlund? Half-hour on this? All right. The Republicans and the Democrats are holding immediate Caucus in 114 and 118. We will be back in one-half hour."

Morrow: "The real Speaker's in the Chair. We'll be getting outa here in a short while, but Madigan had to give up the Chair so we can get outa here. So I've made a deal with him, and I'm now the new Speaker. Now, if you believe that, you better believe that Lake Calumet Airport is dead. This...this was part of the deal, wasn't it?"

Speaker McPike: "The House will come to order. The House will come to order. Children and Family Law. Representative Preston. Mr. Preston. Mr. Electrician."

Preston: "Mr. Speaker, I'd like to be the first to congratulate the Auditor General, Charles Morrow, and wish him god-speed in all of his efforts."

Speaker McPike: "Representative Hicks."

Hicks: "Mr. Speaker, the members of the Downstate Caucus request that we have one hour for Caucus with Downstate, please."

Speaker McPike: "What do you think, Representative Stepan? She says 'no', Mr. Hicks. Representative Hicks."

Hicks: "Mr. Speaker, I would, again, request a Downstate Caucus for one hour at this time."

Speaker McPike: "The House will stand at ease. Representative Hicks. Representative McCracken."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

McCracken: "Suburban Legislators require one hour for a conference."

Speaker McPike: "Representative Wennlund."

Wennlund: "The Illinois Legislative Sportsmen's Caucus needs one hour for a Caucus. Is that correct, Representative Brunsvold?"

Speaker McPike: "The House will come to order. Senate Joint Resolution 185. Representative Flinn."

Flinn: "Well, Mr. Speaker, is Senate Joint Resolution 185 before us now?"

Speaker McPike: "The Sponsor of the Resolution will be here shortly."

Flinn: "Well, I'd like to move the previous question before he gets here."

Speaker McPike: "Senate Joint Resolution 185, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, Senate Joint Resolution 185 would provide for the appointment of William Holland as the Auditor General of the State of Illinois. Most of us have known Bill Holland for a long period of time. I knew him as a Democratic staffer in the House of Representatives. I knew him as one of our supervisors on the Democratic staff. I've known him now for several years as Chief of Staff for Senator Rock, the President of the Senate. I will simply say that Bill Holland has distinguished himself in his career because of his knowledge, his experience, his fairness, his willingness to work hard, his willingness to understand other people, their needs and their desires, and his ability to conduct himself in a fair, professional manner in all of the capacities that he has held while serving here in the General Assembly. He is a resident of the City of Springfield. He has a family of which he is very proud,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

and I would simply suggest to all of you that the State of Illinois and our government of the State of Illinois will be very well served with William Holland as the Auditor General of the State of Illinois. And with that, I move for the adoption of the Resolution."

Speaker McPike: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker, Members of the House. We've been through a Session now, after four months, where tempers get high and partisan politics rise to sometimes a level above what they should, and I suppose this is an opportunity for me to extend my apologies when I've been guilty of that, my attacks on the Speaker and sometimes my outbursts which, I think, are not appropriate. However, this is partisan politics, and partisan politics is over. There are some offices in this state and some issues in this state that really are, and should be, above partisan politics, and Auditor General's one of 'em. It's one of the most significant and impactful offices that we have under the Illinois Constitution, and it should transcend politics, not only in the operation of the office, but also in the selection process, and, so, as a Republican, and as a Republican member of the Audit Commission, which deals on a daily basis and certainly on a monthly basis with the Auditor General, I have a great deal of pride in standing in support of Senate Joint Resolution 185 and in support of the selection of Bill Holland as our next Auditor General. He is honest. He is full of integrity. He is intelligent and capable. He is not a bureaucrat, and he is the kind of person who can serve this state, Republicans and Democrats alike, in the very unique job of Auditor General that's designed to serve the citizens of Illinois in making government and government personnel more efficient and more

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

responsive to the people that we represent. So, with that background and with the absolute assurance that we're going to have a truly non-partisan Auditor General, just as we've had for the last 16 years, it's my privilege to join and ask this side of the aisle to join in supporting Senate Joint Resolution 185 in the selection of William G. Holland as Auditor General of the State of Illinois."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I join with the previous speakers. I think that the Audit...the Office of the Auditor General and the Audit Commission are very important to the functioning of this Body, and all I would do, because of the shortness of time, is to urge you to all join with the previous two speakers in supporting Bill Holland, who will be an outstanding Auditor General."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I also rise in support of this, although I should indicate that Mr. Holland would not have been my first choice. He was, however, among the selected people from the Audit Commission. Mr. Holland has been highly recommended to me by people within the Springfield community whose opinions I trust. He has served in a non-partisan position in the Legislative Intergovernmental in Washington, D.C. He has served in the appropriations portions of both the House and the Senate. To expect that we would, in a political process, select someone who is non-political may be somewhat of a leap of faith. However, it is my high expectation that this Assembly will watch the performance of Mr. Holland and that this Assembly will be well-suited by his performance. I join in the support of Mr. Holland for this position."

Speaker McPike: "Representative McAuliffe."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

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

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. As a member of the Legislative Audit Commission and a Republican member of the Legislative Audit Commission, I just wanna speak very briefly but to point out how very important this selection of a new Auditor General is, not only to the State of Illinois and the taxpayers but to those of us in the General Assembly. Tonight we are making a very, very important decision. We are naming someone to essentially be an independent auditor of the State of Illinois, someone who is going to be called upon to be non-partisan; someone who's going to be called upon to provide us with non-partisan, independent analysis of state agencies and help us do our job better and squeeze the best services we can for our dollar. Bill Holland has assured all of us that he intends to be a non-partisan figure, that he intends to serve as a non-partisan appointee of the General Assembly. As the Speaker pointed out, he has history as a partisan staffer, but he wants to walk away from that and to be a non-partisan player here in the General Assembly as our Auditor General. I stand in support of this Resolution and urge an 'aye' vote."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise not to speak against the person who has been nominated here for Auditor General, but against the process. I would prefer that it was somebody non-partisan. I've been on the Audit Commission for a length of time now, and I know that that is a job of all the Constitutional Officers. It should be a non-partisan, but I have also heard Bill Holland say that he will be non-partisan. If that is possible, I'm sure he will try, but the problem that I have

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

is the process. I read from the statutes that upon the creation of a vacancy in the Office of Auditor General, the Commission shall diligently search out qualified candidates for the office and make recommendations to the General Assembly. We never made those recommendations to you, Ladies and Gentlemen. We got together, interviewed many candidates, cut the list to seven, decided in our meeting - without votes - decided we would come before...to...send those seven names to our leaders to see whom they might like and could support, and we would come back and we would vote and make a recommendation to this entire Assembly. None of you ever got that, because we didn't make that recommendation. In fact, Bill Holland may be the most qualified of all. I object to a process where we are not following the statutes set out in order to do something very quickly here that I think could be very well handled in November or next January. We have a wonderful acting Auditor General, and it is my problem, not with the candidate, but with the process by which we're electing him tonight, and I would ask the Parliamentarian to rule that this was not presented to the General Assembly and, therefore, cannot be voted on this evening."

Speaker McPike: "Representative Parcells, Chapter 15, Section 302.3 provides for the procedure to appoint the Auditor General. It provides the Audit Commission shall diligently search out qualified candidates. The procedure set forth in the statute regarding the appointment of the Auditor General has been complied with. So your point is not well taken. Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. Also, as a member of the Audit Commission, I would report to you that the commission did meet on a number of occasions. We

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

met in Springfield twice. We met in Chicago twice, and I would say again that during that time we interviewed some 33 to 34 candidates, most of those people being very, very well qualified for the position for which they were applying. I'm also happy to report to you that Mr. William Holland stood out very bright and tall in those interviews. And I would recommend to you, most highly, Mr. Holland for this particular position."

Speaker McPike: "Representative Shaw."

Shaw: "...Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Certainly, I rise, after having a short conversation...a little while ago with...Bill Holland. I think that he would be a fair and impartial Auditor General. I think...that...there was some misunderstanding but, after talking to him, I think he cleared my mind up and cleared many of the Members' mind (sic - minds) up, and I think this is one of the better things that we could do for the State of Illinois is to elect...Bill Holland as the next Auditor General."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of Bill Holland for the position of Auditor General, and I do so a Downstater, and I do so as a resident of Sangamon County and Springfield. I do so as someone who has known him for ten years and someone who has been a neighbor of his. And I know his family, and I can tell you that he is not only qualified to do the job for your side of the aisle and for our side of the aisle, but for all the people in the State of Illinois. And I think it's very important for us to put the best possible person in this job, and besides, I think after tonight, Sangamon County's gonna need the job. Thank you."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've know William Holland for many years, having served with him on the National Conference of State Legislatures (sic-Legislators). As a matter of fact, he is a member of the executive board of that committee, and, previously, as his role with the Illinois General Assembly Intergovernmental Affairs and throughout his distinguished career, I've always found him to be a dedicated public servant. Some have questioned, as the former...or the current Chief of Staff on the Senate side and Democratic section, whether or not he would bring partisan politics to the position of Auditor General. It is my belief that he will not do that. It is my belief, based upon representations made to me and to members of our Caucus, that he will conduct himself in a professional manner and uphold an excellent standard as a great Auditor General. Based upon that and based upon his background and his performance and his professionalism, I'm happy to join in the endorsement of William G. Holland as Auditor General of the State of Illinois."

Speaker McPike: "Question is, 'Shall the House adopt Senate Joint Resolution 185?' All those in favor vote 'aye', opposed vote 'no'. Representative Tenhouse."

Tenhouse: "Mr. Speaker, to explain my vote. As one of the only two CPAs that (sic-who) sit in the General Assembly, I'd just like to make it clear that I have nothing against Bill Holland, but I feel strongly that, as we choose a person who's going to be the Auditor General of the State of Illinois, that we look to the CPA community. We're talking about a ten year appointment. Therefore, I'm gonna vote 'present' on this issue. Thank you."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes' and no 'nays', and the House does adopt Senate Joint Resolution 185. The Auditor General of the State of Illinois, Mr. Bill Holland."

Holland: "I apologize for keeping you here late this evening. I know how you all wanna to get home. This is where I began, in the Illinois House of Representatives working here. I'm delighted to be here again on such good terms. I thank each of you for your vote and your consideration. I will attempt to serve each of you fairly and reasonably over the term of...of my office. I would like to offer a special and sincere and deep appreciation to the President of the Senate who helped me get this position. He's a good friend, a good public official, and I'm delighted to have been sponsored by him and delighted to have worked with him for the past ten years. I'm looking forward to working with all of you in the next ten years. Thank you very much."

Speaker McPike: "House Bill 2703. Earlier when we adopted the Adjournment Resolution someone inquired as to what day we'd be back. The Adjournment Resolution stated November 5th. That will be a Perfunctory Day. We'll be back...We'll be back in Session, Tuesday, November 17th. We'll be back in Session, Tuesday, November 17th. Agreed Resolutions."

Clerk O'Brien: "House Resolution 2307, offered by Representative Kubik; 2309, Novak; 2310, McGuire; and 2311, Kubik; 2312, McAfee; and 2313, McNamara."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, I move the adoption of the Agreed Resolutions."

Clerk O'Brien: "Also, also..."

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Speaker McPike: "Gentlemen moves..."

Clerk O'Brien: "Also, House Resolution 2308."

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

Clerk O'Brien: "House Resolution 2306, offered by Representative Levin with respect to the memory of Rudding L Harlow."

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

Clerk O'Brien: "House Joint Resolution 159, offered by Representative Parcels."

Speaker McPike: "Committee on Assignment. Introduction and First Readings."

Clerk O'Brien: "House Bill 4224, offered by Representative Barnes, a Bill for an Act in relation to medical and family responsible...responsibility leave. First Reading of the Bill. House Bill 4225, offered by Representative Weller, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker. Ladies and Gentlemen of the House. When the House concludes its business, all Members of the House and Senate are invited to join Brenda and Jim Edgar at the Executive Mansion for the traditional end of Session party immediately following Adjournment, and the Governor and Mrs. Edgar would be pleased to have you join them at the executive mansion, and we'll look forward to seeing you all there."

Speaker McPike: "Representative Matijevich."

Matijevich: "I'll see that and raise you one. We also, invite

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

all to the last stop on the road to Chatham, and that's tonight immediately following Adjournment at Gary and Chris LaPaille at 801 Williams Boulevard, Springfield, Illinois brought to you again by the LaPailles. They're going to have refreshments, all kinds, so we...we...we expect a big...crowd there."

Speaker McPike: "House Bill 2703, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House. This is a Motion to concur in a Senate Amendment to House Bill 2703. The Senate Amendment provides for the entire budget for the State of Illinois. This matter was debated at great length here in the House. It was debated at great length in the Senate. The House adopted a budget which would have provided for the reduction in spending by the State of Illinois from the Governor's budget as introduced of \$372 million. This Amendment would provide for an additional spending of approximately \$212 million above the level that was initially approved by the House of Representatives. The goal of House action was to give Illinois a budget and spending plan that would have provided needed services for the citizens of the State of Illinois and, at the same time, put our state on the road toward fiscal stability. I felt that the best plan for fiscal stability of the State of Illinois was the budget which was adopted by the House; however, as we all know, this is a legislative process. No one individual, no one group, no chamber is in a position to dictate to the other chamber or to the Governor's Office. Finalization of a budget requires the approval and the support of both chambers and the Governor's office and what we have now is a spending plan which is higher than I would have preferred, but it is basically agreed among all the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

participants to the appropriations process. There are certain assumptions contained in this spending plan. Number 1, the surcharge support for local government is left as is. There will be some delay in the increase which was scheduled to begin during this fiscal year, but all local governments under Illinois law will get the money that was promised to them a year ago. There is no increase in the liquor tax. There is no increase in the prepayment of the liquor sales tax. There is no increase in the tobacco tax. There is no change in the corporate income tax as it relates to corporate carry-forward and carry-back. This budget is based on the Governor's revenue estimates as amended by the Governor. It will provide for a \$200 million end-of-year balance, provides for the spending of approximately \$13 billion in the General Revenue Fund. It does provide for a reduction in spending from the Governor's level, as introduced, of \$160 million. Higher education is funded at the Governor's recommended level. Elementary and secondary education will receive a \$30 million increase over the fiscal year 1992 estimated expenditures. The Department of Children and Family Services will receive a \$21.5 million increase over fiscal year '92 estimated expenditures. The Department of Mental Health and Developmental Disabilities will receive a \$36.1 million increase over FY '92 estimated expenditures. The Department of Corrections will receive a \$43.1 million increase over FY '92 estimated expenditures. The Department of Central Management Services' funding for group insurance will receive a \$30 million increase over FY '92 estimated expenditures. There are many in this Body and there are many in the State of Illinois who will argue that we could have done better, and my answer to those

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

critics is a very honest 'yes'. Yes, we could have done better. We could have done better if there had been a better job of management of state affairs over the last year and a half. Mr. Speaker, could I have your permission to go back to my original budget message and...and...the Body for about 45 minutes."

Speaker McPike: "Yes."

Madigan: "We could have done better if Illinois receipts under the Illinois Income and Sales Tax had been better, but that didn't happen, and so as we began our deliberations on this budget we were faced with an extremely difficult situation, a situation shared by Governor Edgar, and so what we did was to do our best, operating under the Illinois Constitutional mandate, to provide for and to operate under a balanced budget. There is a basic distinction between the State of Illinois and the Congress of the United States. Congress in Washington operates under its own rules. This Body operates under the dictates of a Constitution adopted in a referendum voted (by) the people of Illinois, a good basic document that provides the outline and framework for the existence of all Illinoisians. So, yes, we're not completely pleased with this document. We have our critics, but we did the best we could under very difficult circumstances. The Governor has said that he will find this document acceptable. He has said, that it will not be easy for him to manage the affairs of the State under this budget, but he will do his best, just as we did our best. I wanna thank all of those who participated with us in framing this document especially those who serve on the Appropriations Committees, especially those who serve as the chairs or the Minority spokespersons on those committees, and, in

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

particular, the Majority Leader, Mr. McPike who, as usual, has done a masterful job in framing a budget for the people of the State of Illinois. Mr. Speaker, I move for the adoption of the Motion to concur in the Senate Amendment."

Speaker McPike: "The Motion is to concur in Senate Amendments #1 and 2 - number 1 being technical. Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I rise in opposition to this Motion. I live in Springfield. Many of us are from Central Illinois which is very dependent upon State Government. My constituents, like yours, want cutbacks in government. All my polls and surveys want that. They were fairly well pleased with the amount and the process and the cuts that took place both a year ago and when we came back in January, but these cuts are very different. This budget will devastate the economy of the Central Illinois area. Yes, there will be lots of people from Chatham with resumes in their hands, people from Springfield, people from Taylorville, Hillsboro, Decatur, all over Central Illinois. Being optimistic, we look for about 800 layoffs in the area around Springfield. I think you can understand from that how I feel about this. If you had a factory in your town that employed about 800 people, and it was going to close down after this vote, you would feel about as upset as those of us who live around this area feel. I would also like to speak to the process of this budget and how it was put together. This was not a legislative process. The Appropriation Committees were a sham, in my opinion, as far as putting this document together. We did not frame this document. We brought in witness after witness that gave excellent testimony, none of it which was heard. In fact, I have not even seen the budget. I do have a summary sheet and some analysis in front of me, and when it was handed to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

me last night I discovered, and no one can explain it, that for example, the Guardianship and Advocacy Commission, on which I have given a lot of volunteer time over the last six years, was cut \$404,000 after a call from the Bureau of the Budget telling them it was going to be \$73,000 and no one seems to know how that happened or why that happened. The Health Care Containment council whose budget I was the point person on in my Appropriations Committee, was cut close to a million dollars without anyone saying a word to me or to my knowledge, anyone else that served on our Appropriations Committee. I woke up yesterday to find out that the procurement division in CMS was eliminated, with a number of employees now going to be laid off. Now today, local governments are calling and saying we will no longer be able to participate in state purchasing with the eliminate...elimination of that procurement...office in CMS. These are things that none of us, either on the Appropriations Committee or regular Members of the General Assembly, had any idea were going to happen. We were all told we had a lot of input into the appropriations process, but when the budget was drafted, in my opinion, it was the product of probably about ten staff people, all very good, I am sure, but I don't like relying on staff people to make the kinds of decisions about how this state prioritizes and spends its money. I find that the Illinois Coalition against Domestic Violence was eliminated in this budget. Yes, it is also, headquartered in Springfield and employs a number of people besides assisting all the domestic violence shelters in the State of Illinois. These are not the kind of cutbacks that my constituents have asked for. One of the things they did ask for, as did everyone across the state that I heard from, were the institution of fees

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

for historic sites and state parks, so that, for example, the beautiful jewel that we have in Springfield, the Dana Thomas House, could remain open. That Bill was not even called for a vote in the House of Representatives. Is that a legislative process? A way of setting the budget in determining the future of historic sites and state parks in in the State of Illinois? I don't think so. I think we have a few people making all the decisions on these very important matters. I voted last week, or whenever it was, to create what I was told where hundreds of thousands of jobs in the Lake Calumet area and, yes, a lot of people were upset about that. I was glad to do that, because I heard again today that the unemployment rate in Illinois is over 8% way above the national average. We need jobs in Illinois. We need economic development and now this evening I'm asked to vote on a budget that's going to eliminate several thousand jobs in the State of Illinois. I simply cannot do that. Again, I will vote 'no' on this and would ask as many of you that agree with me to do the same. Thank you."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 48 hours ago, when the basic premise of this budget started to become clear, I was hopeful. I was hopeful that with about \$200 million above our bottom base line that Central Illinois and Sangamon County would be treated fairly, but, frankly, this budget, at that point, was a little cloudy, and it has become more clear now over the last 48 hours. It has become clear in the same way that a monster, coming through the mist, becomes clear when he's comin' at ya. And first I can see its horns, then I can see its fangs, and then I can see it's deadly tail dragging

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

behind it, and the horns of this monster budget are the 25 hundred jobs spread throughout the State of Illinois, state employee jobs and their families that are being cut under this budget and that at least a third and maybe up to a half of those jobs will be cut right here in Central Illinois and in Sangamon County. That is the equivalent of losing a factory overnight in any other place in the State without warning, without fault, without chance to prepare, but that's what this budget does to Central Illinois and Sangamon County. And while we are bringing this pain to Central Illinois and Sangamon County, what are we doing to the General Assembly operations budget? Almost nothing. What's good for them isn't good for us, is it? Next, the fangs of this budget. The fangs of this budget are the way it cuts into the state employees' group health insurance...plan. The \$25 million shortfall that makes state employees even worse second-class citizens as they go to get their health insurance paid for and the state employees know that last year we were \$50 to 75 million short, and we're going to add another \$25 million worse on top of that. I don't know what we're going to do next spring, whether we're going to be visited with the same problem. State employees, through no fault of their own, won't be able to get their medical bills taken care of because of our lack of planning. And the tail, the tail that this budget drags behind it, let me give you one example of the kind of ominous eventual results that were come from this budget. When we are virtually destroying the procurement division in Central Management Services, we are destroying one of those parts of State Government that brings in between 10 and 20 times as much money as it cost us to implement it. The procurement division does two

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

things, which are going to be basically gone after tonight. First, it allows State Government to purchase in volume, and we have saved tens of millions of dollars over the year by purchasing in volume, and it will be very difficult, if not impossible, to continue those kinds of savings, but we're saving a few hundred thousand dollars, and we're sacrificing tens of millions of dollars and that's the kind of deadly tail that this budget drags behind it. Second, the second thing that procurement division does is it takes away the temptation, and yes, the opportunity for improper behavior in bidding and in purchases, and we haven't had scandals for decades in Illinois in those areas, and if we have scandals in those areas in the future, it will become...it will be because of the unwise and unfair cuts that are coming as a result of this budget. I must object to this budget, and I must ask you to object to this budget. I must object on behalf of state employees and their health insurance benefits and their jobs and their families all across Illinois, and my...I must object on behalf of the economy of Central Illinois, and I must object and ask you to object simply on the basis of good government. I ask you to vote 'no'."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of this chamber. I've read that man's humanity to man can be gauged by what you, as an individual, believe you owe a stranger. I ask the Sponsor and the Members of this House a rhetorical question; 'What do we owe the people of this state?' Do we owe them money? Do we owe them a job? Do we owe them a quality education? Do we owe them access to health care, affordable health care, or do we owe them anything at all? And if you give this some kind of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

thought, and you say we don't owe them nothing, then I differ with you. I if think we owe them, if anything, we owe them respect. We owe them hope. Our forefathers came here - no matter...where you come from - Eastern Europeans, Europeans, the Irish, the French, the Indians, and the blacks came here with hopes and a dream. Passage of this proposal kills that hope, and that dream becomes a nightmare. Passage of this proposal kills people. This crossbones budget does nothing for the people of this state. This budget here will do nothing for your constituents or for your families. What we need to be looking at, and what many of us asked for when we came down here this Session, is give us something for us to take home for the people who can't do for themselves. We've asked an the opportunity for people to earn their own self respect. We cannot get that. We've gotten a promise. We've asked that...give us some real relief for the seniors from our communities. You didn't do that either. We did nothing for children. We did nothing for education. This crossbones budget kills people. I do not fault the Sponsor. He is not to blame. Everyone here is to blame for this. If we truly care about the folks here, you'd vote 'no' on this budget, but those of you...who feel inclined to vote for it, I wish for you what you wish for the people of this state - and that's a future with no hope."

Speaker McPike: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. Today is our second day of this fiscal year, and it's time, in my opinion, for the political posturings to end. All the deals have been done, and it's time to lower the curtain on this part of the legislative Session. It's time

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

for us to adopt our new budget, and it's time for us to go home. Now this is a budget compromise. It will reduce the number of state employees. It will force more down-sizing of State Government. It will force more efficiencies in State Government, and we, indeed, are challenging the agency directors to do more with less. We're asking them to do the same thing that millions of Americans have had to do since this last recession. Now we've all had an opportunity to have input in this budget, not only in our Caucuses, but in the appropriation process where we held the meetings, here on the floor where we had Second Readings, and we had to vote on each and every Amendment. When we passed the Bills over to the Senate, we had our say yes or no. When the Senate got the Bills, as is the custom in this chamber and that chamber, they had their say, and the final product, indeed, is a compromise. It is not everything that I wished it would be. It is not everything that you wished it would be, but it is a compromise, and it's the best that we can do with what we have available. You know, we...it's time for us in this state to finally bring the spending in this state under control. For too long, we have been telling everyone of our constituent groups that we can do more, we can do more for them, in spite of the fact that we have less revenues. The only way that we can pay off this backlog of Bills that we have hanging over our head is to finally bring this House in order, to finally bring this House in order and get our spending under control. This budget takes the first step in doing that. We make some progress, if all goes well with our economy, in paying off some of those old Bills. So, it's not perfect, but it's the best that we can do with what we have, and at this late hour, I would urge an 'aye'

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

vote."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I will be brief. This isn't our budget plan. This is your budget plan. This isn't the budget plan that...that we like to see, and when you stand up on the other side of aisle and you say, 'Well, we don't like what we see in here' you know, it's interesting to note - you are the Majority party. You're the people that have more influence within your conference than any of us on this side of the aisle. So when you stand up, look within yourself and ask yourself the question, when the budget was flying out of this House a few weeks ago, as you all beat yourself on the chest at a \$373 million reduction in state spending and you tried to act like you're the greatest saviors of taxpayers' dollars in the United States of America and with pride you sent that out of here and you're going to cut spending and you're going to reduce all this other stuff, and, man, we listened to your speeches, and some of us, frankly, we sat around here and we looked about, and I said, 'DeLoris, what do think about that?' and they said, 'Boy, these guys are something else. Maybe they're serious for once.' And then, you know, what we get when you come back? What do we get? The compromise plan that you have crafted and worked so hard on is \$160 million below the Governor's level. A little bit different from the \$373 million, guys, gals, that you were talking about when you're beating yourself on the chest so proudly, about how much you're going to cut out of state spending. And what have you so proudly done for the people of Illinois? You have stood up and you've said we're going to cut Corrections by \$18 million below the Governor's level, and what you have done in saying that

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

is we can delay some opening of the prisons. We don't have to hire a few people. Oh, yeah if it's...we place some of the safety of our citizens in jeopardy, so what. And you say with pride we've cut \$18 million below the Governor's level and the Department of Children and Family Services, and you stand up with pride and you say, 'Okay, we've done that and that's good for the people of Illinois, but so what? Department of Children and Family Services really doesn't have a mission. Their case load isn't that rough. Their demands for their workers isn't that hard. So what? We looked in at the Department of Mental Health and you reduce it by \$7 million below the Governor's level, and you stand up with pride and say, 'Okay, so what if we reduce 400 and 600 beds?' Four hundred and 600 beds of people that need our help. So what? That's okay. We'll do it. And Public Aid, \$28 million below the Governor's level, so what. Now what I have trouble figuring out is how you can be talking now about concerns of this budget when your voice could have been so strong when it was going through the process within your own Caucus. When some of you stand up and talk about Central Illinois and you're in the Democrat Majority, why you didn't you stand up in your own Caucus and say, 'Doggone it, we're not going to be part of this. We're going to insist that it be done and be true to your word. Or why don't you be true to your elected position? Well, I'll tell you something, yeah, I stand here with some pride because we did do that. We gave you a budget that was - guess what - \$150 million below the Governor's level or \$10 million off of what you gave us, and that budget didn't cut Corrections, Mental Health, Department of Children and Family Services and the critical items of what this government needs to do to meet the needs

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

of the people of Illinois, and that budget's in black and white. That's our budget. You know, I'd stand by that budget. It's a pretty good document. All you have to do is read it again, and you know what? Do me a favor. Get a copy of it and save it, because when you compare that and when you compare what the Governor of the State of Illinois suggested and then you look at your budget, you're going to be disappointed as the year goes along. So when the people call and they are concerned because the mental health services aren't being delivered because the Department of Children and Family Services is not meeting its needs and its instructions to the people of Illinois, because the safety of our citizens as we release felons to meet some of the demands of the cuts in Corrections is met, and because the Mental Health Department is not meeting its charge to disabled, the responsibility is on your shoulders. This is not a compromise. This is a shame, and this is unfortunate. I agree with some of the previous speakers. We have to vote for it. We have to finish our work. I'm proud of the two days of work that we put in to craft a program that...allowed us to meet our hospital assessment and nursing home assessment requirements and to craft the Circuit Breaker program that will help...help offset some of that. You know what? I think we could have done the same thing with this budget, given the opportunity, but you chose to deal with it otherwise. I have stood up on this floor and many times complimented the Majority Party and complimented many of you in your individual roles. This is not a proud day for you. It is not a proud day for the Majority Party. This is your budget. This is the Madigan budget on how you run the State of Illinois. God help us, and let's hope for something better than what this shows.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

I intend to support it, because we have no other choice, but I'm fearful of it, very fearful."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I didn't intend to speak at all until the last speaker told you about all those sincere things that he felt. All the sincere things that he felt and was worried about in this budget. All the things that us bad Democrats that we wanted to cut, all those programs that we wanted to cut. And you know, I've been fortunate enough this year to participate in the negotiations on this budget, and, you know, when we went to the table a few nights ago about a week ago, matter of fact, tonight, the first thing that the other side of the aisle brought to the table was, 'Well, now let's talk about these merit comp people. That's the first thing we got to talk about. You know, you divided out those personnel line items between merit comp and the other personnel, and that's got to go back together, because we can't have any of those patronage jobs gone. They got to be in there too because we want to cut out, as I said, right here on the floor, it was the difference between the queen bees and the worker bees and we want to cut out those worker bees, but we don't want to cut out the queen bees. That's the first thing they brought to the table. They didn't talk about programs. They didn't talk about anything else. They talked about, we've got to make sure we protect that little nitch of the budget that's all ours, that's all our job, those people we're protecting, those people that make the exec fives and the administrative jobs that they want to protect that we tried to get to, so that we could ensure that we had programs in this state to protect people, that we had the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

money to protect people in this state, but that's what they brought to the table. That was their first and major concern of the budget. So don't be misled. It's a hard budget for all of us. It's a tough vote for all of us. We all wish we had a whole lot more money. We don't have. It's a difficult situation for everybody. Thank you."

Speaker McPike: "Representative Flinn."

Flinn: "Mr. Speaker, I'd like to speak on the Motion, but my seat mate is threatening me, so I move the previous question."

Speaker McPike: "Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The previous question is put. Speaker Madigan, to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen. On a continuing basis, we have had a debate as to whether we should spend more money or whether we should spend less. There are a variety of arguments and a variety of points that can be made on both sides of that argument, but there's one salient fact. This is not an argument. This is a straight-out fact. According to the Comptroller of the State of Illinois, at the close of business of our fiscal year, last Tuesday, there was approximately \$2.8 million in our operating account. Let me repeat that. There was approximately \$2.8 million in our operating account. We are advised by our fiscal advisors that we should always have \$200 million in that account, and at that the very time that we had \$2.8 million in the account, we had approximately \$350 million in bills to be paid. So, for those of you who choose to argue that this budget document should be spending more money, please remember that fact. Fact, that I just gave you. We don't have it. We don't have it. When we started this appropriations process, I

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

had five goals. Number 1, I did not want to raise taxes. Number 2, I wanted to spend less money than the Governor wanted to spend. Number 3, I did not want to spend money that we did not have. Number 4, I did not want to engage in the age-old process of cooking the books around here, and we did a little of cooking of the books, but we did a lot less than the Governor wanted to do and, lastly, I wanted to work in this process to...to protect the credit rating of the State of Illinois. Now, we could have done better in some of those areas, but as I said earlier, we did as well as we possibly could and with a certain amount of courage and resolve down the road, we can do even better. Surely, we'd like to do more for people. That's what American government is all about, but you have to have a functioning, fiscally stable government to do it. And for State Governments, the budget's got to be balanced and you've got to pay the bills as they come in, and if you don't then you don't function. So this wasn't easy. It was darned right tough. You think it was easy for me, as a Democrat, to stand here and argue for some of those reductions? You think it was easy for me, as a Democrat, to go into the Democratic Caucus and persuade people to do those reductions? No, it wasn't, but it had to be done. When you're operating a corporation the size of this, and you've got on closing day \$2.5 million in the account with bills of \$350 million, then it's time to do something tough, something courageous, and that's what we're doing right here and, again, Mr. Speaker, I move for the adoption of the Motion to concur."

Speaker McPike: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 2703. All those in favor of the Motion vote 'aye', opposed vote 'no'.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

Representative Olson, to explain his vote."

Olson: "Thank you, Mr. Speaker. This budget will pass and budget should pass tonight, considering that we're two days overdue, but I'd like to address the process, and I don't have time for that, but this is not a normal process this year. Last year, I remember in the month of June and the few days in July, we met as a budgeteer group, about 16 to 20 people in Room 205, and we went through the budget of each agency almost page by page and made cuts. Tonight, I have here in my hand a 788-page budget, one budget, and to say that we have made cuts in some areas is a misnomer. We made slashes, and I'd like to address Mental Health: 600 beds lost for people who can't help themselves. I've been in there. I have...almost family in Mental Health. I've seen people in diapers, and they're 40 years old. I see people fed puree down at..."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I'd like to thank everybody for the great pleasure and privilege that I've had to serve in this Body. It's always a great tremendous honor to represent the people of a great district, and we have enjoyed that for a number of years, but it seems like one of the real serious problems that we always have when we deal with a budget is we always talk about the fact that we want to look to the future, and I sometimes question whether or not we really do that. When, in fact, we hope that we would fund education more so that we can help people prepare themselves for the world of work, not to go on Public Aid and, yet, we fund education and Public Aid continues to increase. We fund education hoping that people are...have a job so that they don't get into prison and, yet, prisons

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

continue and...to increase. Ladies and Gentlemen, I hope that we become more visionary and can do what is right. I'm going to support this Bill, but it's something that is not necessarily in the best interest of the public and the State of Illinois."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen. I offer you exhibit A, a knife with a blade at both ends. One end the Democrats used, the other end the Republicans used, and after each of them took this knife and sliced this budget up, the Democrats to the tune of \$350 million; the Republicans to their...a great degree, what we did was eliminate tremendously needed services to women who need shelter, to children who need services. I think we have about over 1,000 people who will leave...lose jobs in one area. So this is the exhibit. If you want to place the blame, this knife was used to cut this budget and to reduce the services to the people of the State of Illinois. I think..."

Speaker McPike: "Representative Ryder. No. Everybody has one minute to explain their vote. Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in reluctant support of this Motion, but even more so, I rise and applaud the conversion of the maker of this Motion and those folks that allowed the cuts to take place. I applaud your conversion to fiscal integrity today, but where have you been the last decade that you've been in the Majority? You've been the chairmen of the committees and then to create the chaos today and say, (tsk, tsk, tsk) 'It's not our fault, but we're going to correct it.' You cannot wash your hands of the chaos that you have created. You cannot wash your hands of the crisis that you have created today. Your

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

168th Legislative Day

July 2, 1992

conversion is a little late, about a decade. I hope that your conversion stands pat, but, of course, you've cut 372 and very reluctantly, with crocodile tears, added back \$200 million."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. You know, we all agree that this a tough year, and the maker of the Motion even stated that we don't have it. We obviously don't have it for DCFS; obviously don't have it the Coalition Against Domestic Violence; don't have it for the seniors, because we're going to tax them now. But let me tell you what we do have it for. In this Bill we've got \$10 million for Scott Air Force Base. In this Bill we've got \$8.5 million for a new engineering building at U of I. In this Bill we have \$3.5 million for a new track at SIU, and we've even got \$15,000 for a new portrait of James R. Thompson. There's over 40 million bucks in pork in this Bill, more pork than a Downstate hog farm. This is not the best we can do."

Speaker McPike: "Representative. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 74 'ayes' and 41 'nos', and the House does...does concur in Senate Amendments #1 and 2 to House Bill 2703, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Speaker Madigan now moves that the House stand adjourned until November 5th, Perfunctory Session: November 17th, Session 1992. All in favor say 'aye,' opposed, 'no'. The 'ayes' have it. The House stands adjourned."

STATE OF ILLINOIS
87TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JULY 02, 1992

HB-0104 CONFERENCE	PAGE	14
HB-0186 CONFERENCE	PAGE	39
HB-2703 CONCURRENCE	PAGE	71
HB-2758 CONCURRENCE	PAGE	55
HB-2834 CONFERENCE	PAGE	2
HB-2994 CONFERENCE	PAGE	37
HB-3261 CONFERENCE	PAGE	17
HB-3483 CONFERENCE	PAGE	20
HB-3815 CONFERENCE	PAGE	38
HB-3898 CONFERENCE	PAGE	44
HB-4025 CONFERENCE	PAGE	15
HB-4070 MOTION	PAGE	15
HB-4078 MOTION	PAGE	36
HB-4224 FIRST READING	PAGE	70
HB-4225 FIRST READING	PAGE	70
SB-1071 CONFERENCE	PAGE	31
SB-1295 CONFERENCE	PAGE	42
SB-1606 OUT OF RECORD	PAGE	48
SB-1607 SECOND READING	PAGE	47
SB-1607 SECOND READING	PAGE	48
SB-1727 SECOND READING	PAGE	52
SB-1806 SECOND READING	PAGE	53
SB-1806 THIRD READING	PAGE	55
SB-1903 CONFERENCE	PAGE	29
SB-2093 CONFERENCE	PAGE	16
SB-2097 CONFERENCE	PAGE	17
SB-2233 CONFERENCE	PAGE	41
SJR-0184 ADOPTED	PAGE	14
SJR-0184 RESOLUTION OFFERED	PAGE	3
SJR-0185 ADOPTED	PAGE	69
SJR-0185 RESOLUTION OFFERED	PAGE	60
SJR-0186 ADOPTED	PAGE	41
SJR-0186 RESOLUTION OFFERED	PAGE	40

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPHIE	PAGE	1
PRAYER - REPRESENTATIVE LANG	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE GIGLIO IN THE CHAIR	PAGE	36
COMMITTEE REPORT	PAGE	37
REPRESENTATIVE MCPHIE IN THE CHAIR	PAGE	37
MESSAGE FROM THE SENATE	PAGE	48
AUDITOR GENERAL BILL HOLLAND	PAGE	69
AGREED RESOLUTIONS	PAGE	69
DEATH RESOLUTION	PAGE	70
ADJOURNED	PAGE	89