

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

98th Legislative Day

2/20/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, their cell phones and their pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor David Pinkerton of the Trinity Baptist Church in Murphysboro, Illinois. Pastor Pinkerton is the guest of Representative Phelps."

Pastor Pinkerton: "Thank you, Mr. Speaker. Let's bow our heads. Our Heavenly Father, we thank You for this day and we thank You for this assembly that's gathered together. And Lord, we ask Your blessings upon each and every one. With the incumbent responsibilities that they have and the decision making processes concerning the issues that face this great state, we pray for the wisdom to be given to them. And we ask now that You'll bless continually the State of Illinois as well as the United States of America for we understand that we are one nation under God. In these things we ask, in the name of the crucified, buried and resurrected Savior, the Lord Jesus Christ. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hoffman."

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

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Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Howard is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you... thank you, Mr. Speaker. Let the record reflect that Representative Lindner, Representative Lyons, and Representative Poe are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on February 19, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 4194, House Bill 4925, House Bill 4947, House Bill 5207; 'do pass as amended Short Debate' House Bill 3830. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on February 19, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 4026, House Bill 4175, House Bill 4469, and House Bill 5067; 'do pass as amended Standard Debate' House Bill 5045; 'do pass as amended Short Debate' House Bill 4441. Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measures were referred, action taken

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on February 19, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 4076 and House Bill 4132. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on February 19, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4831. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: recommends 'be adopted' Floor Amendment #11 to Senate Bill 1498. Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 3882, House Bill 3977 and House Bill 4075. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 3918. Representative Daniels, Chairperson from the Committee on Developmental Disabilities and Mental Illness, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4020. Representative Molaro,

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Chairperson from the Committee on Revenue, to which the following measures were referred, action taken on February 19, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 4016; 'do pass as amended Short Debate' House Bill 4234 and House Bill 4705; recommends 'be adopted' Floor Amendment #7 to Senate Bill 1498. Representative McKeon, Chairperson from the Committee on Labor, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4462. Representative Delgado, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measures were referred, action taken on February 20, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 3882, House Bill 3977, House Bill 4075."

Speaker Madigan: "Ladies and Gentlemen, let me have your attention. Let me have your attention, please. This is important. Let me have your attention. Number one, the Republicans are going to go to caucus shortly. Number two, we asked all of you to submit five Bills for consideration for approval by the Rules Committee. We've been in the process of approving three of those five Bills. And today we want to ask you to give us a fourth Bill for consideration, all right. Now, I'd like all of you to understand something. We went back two years ago in a comparable Session and the committees reported many, many

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Bills to the floor. But when we finished House Floor consideration of House Bills, only three Bills were even considered on the floor, three Bills per person. So if you just look at the history of this particular Session, you're only going to get the two or three Bills once you get to the floor. And that's why we're working with these numbers. So again, you've submitted five Bills. We've taken three of five. We're asking for a fourth Bill. And if you get that done today, we'll be in a position for the Rules Committee to consider that next week. Please understand, just because you submit a fourth Bill doesn't mean that the Rules Committee's going to approve that particular Bill for consideration. So, if you already know that the Rules Committee is not going to release a certain Bill, don't make that your fourth Bill. All right with that, who calls caucuses? Mr. Brady. Mr. Brady."

Brady: "Thank you, Mr. Speaker. A reminder that the Republicans will now go to caucus here shortly, upon your permission, to Room 118. A Republican Caucus in Room 118 when we adjourn. Thank you."

Speaker Madigan: "There may be some questions. Mr. Rose. Mr. Rose."

Rose: "Mr. Speaker, point of personal privilege, briefly."

Speaker Madigan: "State your point."

Rose: "Ladies and Gentlemen of the chamber, I'm very honored to have with me today, Lindsay Cultra, who is the daughter of Representative Shane Cultra. She is shadowing me for a school project. She's a Senior at Iroquois West School

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District. And Representative Cultra, being her father, she could not shadow him. So I have the pleasure of having Lindsey Cultra with me today. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "First of all, my condolences to young Ms. Cultra. Secondly, Mr. Speaker, I have not submitted a list of any Bills to the Rules Committee. Today is the first I've seen anything in writing about limitation on Bills. I have more than five Bills brought to me by constituents who have a real or a perceived grievance that they want addressed by their representative government. So, it appears that I'm going to have to tell all or most of them that I cannot do that, that I will not be able to present their grievance, perceived or real, to any committee, nor will I be able to invite them to testify as to why they think their concept or their idea is important. Now, you and I have had this discussion before. If I'm wrong, you correct me. There is no constitutional, no statutory, no legal, ethical or moral reference that tells an elected Member of this Body, Democrat or Republican, how many Bills they are able to have released from Rules. Is that correct?"

Speaker Madigan: "Mr. Black, I trust that you'll understand that I don't plan to get into a dialog with you."

Black: "I understand that."

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Speaker Madigan: "And so, could I respectfully suggest that you make your statement and not involve me."

Black: "Well, Mr. Speaker, it's awfully hard not to involve you when you're the one who says this is the way it will be."

Speaker Madigan: "Right."

Black: "But, I will... I will make my statement. I think it's unfortunate that you won't give any cite as to how this can be done legally or ethically. But to Members on both sides of the aisle, you are sent here by people from your district to address their grievances. Now sometimes we don't share that grievance and sometimes we may not think that that's a very important concept, but they come to us as a Member of a Representative Body and they want an idea or a concept heard. And then suddenly we're told after the process has been completed, after the Bills have been drafted, after the Bills have been filed, you will be allowed to request five Bills to be released from the Rules Committee, you will only get three. And there's no guarantee that you will get any. Now you may be happy to go back home and look at your constituents and say, 'I'm sorry, there's nothing I can do.' And they're going to say to me, if not you, 'I voted for you to represent me. And I don't want you to acquiesce to someone saying capriciously and arbitrarily that I cannot represent you. I will not be allowed to bring your Bill to a committee.' And I... I'm sick and tired of hearing there are too many Bills. If there are too many Bills, then amend the Constitution and specifically state how many Bills each Member will be

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allowed to introduce or how many Bills will be allowed to be introduced in a Session. Change the Constitution so that at least all of us and our constituents are on the same page. This is not fair, it is not right, it is not legal, it is not ethical. We don't even know if a House Resolution counts as one of your three. I would submit to the Members of this Body, if we would do the work of the people and be in Session longer than 90 minutes and take days off and weeks off, and instead of canceling committees willy nilly, if the committees would meet as they used to, when I come down anyway, first came down here four or five or six hours a day, you could dispose of most of those Bills. And you and I both know the result of most of those Bills, they will be defeated in committee. But at least, you could go back to your constituents and say, 'I tried to get your concept, idea or grievance addressed. We had a hearing and we lost.' That is the way I thought a representative democracy was supposed to work. But, I guess not. We're reverting back to what it was in 1992. You will do what I say, you will do it when I say so, and if you don't like it your choices are these: sit down and shut up or go home. Mr. Speaker, I refuse to do either one and I rise in the most stringent, strict opposition and anger to this capricious and arbitrary denial of my rights as an elected Member of a Representative Body. This is wrong and I protest it."

Speaker Madigan: "Mr. Parke."

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Parke: "Thank you, Mr. Speaker. I rise in the same concern that was expressed by Representative Black. But let me take another point of view on this. Yes, the legislation is going to be limited to three or five depending on the whim of the Rules Committee. But what will happen even... that's even worse, is that those issues that is deemed by the Leadership to be important will get amended onto other Bills and passed out of here. That further limits you as individual Members having the ability to bring forth the ideas from your legislative district or from... from people who live in your legislative district to have them heard in the light of day and be weighed on their own merit. I, too, rise in strong opposition to this. This is just not the way I think we can achieve what is intended here to try and limit to some degree how much is done, but you know, limiting in itself is not a good thing. Because then you determine what will be heard, what will be heard by the people. I think this is a basic constitutional issue... is... will the will of the people, will the voice of the people be heard? And under this Rule, it will not. It will limit and it will only be deemed for the most part by what the Leaders deem to be of importance. I also rise in strong opposition to this and I would hope and appeal to the Democratic Leadership of this Body to reconsider that position and find a way to at least give us as Members representing our people the ability to have our voices heard. Thank you for the courtesy, Mr. Speaker."

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Speaker Madigan: "All right, Mr. Brady, are you ready? Mr. Brady."

Brady: "We're ready to go to caucus..."

Speaker Madigan: "Okay."

Brady: "...with Republicans in Room 118. Thank you."

Speaker Madigan: "... Thank you. The House shall come to order. The Members shall be in their chairs. Chair recognizes Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. I would ask that you... that if it's okay to table House Bill 6788?"

Speaker Madigan: "The Gentleman has moved to table House Bill 6788? Mr. Mathias."

Mathias: "That's correct."

Speaker Madigan: "6788."

Mathias: "6788."

Speaker Madigan: "You've all heard the Gentleman's Motion. Is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. Representative Chapa LaVia."

Chapa LaVia: "Speaker, I'd like to also table one of my Bills, House Bill 4391."

Speaker Madigan: "The Lady moves to table House Bill 4391. You've all heard the Motion. Is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. Mr. Clerk, on page two of the Calendar, on the Order of House Bills-Third Reading, there appears House Bill 4031. Read the Bill."

Clerk Bolin: "House Bill 4031, a Bill for an Act concerning alcoholic liquor. Third Reading of this House Bill."

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Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 4031 is one of a small number of Bills that we've seen come through this General Assembly in the past few years where we've had an application of the State Liquor Control Law in a very specific instance that clearly cut at the grain of what I think the intent of the General Assembly originally was. In this situation, we have a business that has been operating for 18 years, which applied for an incidental liquor license to food service for an adjoining restaurant, and it was determined that on the opposite side of the alley facing another parallel street was a religious institution. And not only did they deny the new license request, but immediately started revocation proceedings on the 18-year-old license. In this situation we have a religious institution facing west on one street, a tavern and an applicant for a new liquor license, incidental food, facing east on another street connected by an adjoining alley. And although the buildings are within 100 feet, the primary entrances are close to 2,000 feet. This Bill narrowly defines this situation as it currently exists in my district and how it may exist in a small handful of other districts throughout the state to clarify the situation for the local liquor control commissioner, and I'd appreciate your support. Thank you, Mr. Speaker."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Black."

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Black: "Thank you very much, Mr. Speaker. I appreciate you giving my ID card back so I could get back on the floor. You're very kind. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, is this issue currently under litigation?"

McKeon: "During... in the normal course of events with the local liquor commission, yes."

Black: "So, it... it is, I assume, winding its way through the circuit court system in the County of Cook?"

McKeon: "Actually, before the Liquor Commission Board itself."

Black: "Okay."

McKeon: "It is not advanced to that point."

Black: "Historically, correct me if I'm wrong, historically, liquor licenses have been the exclusive domain of either the county... through the County Liquor Commissioner or cities... through the City Liquor Commission, correct?"

McKeon: "That is correct."

Black: "All right. And it's my understanding that the City of Chicago denied the re-issuance of the liquor license in question due to the proximity to a synagogue, correct?"

McKeon: "Ninety-six feet, yes, Sir."

Black: "All right. The number of feet that a liquor establishment can be from, I can't remember all of the exceptions in the law, I think there's a church, a cemetery, a school, synagogue obviously. Are those restrictions embodied in State Law or they are... or are they embodied in the local liquor ordinance?"

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McKeon: "State Law."

Black: "Okay. So, you're asking us to change State Law? Now, if this Bill passes and becomes law, does then that change any subsequent license application anywhere in the State of Illinois if they... if they come in and say, 'Excuse me, but there is a law that says I can, as long as I'm a 100 feet away or le... somewhere in that area, you can't deny me a license?'"

McKeon: "I think the simple answer to your question is, no, but let me elaborate because it is... it is complex. The State Law currently states and the City of Chicago is interpreting the State Law absolutely correct, where they refuse to issue the new license and then started revocation proceedings on the old license or the adjacent license. That law states, building to building, no closer than 100 feet. The original intent as I understand, and you may recall some of these debates prior to my arrival here, Representative, that was the whole notion of that 100 feet distance was to avoid the face to face contact between chil... school children or persons attending a community faith worship and the participants of the tavern. In that case, if you look at the front entrance to the tavern and the primary front entrance to the synagogue, it's about 2,000 feet. You literally have to walk around the block. The only thing they have in common is the alley, which there is no entrance or ex... exit from the synagogue and only service entrances on... on the tavern and the proposed liquor license incidental to food. So, the... the actual

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distance in terms of that face to face contact is well over 1,500 feet, maybe 2,000 feet, which is far beyond what I think the intent of this Body was to avoid that face to face confrontation between the patrons of a liquor serving establishment, a school or a community of worship."

Black: "All right. Well, Representative, I... I appreciate your answers, as always, they're forthright. Mr. Speaker, to the Bill. Not knowing the neighborhood, not knowing the physical characteristics of the neighborhood, the synagogue as opposed to the bar, it... it... it can be somewhat difficult for those of us not familiar with that neighborhood to cast the most informed vote on this issue. However, my concerns... my concerns focus on two very simple issues. Number one, this is in litigation, and I have always been somewhat hesitant to say that the state should get involved to solve something that is currently in litigation. Let... let... let the litigation continue, let a... let a decision be made. Then if the decision is not viewed as fair or just by the constituents of my good friend, then he certainly could bring ba... bring down a piece of legislation, as long as it's in your top three, and address that issue. So, I... I really think that we're being asked to intervene in a situation before the... all of the facts of the case have been presented and a decision rendered by the appropriate agency, which in this case would be the Liquor Control Board of the City of Chicago. Number two, I have heard from a few people in my area that they are fearful that this sets a state-wide precedent and they don't want to go

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there. Many of the communities have been there before, they like the current restriction, they don't want anything to loosen or... or widen that restriction so that a bar or a tavern or in some cases even a adult club could locate within 100 feet of a school, a synagogue, what have you. So, it's for that reason, a pending liti... pending litigation and the fact that this may have some ramifications state-wide, I intend to vote 'no'."

Speaker Madigan: "Mr. Osterman."

Osterman: "Thank you, Mr. Speaker, to the Bill. Want to clarify a few points to remind this Body, the previous speaker talked about pending litigation and on this floor I've heard him with great eloquence talk about the City of Chicago and some of their problems in administering programs. There has been a clear problem with the way this license application has been administered. The place in question was opening a restaurant and while investigating the restaurant, the Liquor Commission said that, 'Oh yes, there's a bar that's been there for the... 50 years and we should stop their license.' So, many of us that are familiar with the community over there think that the city is wrong. The synagogue in question also had been closed for many, many years and was a place where drug dealers would go to sell and shoot drugs. So, this establishment in question, it's not in litigation, it's before the Liquor Commission of the City of Chicago. We are looking to clarify the law. The way the Bill is written, although it is state-wide, is rather specific. And I don't think that

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the Sponsor has any intention of having this affect other establishments around the State of Illinois. This is a place that has been there for many years and the community is supportive of this measure. And I would ask everyone for an 'aye' vote."

Speaker Madigan: "Question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 57 'ayes' and 54 'noes'. Mr. McKeon requests that the Bill be put on the Order of Postponed Consideration. And, Mr. Clerk, put the Bill on the Order of Postponed Consideration. Mr. Holbrook."

Holbrook: "Thank you, Speaker. I'd like to have House Bill 4090 re-referred to Rules, please, with leave of the Body."

Speaker Madigan: "Mr. Holbrook, I think the appropriate Motion would be to table."

Holbrook: "To table. Very well then, Speaker."

Speaker Madigan: "And the number again?"

Holbrook: "4090. House Bill 4090, to table the Bill."

Speaker Madigan: "The Gentleman moves to table House Bill 4090. You've all heard the Gentleman's Motion. Is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. The Chair recognizes Mr. Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to make a Motion to table House Bill 4857."

Speaker Madigan: "The Gentleman moves to table House Bill 4857. You've all heard the Gentleman's Motion. Is there leave?"

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Leave is granted. The Motion is adopted and the Bill is tabled. Representative Mendoza."

Mendoza: "Like to make a Motion to table House Bill 5063 and House Bill 7040."

Speaker Madigan: "5063 and..."

Mendoza: "7040."

Speaker Madigan: "7040?"

Mendoza: "That's right."

Speaker Madigan: "All right."

Mendoza: "Thank you, Mr. Speaker."

Speaker Madigan: "The Lady moves to table House Bill 5063 and House Bill 7040. You've all heard the Lady's Motion. Is there leave? Leave is granted. The Motion is adopted and the Bills are tabled. Mr. Holbrook, did you wish to call House Bill 3865? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3865, a Bill for an Act in relation to gaming. Third Reading of this House Bill."

Holbrook: "Thank you, Speaker. This Bill was a very simple Bill. It allows people applying for a bingo license to apply for a three year license rather than a one year license. I know if you've been a Representative very long, you probably have many of these groups come to you with the annual renewal of their bingo license and it's a headache. It gives no discount for doing this, but applies the same fee for each year of the three years. And I ask for its passage."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Parke (sic-Black)."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, I assume... what... what's the effective date of the Bill? I didn't see it. Is it immediate?"

Holbrook: "Yes."

Black: "All right."

Holbrook: "Effective July 1, 2004."

Black: "Okay. So, if... if... if a the VFW Post in my district wants to renew their bingo license, do they have to take a three year license or can they choose to have each year their license? What's... what's..."

Holbrook: "It's their option. And there's, again, no fee increase on this. It's \$200 for each year that they want. They can get a one year, three year. And you're absolutely right, it was a VFW that came to me with this..."

Black: "Okay. So..."

Holbrook: "...along with my Sheltered Workshop that runs a bingo."

Black: "So, if they want the multi-year license, they simply would pay 3 times \$200, 600... no increase in the fee?"

Holbrook: "Correct."

Black: "Since the Department of Revenue would be grasping additional revenue in a more timely fashion, does that increased revenue from these multi-year bingo licenses... is that for the children? Does it go to education?"

Holbrook: "To my knowledge, since it's optional, they don't know how many will take it yet, so the Department of Revenue's actually neutral. They're neither in favor or

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opposed to this Bill. They have no idea how many of them will opt out for a one or three year. It's their option, whoever applies, whatever charity group's applying."

Black: "And the bingo money license now, I don't have my reference handbook in front of me, is that broken down? I mean, does all of that money go to GRF or does some of it go to the school kids? You know to buy computers and bingo cards for their grandmother or things of that nature."

Holbrook: "Representative, I don't know where they put the money to, and I don't see it as part of this Act right now. I'm scanning through it, but I don't... I don't see where that money goes, the revenue from bingo. I... I can't answer your question."

Black: "Well, you know now I..."

Holbrook: "If you'd like to, I'll get back to you."

Black: "Now, I'm perplexed. The Department of Revenue has taken no position on a Bill that might accelerate dollars into the State Treasury, and it was just a day or two ago I was mesmerized by the budget speech that we need money. Now, how can the Department of Revenue sit back and have no position on this? I would think they would love this Bill."

Holbrook: "They filed no position on the Bill."

Black: "Well, that's certainly an interesting concept. So, you... you know of no license holder, currently, has come to you and expressed the fac... I... there wouldn't be any opposition from a license holder because this is optional, right?"

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Holbrook: "Correct."

Black: "All right."

Holbrook: "This is optional."

Black: "Obviously, church groups and others opposed to gambling do not like the idea of a multi-year license. Is that a fair statement?"

Holbrook: "Absolutely."

Black: "Ok... okay."

Holbrook: "I have many church groups that want this because they run bingos. But, if you're... if you're morally opposed to gambling in any way, then you probably would be against this. And we..."

Black: "Is..."

Holbrook: "...had a witness slip that said that, that one of the church group..."

Black: "Can you have a bingo parlor within 100 feet of a synagogue?"

Holbrook: "You may be able to have it in a synagogue."

Black: "Yeah, I..."

Holbrook: "We have them in our churches."

Black: "I'm not sure of that either. Well, thank you. And I appreciate the enlightenment that the Department of Revenue has given us on this Bill, too."

Holbrook: "Thank you, Representative Black."

Speaker Madigan: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. This Bill is for the children in response to the Gentleman from Danville. The... for those who have concerns about gaming and gambling, this

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does not in any way expand any gaming or gambling opportunities in the State of Illinois, and if any of you've had... lived downstate and have ever had to hustle to help someone at the Depart... Department of Revenue, with the Department of Revenue to get their license, because the President of the Lions Club resigned during the past year and didn't pass the file along appropriately, that's happened to me on several occasions. These bingos that are being held are being held to raise funds for such things as building a park or a pavilion in a current park. The... all the good works of the local fraternal organizations that you can think of would be supported by Representative Holbrook's Bill. It's long overdue; I rise in strong support."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 67 'ayes', 45 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Holbrook, do you wish to call 4025? Gentleman indicates he does not wish to call the Bill. Mr. Bradley. House Bill 4106. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4106, a Bill for an Act concerning fees. Third Reading of this House Bill."

Speaker Madigan: "Mr. Bradley."

Bradley, R.: "House Bill 4106 amends the Clerks of the Court Act and the Illinois Marriage and Dissolution of Marriage Act

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by creating a tool for use between the Clerks of the Circuit Court and the Department of Revenue to collect certain court fees. The goal of the program is to recover the child support fees owed to the circuit court by intercepting the state income tax refunds of those persons owing fees. These changes stem from an effort to increase collections of the inordinate amount of outstanding fees owed to the circuit courts. This collection will not interfere with the collection of debts related to child support itself or other outstanding state debts. The Clerk of the Circuit Court would only recover the unpaid fees under this program after all state debts and unpaid child support was paid. Further collections under this agreement would only take place after verification was made by the Clerk of the Court and that the debt claims forward to the Department of Revenue are valid and efforts were made to contact the person owing the fees. The agreement would include procedures for an appeal or protest by the debtor when interception of a state income tax return takes place. At this time the Cook County Clerk is prepared to enter this program. Upon passage, all counties could also participate. The Bill also provides for methods of the circuit... Clerk of the Circuit Court to control its costs and receive payment for fees. It would authorize the Clerk of the Court to enter into negotiations with credit card or debit card companies to negotiate the payment of convenience and administrative fees from these card companies. Also in the Bill, the Illinois Marriage and

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Dissolution of Marriage Act is amended by the court to direct the Clerk of the Court to report a person who does not pay the child support annual fee for a period of three years to consumer reporting agencies. The Illinois Association of Court Clerks are in support of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Yes, Representative, could you... could you repeat that 10 minute explanation of the Bill word for word?"

Bradley, R.: "Sure."

Black: "Oh, that's what I was afraid of. As you know, I share your concern about child support, but we go in a little different direction. An example of what I'm fighting with right now, I have a... I have a father who lives in my district who has overpaid a child support case. Many of those checks were sent to an Indiana address and then his Illinois income tax refunds were intercepted, also sent to the Indiana address. And when we started to look into it, guess what? We found out he had overpaid by a considerable amount of money. Do you know what the State of Indiana told him about his overpayment when he asked if he could get it back? Tough luck. So, I'm... I... I'm working with the Illinois Department of Public Aid, and I don't know if there's anything we can do. My... my only fear, and I intend to vote for your Bill, my only fear is that we spend an

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awful lot of time, energy and effort going after so called deadbeat dads when the real problem and I... and I... I don't want to live in the past, but my fear is the Department of Public Aid Division of Child Support, generally speaking, over the last ten years has been rated dead last in efficiency and in collection. And we keep giving additional powers to people who go after deadbeats who appear on IDPA's list, and you and I are often asked to intervene on these cases and we find, whoops, they really weren't in arrearage. What... what due process will this Bill have on... on somebody who says... who comes into our office and says, 'I'm not in arrearage. I don't understand this.'

Bradley, R.: "There has to be a process in place for both verification and to protest and have their day in court to review that determination. I mean that is utmost in mind in..."

Black: "All right."

Bradley, R.: "...implementing the Bill."

Black: "Okay."

Bradley, R.: "That is the intent."

Black: "So this is going to be handled by the Circuit Clerks, not sent to the SDU or not sent to the Division of Child Support in Springfield, correct?"

Bradley, R.: "Yes, that's correct."

Black: "You know what, you and I ought to work on the... of course it's a federal mandate, but Circuit Clerks, I think, ran a much better system than the federally mandated State

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Disbursement Unit, and I don't need to go over all of that; we've been down that road before. But, I intend to support the Bill simply because I think Circuit Clerks can get to the bottom of these things much more efficiently and in a much more timely fashion than if you have to send everything to Springfield. So, I intend to vote 'aye'. I think it's a good Bill."

Bradley, R.: "Thank you."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker. Just a quick question, if the Sponsor would yield?"

Speaker Madigan: "Sponsor yields."

Hultgren: "Yes, Representative Bradley, just a quick question for you... clarification or just for my understanding from committee. My understanding is this is really to collect fees for administered... administrating the child support process, isn't that right?"

Bradley, R.: "That's what Cook County will utilize this for."

Hultgren: "Okay."

Bradley, R.: "Cook County's prepared again to enter this agreement, but all counties could also work with Department of Revenue to implement."

Hultgren: "It was also my understanding from our discussion in committee, and please help me understand this if I'm wrong on this, but that this... would.. there be a prioritization and this would fall in below priority of collecting actual child support for the child. So, if there's a limited amount of resources there, the first money obviously would

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go to pay child support. It would only be if there's extra resources, this would fall in below the child support payment. Isn't that correct?"

Bradley, R.: "That's correct."

Hultgren: "Okay. To the Bill. I think this is a good Bill, too. I think it makes sense that counties give the opportunity to be a part of it. I supported it in committee, will support it on the floor here as well. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, I'm... I'm not quite sure when I look at the comments on the Bill, the analysis if... and I... I wasn't quite sure what Representative Hultgren said to you, but is it not a fact that if you take the money from the income tax return, it goes to pay the fee? It doesn't go to the woman who is owed the child support? The first part would go to pay the fee?"

Bradley, R.: "It's going to go to the Clerk of the Circuit Court who is owed fees."

Mulligan: "So what happens to the poor woman who has the child support coming?"

Bradley, R.: "That comes first. This is... this is way at the bottom of the list for the... for the funds to be received."

Mulligan: "All right. Also on income tax returns a lot of people go after those Federal Government, other, you know."

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And so where does... where does your claim against an income tax return fall on the chart of who gets what first?"

Bradley, R.: "Last on the list."

Mulligan: "So after all is said and done, the woman would get her money upfront and then the fee would be paid?"

Bradley, R.: "That's correct."

Mulligan: "If it doesn't..."

Bradley, R.: "It's a significant... it's a significant amount of money that's owed to the clerks and this process is a way to get those fees, and it in no way will stand above child support."

Mulligan: "Is it going to come out separately or is it going to flow through any kind of a system that actually checks what child support is being paid? Say if they're garnishing wages or they're doing something else. So that if it's..."

Bradley, R.: "Well, that's the process, the Ill..."

Mulligan: "...double paid, the person will never get it back. I mean in our system it's like you're fighting for something forever."

Bradley, R.: "Well, we're going to go through the judgment of the court. The court is going to enter the judgment of the child support, so that's on record. And, again, what the clerks are trying to do is just be last in line to collect any... any funds, any due debts owed the clerk."

Mulligan: "Well, last in line for one year. For each year, this fee is assessed each year, correct?"

Bradley, R.: "Whatever is owed the clerk is... is the debt that they're going to go after in the tax intercept."

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Mulligan: "My main concern is the person that needs the child support may not be getting it. And that's..."

Bradley, R.: "And that... that was the chief concern in drafting the Bill. And that's why it was put into language to make sure that this debt is just last in line and would never supersede the child support."

Mulligan: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fritchey. Mr. Fritchey."

Fritchey: "Thank you, Speaker. I request to table House Bill 4065."

Speaker Madigan: "The Gentleman moves to table House Bill 4065. You've all heard the Gentleman's Motion. Is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. Mr. Saviano, House Bill 4157. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4157, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Fritchey: "Thank you, Mr. Speaker and Members of the House. House Bill 4157 is a culmination of negotiations which took place over the fall between the Illinois Dental Society and the Dental Hygienists Association. We were able to come to

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an agreement which would expand some of the duties of dental hygienists when it comes to doing teeth cleanings in the office and teeth cleanings and fluoride treatments in the schools. I must compliment both sides for the work on this. And I would ask for your favorable vote. Thank you."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker. To the Bill. I just... First, I'd like to announce a potential conflict of interest, but I'm voting my conscience. But, I would like to commend the Sponsor, Representative Saviano and Senator DeLeo, on bringing together both sides on a very contentious issue. I'd like to thank the Illinois Federation of Teachers, of course, the dental hygienists, and of course, my association, the Dental... Illinois State Dental Society and would like to remind everybody that this weekend the Chicago Dental Society's having our mid-winter meeting. But I would... I, too, stand in support of this. This Bill will provide additional access to those in underserved areas. It will provide a way in which we can help diagnosis un... undue dental care to the masses of people and children who do not able... are not able to see a dentist on a regular basis. They're in... one of the number one causes of children missing school is dentally related and which is 100 percent preventable. So, I'd like to commend everybody who's worked very... very diligently on this and would ask the Members of the General Assembly to support the Bill. Thank you."

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Speaker Madigan: "Representative Kosel."

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

Speaker Madigan: "Sponsor yields."

Kosel: "I also need to announce a con... a potential conflict of interest and I also will be voting my conscience. Want to thank everyone for coming together on this Bill. It is wonderful to see the agreement that's been reached. It will, through the efforts of those that have negotiated this Bill, bring better dental health care to the State of Illinois, and I would urge your support."

Speaker Madigan: "Question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills-Second Reading, there appears House Bill 3989. Mr. Phelps, did you wish to move the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3989, a Bill for an Act in relation to firearms. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Krause, did you wish to... the Lady indicates she does not wish to call House Bill 3996. Mr. Aguilar, did you wish to call House Bill 4016? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 4016, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, take this out of the record. Representative Nekritz, House Bill 4076, do you wish to call the Bill? 4076. The Lady indicates she does not wish to call the Bill. Mr. Leitch, did you wish to call House Bill 4132? The Gentleman indicates he does not wish to call the Bill. Mr. Flider, do you wish to call House Bill 4234? Gentleman indicates he does not wish to call the Bill. Mr. Flider, 4346? Gentleman indicates he does not wish to call the Bill. Representative May. Mr. Clerk, House Bill 4531, read the Bill."

Clerk Bolin: "House Bill 4531, a Bill for an Act concerning public health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Eileen Lyons. Representative Pritchard. Mr. Pritchard, do you wish to call House Bill 4769? Yes? Okay. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4769, a Bill for an Act concerning food animals. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Delgado, do you wish to call House Bill 4831? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 4831, a Bill for an Act concerning community development. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On the Order of House Bills- Third Reading, there appears House Bill 412. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 412, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Madigan: "Representative Gordon. Representative Gordon."

Gordon: "Thank you, Mr. Speaker. I have before you today House Bill 412. This Bill, among other things, reinstates the Rolling Stock Sales Tax Exemption for Illinois companies purchasing trucks, trailers, rail cars, aircraft and buses, as well as the replacement products for these items. Currently, a trucker can only qualify for the sales tax exemption if 51 percent of his total trips result in crossing into another state. This Bill reversed the Rolling Stock Sales Tax Exemption back to its pre-July 2003 form, meaning that 15 annual interstate trips will be required instead of 51 percent of total trips and intrastate trips as part of an interstate journey also qualify as part of the 15 trip requirement. This Bill also allows the elimination of the... elim... excuse me, allows elimination of the commercial distribution fee immediately and provides for the refunding of all these fees already paid to the Secretary of State. This costly fee resulted

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in owners of heavy vehicles to pay an additional fee costing 30 per... 36 percent of their regular vehicle registration fee. Those who paid this fee will be able to apply for a refund from the state. This is important legislation. It's important to truckers, it's important to trucking companies, and it's important to the future of our state. We cannot afford to push our businesses into other states because of these higher fees. We need to help Illinois businesses do their jobs. This Bill has the support of the Midwest Truckers Association, the Illinois Chamber of Commerce, the Illinois Municipal League, the Illinois Farm Bureau and several other business organizations. I would ask for an 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill.
The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. You know, it's an amazing process up here, isn't it? There seems to be a... this Bill which... let me... let me compliment the Sponsor of the Bill. As her first Bill, she has taken a Bill that she draft... that was drafted after one that was drafted for our side of the aisle to try to cure this problem. However, that's all right, that's the way the process works around here. You know, we have all been amazed by it anymore. But, what even amazes me more than that is, is you're telling me how great it is the truckers are of this state, and how we want to help them, and how we want to get this problem straightened out. But, all of the people on this floor or a lot of the people on this floor

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wouldn't listen to the problems that we were trying to express last year before this Bill was passed. The people that were involved with a business understand the business, came to us, screamed at us, yelled at us, begged and pleaded, 'Please don't drive our businesses from the state.' But now, we're going to close loopholes that way we hurt it again. Folks, I am telling you, you better pay attention when we pass these Bills out of here in the first place, we don't have to come back and do this stuff. Now, my question is, what are we going to do about the businesses that already left? We're coming back here trying to fix it, wonderful. Representative, I thank you for that. I don't thi... necessarily thank you for the fact that the Bill that was spon... was presented first was all of a sudden not brought out of Rules, but yours was, but that's okay. You'll understand how it works around here. I began to understand after 10 years of it. You know, why, why do we sit on this floor and when people try to explain what these Bills do, people go around they do other things, they don't pay attention. They think, oh well, it's not that big a deal. Tell that to the people... tell that to the people that for the last 6 months or the last year or now maybe even for the rest of their life can't go back to an industry which they were born and raised in. Tell that to the people that had to move to a different state to keep their jobs when their company moved. When a Governor that stood here in this chamber the other day and says he wants to close these corporate loopholes, well, pay attention to

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what they might be that we are saying are bad things, because many of them might provide your neighbor, your friend, your family member with a job. And then we don't have to come back here and play the politics of letting a freshman come up here, carry a Bill so they can go back to their district and tell how great they are to save the industry of the State of Illinois, when Senior Legislators voted to run them out. If you voted for it last year, shame on you. This vote needs... or this Bill needs to get 118 votes out of here. Representative, I would like to argue and discuss it with you and just have a great time on your first Bill. But, the games that were played around here on that... this one issue take away from that. So, I just hope everybody votes for it, and I hope you don't make a silly mistake like this again."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, why have you submitted this legislation?"

Gordon: "Sir, there are... my understanding, there are businesses in my district as well as all over the state that are suffering due to this fee increase. I don't believe that it advertises Illinois as a business friendly state. We do have a deficit and I am very concerned about it. But, by losing the businesses we already have is not going to aid in that deficit."

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Parke: "So, you think what was done last Session was inappropriate?"

Gordon: "I think that this fee is... is unfair."

Parke: "Well, of course, I agree with you. I think that... I think this Bill is something that I asked the Body to vote 'no' on last Session and pleaded with them in terms of the jobs that we've lost. And Representative Bost said, 'What are we going to do about the people we've already lost?' But I have a question directly for you. Doesn't this Bill require the fees that were paid to be reimbursed to the companies whether they're in business or not back to them?"

Gordon: "The... the commercial distribution fees that were paid to the Secretary of State will be refunded upon application by those people."

Parke: "Okay. And again, I don't find a problem with that. I just... do you have any idea of what that is? How much that might be?"

Gordon: "Their total... well, I... the number that they give me and the number that I think are maybe two different things. Department of Revenue says \$140 million."

Parke: "Okay. So, if we vote for this, this is \$140 million and it's something that's cost us a lot of jobs in this state and could easily cost us more jobs in the future. So, it is a difficult piece of legislation. Do you have any idea what the Governor will do with your legislation if it gets on his desk?"

Gordon: "Uh... No, I don't, Sir."

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Parke: "Do you have any commitment on behalf of the Majority Party to call this Bill for a Third Reading vote? I mean to help it get over to the Senate and pass it over there. Do you have a Senate Sponsor lined up?"

Gordon: "No one specifically, but I know there are several people across the hall who would be willing, I'm sure willing to sponsor this legislation in the Senate."

Parke: "Okay. Well, again, I commend the Sponsor, this is a... and a very important issue. Obviously, it's important for your district, but this legislation should not have been necessary in the first place. And I thank you for presenting it, but I'm concerned on the politics of you carrying this legislation at this time. Thank you."

Speaker Madigan: "Mr. Bill Mitchell."

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

Speaker Madigan: "Sponsor yields."

Mitchell, B.: "Representative, this is your first Bill, correct?"

Gordon: "Yes, Sir."

Mitchell, B.: "It's a pretty good Bill, congratulations."

Gordon: "Thank you."

Mitchell, B.: "I wish the Majority Party would've not voted for this piece of legislation when they sponsored it last year. You know they said, and I was in your district, I believe in July, in terms of we had a hearing in the House Rural Ecom... Republican Rural Economic Development Task Force, I

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don't remember you showing up. We had a lot of constituents there from your area. A lot a constituents..."

Gordon: "I... I... I'm sorry. I'm having a hard time. I can't hear you. Okay."

Mitchell, B.: "Ca... Can you hear me now?"

Gordon: "A little bi... Thank you, yes."

Mitchell, B.: "Thank you. I was in your district as one of our 16 hearings in Rural Economic Development, and we had people from your district and districts all around the State of Illinois when I was there in one of the 16 hearings talk about this as well as the MPDES fees as well as the other tax increases that this administration sponsored. I... I was getting some calls the other day from my district, and I represent communities like Clinton, Illinois. Clinton, Illinois has 8 percent unemployment. Decatur, Illinois, high unemployment. These fee increases certainly don't help jobs in our area. And I was wondering, Representative, I know Representative Parke asked this question, I'd like to go a little bit further in the detail. Have you talked to the Governor about this?"

Gordon: "No, I have not."

Mitchell, B.: "May I ask why? Because he's ultimately going to have to sign this legislation."

Gordon: "I..."

Mitchell, B.: "When he's in Springfield..."

Gordon: "I... I'm sorry I have talked to the Governor's representatives."

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Mitchell, B.: "I guess... the point I'm trying to make, have you talked to the President of the Senate?"

Gordon: "Pardon? No, I have not talked to President Jones."

Mitchell, B.: "You guys run the show. You run... you're in charge of the Illinois House, you're in charge of the Senate, you've got the Executive Mansion. If you want to pass this legislation, if you want to sign this, this can become law. This is too important for politics; it's too important to raise people's hopes up and then dash them because of pure pol... politics, pardon me. I want to know, and I think you're the Sponsor of the Bill. Call the Governor up and ask the Governor, he's your party, is he going to sign this legislation?"

Gordon: "I respect that, Sir. And as a new legislator, I'm doing this one step at a time. I'm hoping this passes through this House, and I can assure you that I will work to make sure that it passes everywhere else."

Mitchell, B. "I know on this legislation there's several newly appointed Legislators on this. So, I think... there's an old saying, what is it, 'Imitation is the sincerest form of flattery.' We on this side of the aisle, Representative Black sponsored House Bill 3851, doesn't get called. We have a Bill on MPDES, doesn't get called. But, you raise people's hopes up and this is good legislation. This is great legislation, but it shouldn't be politics. There's people's livelihoods that depend on it. Let's get this legislation passed. Let's have the Governor of the State of Illinois sign it. Let's put Illinois back to work."

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Gordon: "Thank you. I agree."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Thank you. Representative, let me correct one thing that my good friend, Representative Mitchell said. The Democrat party does in fact control the House, does in fact control the Senate and does in fact hold the Governor's office, whether or not they occupy the Executive Mansion is something still open to question. Representative, I... let... I don't want to go over the... what has already been said. Within 60 days of the effective date of this Bill, I had a company get out of the trucking business that put 30 people out of work in my district. The November unemployment rate in my hometown was 11.7 percent. I would submit that those 30 lost jobs were something that we couldn't afford. And my disagreement with the Governor is strictly on a philosophical basis, not personal. You won't make more money; you won't bring more money into the coffers by chasing jobs out of Illinois. Now, Representative, given that background, who brought this Bill to you? What... what's the genesis of your Bill?"

Gordon: "Well, I... I did some research into the Bill, Representative, and I did see that my predecessor was the Sponsor on this Bill. It was something that I talked to Justice O'Brien about."

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Black: "Your predecessor was the Sponsor of the underlying Bill, the Tarp Bill."

Gordon: "Right. And..."

Black: "Where did the Amendment come from? What's the genesis of the Amendment?"

Gordon: "Well, when I talked to... when I got down to Springfield and talked to the people about that Bill, they discussed the Amendment with me as well."

Black: "All right. Can you tell me... give me the definition of a 'commercial vehicle'?"

Gordon: "A 'commercial vehicle' is defined, excuse me, thank you. It is a second division motor vehicle weighting 8,001 pounds or more, including some large pickup trucks, some large... some large sport utility vehicles such as, I believe, the Hummer, some large limousines, most dump trucks, delivery trucks and cement trucks and all semi trucks."

Black: "Very good. And I think you should thank your staff. They're doing..."

Gordon: "I... I definitely will."

Black: "...an excellent job. How many of them over there are staff? Is it just one or two or three? All right. Representative, can you give me the name of any trucking companies in your district who have laid people off or who have come to you and said... I realize... I don't want you to violate the right of privacy, but can you give me the name of any trucking company that's contacted you and said, 'If

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we don't get relief from this, I cannot continue to do business in Illinois.'?"

Gordon: "All right. Yes, Sir. If I could have one moment; I have a big file here. Thank you."

Black: "All right. If you'll just give me one name, that's fine. I just want to make sure we're on the same page."

Gordon: "I was contacted by Mr. Bob Narvick from Narvick Brothers Lumber in Morris, Illinois."

Black: "Then I don't think we need to pursue it any further. Mr. Speaker, to the Bill. I've been here long enough to know that if you maintain a pride of authorship here, you're not going to get much done. The fact that I have a Bill on the calendar that's been re-referred to Rules, I... I... I really don't care. I tried to do this last year because of Central States Distribution within 60 days of the effective date said, 'We're outta here. See you later.' And... and I represent a district that simply can't afford to lose jobs. Are you aware, Representative, that this Bill was drafted so quickly that there is a loophole in this Bill that should be an embarrassment to every Member of this chamber? You just defined a 'commercial vehicle' as any... any Division II vehicle over the weight of 8 thousand pounds. Would that include a Hummer?"

Gordon: "Yes, Sir."

Black: "So, if I bought a \$100 thousand Hummer, would I pay sales tax on that vehicle?"

Gordon: "Not previously, Sir."

Black: "Ahhh... Ah ha."

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Gordon: "Un..."

Black: "Are you aware that Chicago auto dealers have been advertising, come in and talk to us about the loophole in the Illinois Sales Tax Law?"

Gordon: "Th... this Bill fixes that, but no, I was not..."

Black: "I know."

Gordon: "...aware... I was not aware that the Chicago auto dealers were advertising that."

Black: "Ladies and Gentlemen, my good friend Representative Bost, who evidently had a gas bubble or something and became upset awhile ago, had a very good point. Sometimes we do things here too quickly. There is a loophole in this Bill that is absolutely driving many of our constituents crazy, and I think is a gross miscarriage of equity and fairness. If you buy a second division vehicle that weighs over 8 thousand pounds, the biggest SUV you can go out and buy, the most expensive SUV that you can find. As long as it has a gross vehicle weight of over 8 thousand pounds, you can buy that \$100 thousand Hummer and not pay sales tax, even though you have no intention of using that as a commercial vehicle. That... that is... that is an outrage that's it's taken us this long to correct that fact. The second horrendous fault of this Bill as originally passed, I have a gentleman in my district who owns a 1989 Dodge dual wheel pickup truck with a quad cab. It's over 8 thousand pounds, we call 'em 'Duallys'. It's a 1989. Guess what he got in the bill... guess what he got in the mail two months ago?"

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Gordon: "Pardon? A check? I don't..."

Black: "No. No, Representative, you're going find we don't do that often. But, he got a bill. When he renewed his license plate, because his vehicle is rated at over 8 thousand pounds, he got a notice from the Secretary of State, you owe \$50 on top of the \$78 registration fee. He came into my office and said, 'Whoa, wait a minute, this is my personal vehicle that I use to haul my boat. What is this \$50?' I called the Secretary of State; they said call the Department of Revenue. I called the Department of Revenue; they said call the Secretary of State. The end result was, even though it was not a commercial vehicle, he had to pay an additional \$50 over the 78 to renew his plate. He refused to do so. So, he is in violation of the law. And there are many, many hundreds of people out there just like him. This law was not well designed; it was not well drafted. It was done in a hurry and as you said, when you create an anti-business climate in this state, you don't get the revenue you're expecting, you'll get far less. So, Mr. Speaker, Ladies and Gentlemen of the House, I've been here long enough to know how this works. I know why she's the Sponsor of this Bill; I know why the Cosponsors are on the board. It's part of the process. That's fine with me. She'll have to defend her record in her district, just like all of us will have to defend our record in our district. But the proof, Representative, will be in the pudding. The Governor opposes this Bill; the Department of Revenue strongly opposes this Bill. If you're to be viewed as an

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effective Legislator, you need to get this Bill signed into law. It's not enough to go back to your district and say, 'I tried.' You are the Chief Sponsor. You are trying to right an... an egregious error made last spring. It isn't enough to introduce it; it isn't enough to get it out of the House. Representative, you will be called to be accountable. This Bill needs to pass the Senate and over the objections of the Department of Revenue and the Governor, it needs to be signed into law. Why? It's an issue of fundamental fairness; it closes off an egregious loophole that I think is an outrage. People in my district buying an old used car have to pay sales tax, but somebody who buys a \$100 thousand Hummer doesn't have to pay sales tax. What in the world is fair about that? I will be following this Bill with a great deal of interest, certainly will do anything to help you. But, Governor, I don't know if you're on the second floor, I didn't see any lights on this morning, you need to reexamine this Bi... this... this... this commercial distribution fee, and you need to understand that in the long term you not only will not get revenues expected, you will get diminishing revenues because there are dozens of businesses who have already said, 'We are moving to Missouri. We are moving lock, stock and barrel to Iowa. We are moving on my side of the state, lock, stock and barrel to the State of Indiana.' That's not good for Illinois; it's not in our good long term interest. Representative, your work has just begun.

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And your effectiveness will be judged on whether or not you as a freshman can get this signed into law."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just real briefly, I understand exactly what everybody is saying. I understand the reason that the Sponsor is sponsoring this Bill; I'd like to commend her. But, let m... let me just say this, this is a \$92 million hit on the budget. It's not easy for me to stand up here and argue against anything that was said earlier. Right now the Department of Revenue is negotiating with the Midwest Truckers to try and come up with a solution to make things more palatable for the Midwest Truckers. The bottom line though is, find me \$92 million; find me \$92 million. What are you going to do? Do you want us to cut education? What do you want to do, cut public safety? What should we do? Cut \$92 million out of Medicaid? Ninety-two million dollars from pharmaceutical assistance for seniors? Find us \$92 million. You find it, then you can make this argument. In the meantime, you gotta vote 'no' or 'present' in order to just make sure we have a balanced budget in this state. We'll work this out; we don't want to lose jobs. We don't disagree that we don't want to lose jobs. We want to create jobs. But you can't do this without saying where you're going to find the \$92 million. Vote 'no' or vote 'present'."

Speaker Madigan: "Mr. Stephens."

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Stephens: "Well, thank you, Mr. Speaker. My esteemed colleague from Collinsville, I appreciate his remarks. And I... I think they would have been more appropriate last year. If we would have asked, where are the truckers, where are the small businesses in Illinois going to find that \$90 million tax increase that Governor Blagojevich passed onto the backs of the working men and women of Illinois? Now when he's giving his State of the State or his Budget address, 'I'm not going to hurt the working men and women of Illinois.' Well, he's probably right because there aren't going to many left if he keeps up his current policies. Vote 'yes'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Has Representative Yarbrough voted? The Clerk shall take the record. On this question, there are 90 'ayes', 7 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1498?"

Clerk Bolin: "Senate Bill 1498, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendments 2 and 5 have been adopted to the Bill. Floor Amendment #7, offered by Representative Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie. Amendment #7."

Currie: "Yes, I... I believe we want to table this Amendment because there are later Amendments to come. No?"

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Speaker Madigan: "The Amendment shall be withdrawn."

Currie: "Withdrawn."

Speaker Madigan: "Are there any further Amendments?"

Clerk Bolin: "Floor Amendment #11, offered by Representative Dugan."

Speaker Madigan: "Representative Dugan."

Dugan: "Thank you, Speaker. Amendment #11 addresses some concerns and makes some changes to Senate Bill 1498. First and most important, what it does is the Amendment allows a potential property tax homeowner relief to be statewide for all counties, not just one county in Illinois. It allows then the local county boards to determine if they want to opt in, if it is a benefit to their communities. It also addresses and adds language that would exempt sales or transfers between spouses or parents and child. It also caps the Long Time Owner Occupant Property Tax Relief Act to a \$25 thousand limit. And it also addresses some time issues downstate with assessors as far as to the time frame, depending on their period of assessments. And so I would like to ask for adoption of this Amendment."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "Floor Amendment #12, offered by Representative Currie."

Speaker Madigan: "Representative Currie. Representative Currie. Representative Currie, on the Amendment."

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Currie: "Thank you, Speaker and Members of the House. I move adoption of Floor Amendment #12. This is a technical Amendment responding to some confusion in the Revenue Committee yesterday and today. This Amendment does two things. First, it takes out language that was meant to clarify how the assessor deals with insuring uniformity among like properties. We don't need that language in the Bill and as it, instead of clarifying, only caused the waters to go muddy, we've taken it out. Second, there was a concern that some other language in the Bill might have transported the classification system in Cook County to other counties across the state, so we removed that language. So, the exemption language in this Bill mirrors identically the exemption language already in the statute. I'd be happy to answer your questions. And I hope you'll support the Motion to adopt Amendment 12."

Speaker Madigan: "Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. Chair recognizes Representative Mulligan. The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill and all notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1498, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

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Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. This... the Bill has been debated and debated. I don't think there's anyone on the floor that doesn't know what it... what it does or can do for the taxpayers of Illinois. When we debated this previously, there were quite a few people on the floor that said, 'Well, why not my county?' So, this Bill now as it stands before you would apply to every county in Illinois that wants to pass an ordinance to opt in. This is good legislation. This is not a permanent fix to the property tax problem, nor is it going to lower anybody's property taxes. What it's going to do is stop the sticker shock of these huge assessment increases which are leading to huge property tax increases, throwing seniors out of their home, throwing people on fixed incomes out of their home and making life very difficult for thousands of people in the State of Illinois. This Bill will apply to a huge number of our constituents all over the state. Property tax issues are #1 on the list of the complaints my constituents have, and I'm sure that many of you feel the same. This is appropriate legislation that we must pass today and I urge your 'aye' votes."

Speaker Madigan: "Mr. Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, let me compliment you. You have changed the Bill to be better; it's still not a good Bill. But, the compliments are you have allowed other downstate and collar counties to opt in, which is a good move in my opinion."

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But, I still have problems with the Bill. I have one specific question that I have not been able to... to understand. If... if I do understand it, this has the \$25 thousand cap on all exemptions. Is that... that folds in the homeowner... the Homeowner Occupied Exemption is folded into the 25 thousand. Is that correct?"

Lang: "Yes."

Winters: "Is the Senior Homestead Exemption also folded into the 25 thousand?"

Lang: "No, that's a separate number."

Winters: "That is a separate number. So, a senior then could get maximum 25 thousand relief under this Bill, plus the 25 hundred in Cook County or 2 thousand downstate?"

Lang: "That is correct."

Winters: "Okay. That clears up one... one of my many questions. The problem is that we're dealing with a system, the property tax system, that's broken. I feel that what we're doing is trying to treat the symptoms; we're not treating the whole problem. Let's fix the systems, not just look at the symptoms. If, in fact, your county assessor would reassess every year as our counties do, we at least receive a multiplier each year that changes, so we don't get these huge lump sums. If you can change the Cook County assessments so that you don't get a three year lag, then you don't have the... the immense pressures that you have today. So that's my first suggestion is let's go after the entire system, not just put Band-Aids on it. That's like putting a Band-Aid on a corpse that's lying in the aisle

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here. The corpse is still going to be dead when you get done putting the Band-Aid on. You haven't really done much other than make it look a little bit prettier. You've made it look prettier and that's all. If that's the intent of your Bill, if your intent is to make the property tax system look prettier, my compliments, but I don't think that's what we're down here for. I think what we're down here for is to make sure that this state, whether you live in Cook County or you live outside of Cook County, that you have the same access to equivalent laws. That goes back to the fact that your seniors get a higher exemption than anybody else in this state. Currently, your homeowners get a higher exemption than anybody else in this state, and because of the differential property tax assessment you have in Cook County, you assess your homes at 16 percent by statute. In fact, LRB... LRU says they are only assessed at about 9 percent of their market value in Cook County as of 1998, the most recent data. They are being assessed at about 9 percent of market value; the lowest county downstate is at 27 percent. Obviously, your tax burden in Cook County has been skewed by this Legislature in the past to an... unfairly advantage to citizens of Cook County. What I'm calling on is let's go after the entire property tax system, revamp it, give everybody the same access to the laws. I believe there was a Member of this chamber that in the... two centuries ago made a speech about a house divided against itself shall not stand. Well, this is a state that is divided against itself. Cook County gets higher

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exemptions for both seniors and homeowners, and in fact under this Bill, the \$25 thousand cap is worth twice to you what it is to my constituents because of your differential assessment. Even if you did assess that the statutory limit is 16 percent, it's still the \$25 thousand exemption is worth twice as much to you as it is to me. And I think that's unfair. And until we can fix the entire system, instead of just putting Band-Aids on the symptoms, I think that it is a flaw. We should not make little nibbles on the edge of a major problem. We should go after the entire problem, fix the system, unify this state. Bring it back together so that whether you live in Cook County or you live in any of the other 101 counties, you have the same access to equal protection under the law. I think this is simply a Band-Aid. We should not pass this out, because it is not getting to the root cause of the problem. Thank you."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative Lang, under your original Amendment, I think it was Floor Amendment 2, you expanded the eligibility for senior citizens homestead assessment freeze from 40 thousand to 45 thousand. And you increased the homestead improvement exemption in all counties for homes being rebuilt after a catastrophic event from 45 thousand to 75 thousand. But that... that's left out of the Bill the

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way it's drafted now. Is there a reason for that? It would have been a good inclusion."

Lang: "Representative, a legislative decision was made that this was a better solution than to change all of the exemptions. So, we wanted to keep it simple; we left it with this one exemption."

Mulligan: "Well, I think most people realize, particularly for senior citizens on a fixed income, that \$45 thousand isn't a whole lot to get a freeze on their property tax in order to keep them in their home. And I think that would have been an appropriate addition to the Bill, which you obviously included the first time, but not the sec... second time. And then on the other part for the rebuilding of a home under a catastrophic event, most homes in our area if there's a fire or if there were to be... in certain areas we have tornadoes things like that, \$45 thousand would not adequately rebuild that home. And I would think that you would have allowed a larger exemption. Both of those I thought were very good in Amendment #2 that you put on the Bill, but you left them out in this Amendment. And I feel that they should have been added, very strongly."

Lang: "Well, I wouldn't... I wouldn't vote against a Bill that you would propose that would do those things, Representative."

Mulligan: "I think we did have a Bill that at least talked about the freeze and also talked about not... for seniors not having to refile every year, which particularly for very elder seniors is not a bad idea because sometimes they forget and then we have a problem trying to get it back in."

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I don't remember if someone on your side or you carried that, but I would think it would be an appropriate addition to this Bill if it were to pass, and I certainly would think that you would give it some strong consideration. I don't know if it's just an error in the final drafting, but I thought it was a good thing to have in the beginning and it's not in this Bill."

Lang: "Well, Representative, I would like to see you vote for this Bill in this form, and we can talk about other exemptions and other issues in another form, at another time."

Mulligan: "Well, I had voted for it last time and I intend to vote for it again, but we all know that once the train leaves the station, it's pretty well gone. And I think if we're talking about this Bill benefiting seniors and benefiting people that that would have been an excellent addition and it shouldn't have been left out."

Lang: "Thank you."

Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, I'm going to try to come at this from a little different angle because I'm concerned... I think we're all interested in the way property tax relief sounds, it's catchy. But, we also have to remember that within the complicated formula that disburses money to our schools, there could be an effect on that formula. And I want to

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make sure I understand what this Bill might do to that formula. Obviously, for flat grant districts this won't be as much of a concern as it might be for districts who rely on the formula. That current formula determines the need a school district has by basically taking their average daily attendance times a foundation level. Then districts have subtracted from their need what is referred to as local effort. That's my concern. How this Bill is going to calculate local effort, because there's only really two effects that this can have. If a district has to count the actual increase in assessment times the fixed rate, for example, for unit districts it's \$3, then their local effort is going to be increased in the formula and they will receive less general state aid. And I... I want to know if the effect of that calculation has been determined in this Bill?"

Lang: "Representative, there's two things you need to know. First, if the EAV goes up, school's are going to get general state... less general state aid anyway under the formula, that's first. But more important, the Bill is very clear that state aid... the state aid formula for schools will be determined based on the actual assessed valuation. The fact that this 7 percent cap with a limit of 25 thousand kicks in is for purposes of calculating the tax that is paid, but it has nothing whatsoever to do with the school aid formula. The Bill is very specific about that."

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Eddy: "So... so to answer my initial question, the EAV used in the calculation of local effort in the state aid formula will be the total increase of the EAV without any additional exemptions, without any additional caps?"

Lang: "That is absolutely correct."

Eddy: "So, in that formula that EAV is going up times the rate and I'm going to be charged in that formula the actual EAV, not what I can access in my levy as a school district. So, whatever there is above the 7 percent is going to kind of count against your general state aid, cause you're using that number."

Lang: "But, it would anyway, Representative. We didn't pass this Bill..."

Eddy: "But in the past, Representative, I would be able then to access the revenue from that increase, and in this case I will not."

Lang: "The... the extensions for schools will be the same. This Bill will not impact the levy, the extensions or the dollars the schools get. They'll get the state aid based on the state aid formula with the full assessed valuation."

Eddy: "A full assessed valuation on the state aid formula will reduce the general state aid, not increase it. And that's my concern. And I... I just want to make sure we don't make a mistake here, and we pass a Bill with good intentions for property tax relief that includes a caveat which will hurt general state aid for downstate districts, for the City of Chicago maybe more than anywhere else. Because if you use

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in the local effort calculation the highest EAV, you get less general state aid."

Lang: "If you get more EAV, you have less state aid, that's correct."

Eddy: "However, you cannot access the revenue from the EAV because you're taking away that access. My concern is to make sure that there's not an unintended consequence here that cap... caps my ability to access that revenue. Under the formula, the reason for general state aid is to make up for that difference. In this, you're charging in that local EAV the full rate, which reduces the general state aid. And I don't think that's the intention, but that's exactly the reading I have of this Bill."

Lang: "I don't recall... I... there are certainly some school groups that came to committee to object to the Bill, but nobody raised that issue as something that concerned them in committee, Representative."

Eddy: "Representative, I... I have had school groups contact me with that very concern. And it... it really doesn't even beg the question of property tax relief. It really doesn't. It begs the question as, if we're going to limit a school district's ability to raise revenue to educate children, and there's no way to make up for it in general state aid, which is usually what happens, that's usually what happens in the formula. It's made that way. This local effort calculation takes the real EAV, the total, and subtract... or takes that time a set rate and that's subtracted from need, that means less general state aid."

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Lang: "Well, there's two... there's two responses I think, if you're a non-cap county, this isn't an issue. You can raise your rate. If you're... if you're a capped county, you can make decisions locally to deal with this problem, at least that's what I'm being told by my experts."

Eddy: "To... to my... to my knowledge of the school aid formula, that doesn't satisfy my concern."

Lang: "Well, I would also tell you that if we're going to allow each county to make their own decision as to whether to opt in or not, then school districts in given counties that think they can be damaged the way you're anticipating can simply go to their county boards and say, don't do this."

Eddy: "That raises another question that I... I have questions about. But... but I do want to make sure that everyone understands, especially you Representatives of downstate districts, you could be voting on a Bill that negatively affects the amount of money you'll get in general state aid. Not purposely, but because of the complicated formula and the way this could affect the local effort, you could be hurting your district. Now, as to the county board's ability, currently, with PTELL the county board allows the question to go on the ballot where the people are allowed to decide. This allows the county board to decide. It doesn't put it as vote as a people. Is that correct?"

Lang: "The county board would have to adopt an ordinance opting into this program."

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Eddy: "But... but in the end, the voters, the voters of the county, do not get to vote on this... this question. The county board... the county board is the end, right?"

Lang: "Well, that's correct. Should we turn every decision government makes over to voters every time or just the ones that you think are interesting enough for that purpose?"

Eddy: "I think if we're talking about consistency and we're talking about asking voters about taxation questions that individually affect them, we should ask those voters because we do it in other instances. Now, here's another question that I have that I don't see in the Bill. Currently, if one county board puts on the ballot the PTELL issue and there is a cap established for a school district and that district is in multiple counties, right? The coun... the effect does not go into the levy until the ballot question has been on in all the counties that that school district embodies. This Bill is silent to that. So, if I have a multi... multiple county school district and in one county, the county board sees fit and in another county they do not, to adopt this, I could have two different rates, because there's no... nothing in the language that would allow for all counties to have to agree. Is that correct?"

Lang: "You're talking about a situation where a school district is in multiple counties?"

Eddy: "Yes, Sir."

Lang: "All right. Bear with me a moment. Representative, sorry for the delay."

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Eddy: "That's okay."

Lang: "To the best of our knowledge, even if there's multiple counties since the school district sets the rate, whether one county adopts by ordinance the... this Bill or does not, the school district issues the rate."

Eddy: "I would only respectfully, very respectfully, disagree with that in the fact that the district doesn't issue multiple rates. And this, without... without the... all of the counties passing this, would set up multiple rates. I don't think that's the intention. I don't think it was... it was thought out that way, but it is a concern I have. I don't think it's the intention of the Bill to make sure that general... or that general state aid would be reduced for school districts. But, I see in this no real clear answer. And the State Board of Education to this point, because the language doesn't specifically state the intent, has not been able to give us a... a definitive answer as to what the effect will be."

Lang: "Representative, it's not the county that sets the rate; it's the school district that sets the rate."

Eddy: "The district cannot set multiple rates. The district levies; the rate is set, and if one county has this in effect and one county does not, one county's taxes for someone will be different than in the next..."

Lang: "If... if..."

Eddy: "...county and people will move, could move to take advantage of the lower taxes or the cap in one area and not the other in the same school district."

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Lang: "Well, whether they move or they don't move, the rate is still the same. Even for school districts that are not in multiple... schools that are not in multiple counties if... if DeKalb County does this and Cook County for some... one reason doesn't, there may be people move to DeKalb County. What's the relevance?"

Eddy: "The rate... the rate may be the same; the amount of taxes can be greatly affected. I... I just... I understand the concept and I understand the problem with property taxes in this state and property tax relief. I think we all come here hoping that we can someday, some way, really tackle what needs to be tackled. And that's the formula that is inequitable; it's unfair to property owners. That's not what this is about though. This is about property relief, but I think there's some unintended consequences here that we would all do well to make sure aren't in here, especially, for school districts. Thank you very much."

Speaker Madigan: "Mr. Sullivan. And Mr. Granberg in the Chair."

Sullivan: "Thank you, Mr. Speaker. Would the speaker... will the Representative yield?"

Speaker Granberg: "He indicates he will."

Sullivan: "Thank you. My colleagues have already spoken about many of the points here, so I don't want to revisit those, but I do want to ask you one question. When calculating the base year or your base assessment, there are certain provisions in this Bill where the assessor may recalculate the base year, is that correct?"

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Lang: "No."

Sullivan: "Okay. On page 18..."

Lang: "Amendment 12 took that out, Sir."

Sullivan: "Okay, but there still are other ones, right? Other reasons. If new property is added, they can recalculate it. I mean I... I'm reading the three other ones."

Lang: "Go ahead with your question, Sir."

Sullivan: "Okay, but... is that correct? That there are ways for the assessor to recalculate the base rate?"

Lang: "Yes."

Sullivan: "Okay. Earlier today we talked about the certificate of error issue and that was amended in Section... Amendment 12, correct?"

Lang: "Based on your concerns in committee, Sir."

Sullivan: "Absolutely. And it... it..."

Lang: "That would be the Sullivan Amendment."

Sullivan: "...it was a positive step, of course. But, you're leaving open the problem now that, let's say I'm the assessor and I make an error. I put an additional house on your property and you're assessed that way and you come to me and say, 'That house isn't there, my taxes are too high.' I would write the certificate of error and correct that problem. Am I correct?"

Lang: "That's correct."

Sullivan: "How do we redo the base calculations under that scenario in this Bill?"

Lang: "We do... do it the same way we do it now for the homestead exemption."

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Sullivan: "The homestead exemption isn't based on the appreciation of a home. The homes... a homestead exemption is just a general exemption. It's not based on anything other than the fact that you live there. Under this, there now is no way to recalculate. I understand why you guys wanted that in the Bill, but now that you've taken it out, there's no possible way to reset this, other than having a reassessment the following year."

Lang: "Is that a question?"

Sullivan: "I'm asking you. Is there a way, if there's a certificate of error written, presently in this Bill, to recalculate the base assessment year?"

Lang: "Well, just as today, Sir, if the assessor makes an error, the assessor may go back and reassess it."

Sullivan: "Yes. And so the assessment will... will change. But, you're giving specific reasons... you're embodying specific reasons in this Bill why the assessor could change the base year for calculating this new assessment that we're trying this alternative homestead exemption. But in your reasons, nowhere in here does it list using a certificate of error as a tool to redo the assessment. The base year, not what their assessment's going to be, but recalculating the base year."

Lang: "Well, the Bill doesn't preclude that either, Representative. It just simply not referred to. So why wouldn't the assessor have the same tools the assessor has today without making special reference to it in the legislation?"

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Sullivan: "Well then, why would you suggest three other ways that... in law you're suggesting three other ways or limits to the assessor on why they can recalculate this, but one that should be in there is not. Why... why is that? If they can do it already."

Lang: "The purpose of what's in there is to provide guidance to assessors who have to implement it. Simply because one that concerns you is left out does not mean it is not available to assessors, because as you know, it's available to assessors today."

Sullivan: "Certainly. Well, what would preclude assessor in another... other than Cook County from saying, 'You know what, it's not in the legislation. I might have made an error, but I'm not going to recalculate the tax rate.' What's to force them to do that?"

Lang: "The law provides for how a certificate of error is accomplished today. So an assessor cannot go beyond what's in the law today. This Bill doesn't change that."

Sullivan: "But, you're giving the assessor the ability to recalculate the base year in terms of the new exemption that we're adding. What's to force them to do that? I think it's a good thing, but maybe there would be an assessor that said, 'Heck with you, I'm not going to do it.' What's to force them to do it?"

Lang: "The existing certificate of error provisions in the Property Tax Code deal with this issue."

Sullivan: Okay. Well, I disagree, but that's okay. To the Bill. This Bill is going to shift burden to other folks.

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This Bill is going to shift it to seniors, it's going to shift it to businesses, and it's going to shift it to people that are not growing as fast as the higher growth areas in the collar counties and Cook County. The esteemed Representative and I have a disagreement. If the assessor makes an error, there's nothing in this Bill that will allow him to fix that for purposes of calculating your new exemption. We're going to disagree about that and I understand that, but I urge you a 'no' vote. Thank you."

Speaker Granberg: "Thank you. The Gentleman from Vermilion, Representative Black. Representative Black, if you would like to come to your chair or..."

Black: "Thank you so much, Mr. Speaker, it's good to see you in the Chair. This might mean the start of your rehabilitation, who knows. Mr. Speaker and Ladies and Gentlemen of the House, I won't go over the ground that has already been covered so well by so many speakers, particularly Representative Winters in his opening questions of the Sponsor. First of all, let... let me commend Assessor Houlihan for having the courage, the only one in recent history in my memory, for having the courage to question the assessment practices in the County of Cook and the City of Chicago. Something that I think, it was long overdue and my remarks about the Bill should not be construed as any criticism of Assessor Houlihan. I think he started out genuinely motivated to do some things that needed to have been done in the Cook County assessment system long, long ago. However, I don't know that he would

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say that this Bill as finally amended represents what he wanted to do. Ladies and Gentlemen of the House, let me read to you a transcript of debate of May 13, 1992, House Bill 3456. In 1992 the assessment level in Cook County was estimated to go up 8 percent. Eight percent, imagine that. The Chicago area delegation immediately came down to Springfield and filed House Bill 3456, which started from that passage of that Bill that started the unequal treatment between property tax exemptions in Cook and property tax exemptions in the other 101 counties. I'm quoting from the transcript of May 13, 1992, Representative Parke: 'Let me ask you another question', paraphrasing, 'Why are not downstate homeowners allowed the same reductions and exemptions under this Bill?' Representative Steczo: 'Repeat the question.' Representative Parke: 'Why are not downstate homeowners allowed the same exemptions in the property tax system that House Bill 34... excuse me, 3345 offers to Cook County?' Representative Steczo: 'Well, Mr. Parke, as you well know, this program has been in effect for Cook County for a number of years.' 'What?' 'And there has been no interest, evidently, on behalf of the other counties to buy into this program. There has been ample opportunity for Members of the House or the General Assembly to become part of this, but in Cook County our taxpayers have said, 'We want to have a higher homestead exemption and we want to have a higher senior citizen exemption'. So that's what we're going to do.' For about the last 6 years I have brought Bills to this chamber

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having been here during that debate that would simply say, an owner occupied exemption in all 102 counties would be \$4,500, that's what it is in Cook. Those Bills have... those Bills have been reported out of Rules, sent to Revenue Committee and died for the last 5 years in the Property Tax Sub-Committee, two Democrats voting 'present', the one Republican, whoever that might be at the time, voting 'yes'. So, don't tell me we haven't tried to equal the base. This Bill doesn't equal the base. Property owners in Cook County, homeowner occupied, still gets a base exemption of \$4,500. Property owners in my county and the other 101 counties of the state get an owner occupied exemption of \$3,500. A senior citizen in Cook County gets a base exemption of \$2,500. A senior citizen in every other county of the state gets \$2,000. So, for all of the Amendments that you've done to this Bill, you still have the other 101 counties starting from a lower base. You didn't even have the common courtesy to raise the base equal in all 102 counties. If you can explain to me why that is, I've asked it for 5 years in the Revenue Committee, and I'm generally told something like this, 'Because that's the way it is.' I dare any of you to come to my district at a property owners meeting and give that as an answer why they get a \$1,000 less homestead exemption and a senior gets a \$500 less homestead exemption in all counties except Cook. So now you, you manipulate the system, but you still keep the differential in the base. That wasn't fair in 1992; it isn't fair in 2004. I don't

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care what other gimmicks you attach to this. I think Representative Winters has said it best. The law of unintended consequences is going to catch up with some of you on this Bill, because it will do some things to the school aid formula and it will do some things to the budgets in Chicago and Cook County. And so, you've thrown downstate a bone, actually the other 101 counties said, 'We want to help you, too.' No, you don't. What you want to do is to get through the property tax payment system in May and June of 2004. That's what you want to do. And then it goes away in 2010. House Bill 3345 bought you 10 years, that's all it bought ya. Didn't change anything, here you are again. Let me quote from a Legislative Research Unit study that I requested August 21, 2003, just a couple of sentences. 'Thus, if the homestead exemptions were made uniform throughout the state, a disparity would still exist between homeowners' property tax bills in Cook and other counties due to unequal assessment levels.' You're the only county in the state that assesses residential property at 16 percent. Every other county is required to go to 33 1/3 percent. The report ends by saying this and I think this is the bottom line, 'Cook County business owners pay disproportionately more in property taxes than business owners in other counties. Combined with the county multiplier, assessments levels ranging from 33 percent to 38 percent result in higher taxes on Cook County businesses. Many businesses are relocating to nearby counties for tax relief. Thus, Cook County taxing

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districts, especially schools, are raising their tax rates each year causing the remaining businesses and homeowners to pay higher property taxes.' Ladies and Gentlemen, a 40, 50, 60 percent increase in your assessment does not equate to a 40 or 50 percent increase in your property tax bill. Assessor Houlihan made that very clear in the committee, very clear. If I lived on the gold coast and I had a million dollar condo, I would love this Bill and probably would vote for it. But, if I was a homeowner on the southwest side of Chicago whose home may be appreciating at 2, 3, 4 percent a year and is now worth a \$100 thousand, I'm going to pay more taxes. Not less, I'm going to pay more. You think you're solving the problem, but as Representative Winters said, 'You're simply put a Band-Aid on a system that no longer works', is not inherently fair and is so complicated that someone as intelligent as Representative Lang, who I have great respect for, had to stop and consult another Gentleman I have great respect for, legal counsel of the Speaker. The law of unintended consequences will have some ramifications on the school aid formula. The law of unintended consequences are going to have people coming into your office in May and June and July saying, 'I thought you said my property tax bill was going to do down. My property tax bill went up.' Be careful of building expectations that a very complicated law, like real estate taxes, may not be able to deliver. The number of opponents to this Bill include organized labor, all teacher groups, chambers of commerce from

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Chicago land. It isn't the answer. It may be a temporary fix to get through your tax bill cycle in May and June, but it's not going to do what you think it's going to do. And you still maintain and demand that those of us in the other 101 counties sit down, be quiet and be happy with a disparity in the base homestead amount. That isn't fair, you know it. You couldn't explain that to my constituents anymore than I can. It is inherently an unfair system. And what you today... what you're doing today does not make it any more fair."

Speaker Granberg: "Thank you. The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. To the Bill."

Speaker Granberg: "To the Bill."

Fritchey: "With all deference and respect to the previous speaker, a couple clarifications. The Chicago Teachers Union is, in fact, in support of this legislation. The homes on the southwest side whose increases are only 2 and 3 percent don't exist. This is not about lowering the tax bill for mansions on the gold coast. This is about helping homeowners stay in their homes. Ladies and Gentlemen, all of us talk about... that we're down here doing good things because we're holding the line on income tax; we're holding the line on sales tax. There's a third leg to this equation which cannot be ignored any longer. Our neighbors are not being forced out of their homes by income tax. They are not being forced out of their homes by sales tax. The property tax situation is out of control, plain and

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simple. For eight years I've listened to a number of my colleagues on the other side of the aisle talk in a myriad of situations about tax reform, about tax control, about local control. This Bill has been worked and reworked and reworked. It is about giving county government local control to address the property tax situation. And Jim Houlihan will be the first one to tell you, this is not the ultimate fix for our problem. And, Ladies and Gentlemen, this Legislature has put its head in the sand for decades now about the ultimate solution to the problem. We are going to have to take this on folks, sooner rather than later, we are going to have to fix the situation of how we fund our schools. Not just agree that it needs to be done, not appoint a blue ribbon commission. We are going to have to have the backbone and fortitude to fix the system. Take the reliance off property taxes; find that revenue sources and we all know where those revenue sources may likely be. But for us to go back to our districts, wherever they may be in this state, all full of bluster about how Illinois doesn't support its schools enough, how we're at the bottom of the country, how we need to change the system. Folks, we need to change the system. And we have to do it soon. In the meantime, we have a responsibility to work with our local governments to let our homeowners stay in their homes, to give seniors nothing more than the dignity to die in the home that they were raised in, that their parents were raised in. This is not a white collar Bill. This is not a white Bill. This is not a north-side Bill. This is

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not a Chicago Bill. This is a Bill that affects all of us across the city, across the county and sooner or later, folks, across the state. This is an issue that we want to be able to put in the hands of local government, give them the option to do this. I said when we took this Bill up last time, a lot of you have come to a lot of us for issues that were not pressing or even existing in our district, be it agriculture, be it commercial, be it cultural issues. And whenever we could help you, we've been there to help you. We're asking you for your help. Thank you."

Speaker Granberg: "The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. Well certainly, the last speaker painted a broad brush that it's going to help everybody in the world. That if you're not in a high growth area, you're not going to see any help. If you're a senior you're not improving your property, you're not going to see any help. I mean, come on, we can say whatever we want, but let's be factual. This Bill can hurt schools, period. If Chicago doesn't get the \$60 million they need to continue to teach their kids the way they want to do it, it's going to be like the old days. And you folks that have been down here for 12, 14, 16 years can remember that you always had a Special Session every summer to come back and have a reappropriation of dollars in a supplemental that go directly to Chicago for education. I don't know where those dollars come from, but I guarantee you this year they're not going to be there.

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But those dollars can't go into any other school district, so this may be a Bill that unites not only downstate, but the suburbs. Are we going to prorate the categoricals even lower so we can pool that money together to make sure that Chicago public schools doesn't go under. Folks, this is going to have a tremendous effect on schools, no doubt about it. You can't answer the questions on how it's calculated. There won't even be enough money because of the cap on the EAV to borrow money because lenders are going to say, 'Oh no, you won't be able to pay it back.' Schools that are in trouble now are going to be in more trouble. And most of those schools that are in trouble in... are in downstate, but you folks in the collar counties have got some now. You give a few bucks and property tax relief for most high growth areas, nobody else gets that and then all of a sudden school districts are in worse shape than they were before, even though we've pumped money in. We're not going to look very smart. You gotta think seriously about how you vote on this Bill, especially if you're a downstater. Thank you, Mr. Speaker."

Speaker Granberg: "Thank you, Representative. The Gentleman from Cook, Representative Lang, to close. Mr. Winters, for what reason do you rise?"

Winters: "Yes, Mr. Speaker, my name was used in debate."

Speaker Granberg: "Mr. Winters, you spoke previously in debate. That reference was in passing, and we're going to the close of the Bill. Representative Lang."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've heard a few things during debate that we really have to clarify. First, this isn't just for the people that own expensive condos on the gold coast. Just in Cook County over 90 percent of the homeowners in Cook County will get some benefit from this legislation. It's hard to say to 90 percent of the people of the largest county in the state and many of your counties as well, 'Well we're against property tax relief for you simply because we'd like to do it a different way.' I think we... a lot of us would like to do it a different way, and we should work toward that, but I think we have to recognize that over a long period of time on this House Floor we haven't had the courage or the intestinal fortitude to do this right. So until we find the courage and the intestinal fortitude to do it right, we need to provide some property tax relief to the people of the State of Illinois. Additionally, there was some talk about the differences between exemptions today in Cook County and exemptions today downstate. The fact is that this Bill levels that playing field; everybody gets a \$25 thousand maximum exemption. There's no longer a difference in the maximum exemption between Cook County and downstate if we pass this Bill. So this will level that playing field. So for those who said, 'Ah, we're ticked off for the last 50 years that Cook County has a different level.' This takes care of that; everyone gets a \$25 thousand maximum exemption. Next, page 50 of the Bill is very clear; page

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50 of the Bill says that the Department of Revenue shall add to any exemption enough dollars to make sure that every school district gets every dollar it would have gotten out of the school aid formula if the Bill did not pass. Every school district will get the same amount of dollars it would get from the school aid formula. Now, Ladies and Gentlemen, I know we need a permanent fix to this problem, and I know this is not a permanent fix. When we have a permanent fix on the floor to debate and to talk about and to amend and to make sure it applies statewide and to make sure we deal permanently with first, property tax relief, and second, education funding, I'll be there with you. It's an important issue in my district. But until that day, it would be irresponsible to say to thousands and thousands of homeowners in Illinois that we don't want you to have this relief that's before us today. The only responsible vote, even though not a complete fix, is to vote for property tax relief for the citizens of Illinois. Please vote 'aye'."

Speaker Granberg: "Thank you, Mr. Lang. On the question, 'Shall Senate Bill 1498 pass?' All those in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 67 voting 'yes', 44 voting 'no'. Mr. Black, you have your light on. Did you have a request, Sir?"

Black: "Yes, thank you very much, Mr. Speaker. I have an inquiry of the Chair."

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Speaker Granberg: "Proceed."

Black: "Have you taken the roll?"

Speaker Granberg: "No. I didn't know if you wanted to request something..."

Black: "No, no, go ahead and do that. Go ahead."

Speaker Granberg: "Okay. 67 having voted 'yes', 44 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Yes, Mr. Black."

Black: "Yeah, Mr. Speaker, I realize you haven't been in the Chair in sometime and it is good to see you back there, but unless we're going to change the House Rules, when somebody's name is used in debate under the Rules of the House they have a right to respond to that. If... if we're going to change that, at least give us some constructive notice and change the House Rules. You're in the Majority. And you know, I.. I ju... I don't understand sometimes, you have almost a veto proof majority, and if somebody wants to get up because their name was used in debate, under the current rules under which we operate, they have that right. If you don't want to give them that right or you're tired of that right or you don't like Representative Winters or you just don't like being here at 2:30 on a Friday afternoon, fine, then when we come back next week get the applicable form out, change the rules and say, 'It doesn't make any difference if your name is used in debate, you're going to speak once and that's it.' But I... these capricious and arbitrary rulings of the Chair, let me... let me point out something to you. You're beginning to run

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this chamber like you did in 1992. You're being rather forceful; you're denying our rights to participate in a full and equal and equitable manner. And I would just simply say to you in all due respect, when you started to run the chamber like that in 1992 and 1993, you lost your majority in 1994."

Speaker Granberg: "Thank you, Mr. Black. Mr. Black, Mr. Winters spoke extensively in debate. We did not put a time limit on him and his wife called and was in a hurry to have him come home. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 61, offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, February 20, 2004, they stand adjourned until Tuesday, February 24, 2004 at 12:00 noon."

Speaker Granberg: "Representative Currie moves for the adoption of the Resolution. All those in favor say 'aye'; opposed 'nay'. The Resolution is adopted. The House shall stand adjourned until Tuesday at the hour of 12 o'clock, allowing perfunctory time for the Clerk."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 7187, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7188, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7189, offered by Representative

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Madigan, a Bill for an Act concerning appropriations. House Bill 7190, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7191, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7192, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7193, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7194, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7195, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7196, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7197, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7198, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7199, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7200, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7201, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7202, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7203, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7204, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7205, offered by Representative

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Madigan, a Bill for an Act concerning appropriations. House Bill 7206, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7207, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7208, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7209, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7210, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7211, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7212, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7213, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7214, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7215, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7216, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7217, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7218, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7219, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7220, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7221, offered by Representative Madigan, a Bill for an Act

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concerning appropriations. House Bill 7222, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7223, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7224, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7225, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7226, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7227, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7228, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7229, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7230, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7231, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7232, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7233, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7234, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7235, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7236, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7237, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7238, offered by Representative

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Madigan, a Bill for an Act making appropriations. House Bill 7239, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7240, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7241, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7242, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7243, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7244, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7245, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7246, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7247, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7248, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7249, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7250, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7251, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7252, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7253, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7254, offered by Representative Madigan, a Bill for an Act concerning

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appropriations. House Bill 7255, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7256, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7257, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7258, offered by Representative Rose, a Bill for an Act concerning public employee benefits. House Bill 7259, offered by Representative Madigan, a Bill for an Act making appropriations to the State Comptroller. House Bill 7260, offered by Representative Madigan, a Bill for an Act making appropriations to the State Comptroller. House Bill 7261, offered by Representative Brady, a Bill for an Act concerning appropriations. House Bill 7262, offered by Representative Rose, a Bill for an Act making appropriations and reappropriations. First Reading of these House Bills. There being nothing further, the House Perfunctory Session stands adjourned."