

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

27th Legislative Day

March 7, 1995

Speaker Johnson, Tim: "House will be in order the Members will be in their chairs. All unauthorized personnel would please clear the floor, so that we can proceed. Representative Johnson in the Chair. Invocation for the day. Chaplain for the day is the Reverend Lee Ann Inman. Assistant pastor the Community United Methodist Church in Naperville. Reverend Inman is the guest of Representative Mary Lou Cowlshaw. The guest, our guest in the gallery may wish to rise for the invocation if the Members would please rise."

Reverend Inman: "Let us be in a spirit of prayer. God of creation, spirit of life, giver of all that is elemental and good. We seek You in deep sighs and cynical muttering as often as we offer our praise and thanks. Another blast of winter finds us complaining. We slip the ice underfoot not nearly so treacherous as the ice in our souls. We face the realities of poverty and greed, violence and lack opportunity and the inward freeze deepens to self interest or worse, disinterest. Yet, no matter how long and hard the winter, fall comes. Powerful spirit bend what is rigid in us. Fall what is frigid. Warm us and send Your spring thaw today loving God. Blow warm winds of compassion through these aisles these plains and the continents and seas that are Your world. But do begin here within our hearts in all of our relationships and all of the hard decisions that face us. Thaw us out O'God, cultivate us for a planting of justice and a harvest of peace. For You are the God of all our seasons. Amen."

Speaker Johnson, Tim: "We will be led in the Pledge of Allegiance today by Representative Wirsing."

Wirsing - et al: "I Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands

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one nation under God indivisible with Liberty and Justice for All."

Speaker Johnson, Tim: "Roll Call for Attendance. Representative Currie, you're recognized to report any excused absences on the Democratic side of the aisle."

Currie: "Thank you, Speaker. Please let the records show that Representatives Laurino and Martinez are both excused today."

Speaker Johnson, Tim: "Leave the House the Journal will so indicate. Please have a little bit of order here so we can hear the respective spokesman. Representative Cross, you're recognized to report any excused absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. I am pleased to report there're no absences on the Republican side today."

Speaker Johnson, Tim: "With leave the House the Journal will so indicate. Have recorded themselves who wish? Have all recorded themselves who wish? Have all recorded themselves who wish? Mr. Clerk, take the record. There are 116 Members answering the roll and a quorum is present. And the House will come to order. I have an announcement. I have an announcement to make. Mr. Florence Hutchenson is in the speaker's gallery today as a guest of Representative Tom Ryder. Mrs. Hutchenson is being recognized for redesigning the Illinois State flag 25 years ago. Mrs. Hutchenson if you wish to stand and be recognized by this Body. We welcome you. Mr. Clerk Committee Reports."

Clerk McLennand: "Committee Report, offered by Representative Tom Johnson, Chairman from the Committee on Judiciary for Criminal Law, to which the following Bills were referred, action taken on March 3, 1995, reported the same back with the following recommendations: 'do pass' House Bill 1102,;

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'do pass Short Debate' House Bills 589, 765, 113, 1004. 'do pass as amended Short Debate' House Bills 1248, 548, and 314.

Speaker Johnson, Tim: "Thank you, Mr. Clerk. If we could break up all the little mini caucuses on the floor so we can proceed. House Bill Second Reading. Mr. Clerk, read House Bill 122."

Clerk McLennand: "House Bill 122, a Bill for an Act that amends the Board of higher Education Act. Second Reading of this Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 123."

Clerk McLennand: "House Bill 123, a Bill for an Act that amends the Fire Protection District Act. Second Reading of the Bill. No Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 182."

Clerk McLennand: "House Bill 182, a Bill for an Act that amends the Private Employment Agency Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 197."

Clerk McLennand: "House Bill 197, a Bill for an Act to amend Metropolitan Water Reclamation District Act. Second Reading of this Bill. No Amendments and a fiscal note has been filed."

Speaker Johnson, Tim: "Third Reading. House Bill 471."

Clerk McLennand: "House Bill 471, a Bill for an Act relating to the monetary Awards Scholarship program. Second Reading of the Bill. No Amendments."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 517."

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Clerk McLennand: "House Bill 517, a Bill for an Act that amends the Illinois Police Training Act. Second Reading of the Bill."

Speaker Johnson, Tim: "Chair recognizes the Lady from Cook."

Clerk McLennand: "No Amendments, and a fiscal note...state mandate note has been filed. And a fiscal note has been filed."

Speaker Johnson, Tim: "Excused me, if we could have some order. It's an important Bill. Could have some order. Mr. Clerk, what's the status of the response to the fiscal note request."

Clerk McLennand: "The state mandates note and a fiscal note have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 572. And please, again if we could have some order in the chamber so that the Sponsors can be heard, so that the people in the gallery as well as the Members can hear what's going on on the House floor it would be most appreciated by the Chair and both side of the aisle. House Bill 572."

Clerk McLennand: "House Bill 572, a Bill for an Act that amends the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed and a fiscal note has been filed. No Floor Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 602. Representative Winkel. Representative Winkel, House Bill 602."

Clerk McLennand: "House Bill 602, a Bill for an Act that amends University of Illinois Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions found. No Floor Amendment."

Speaker Johnson, Tim: "Third Reading. Chair recognizes the

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Gentleman from Cook, Representative Dart."

Dart: "Inquiry of the Clerk, has this Amendment been printed and distributed?"

Speaker Johnson, Tim: "Which Bill are you inquiring as to, Representative?"

Dart: "602."

Speaker Johnson, Tim: "If you'd be patient just a moment. If we could have some order we'll certainly respond to your inquiry. Representative Dart has asked that we have a little bit more quiet in the chamber so we can properly respond to Representative Dart's inquiry."

Clerk McLennand: "The Amendment #1 has been distributed."

Speaker Johnson, Tim: "Representative, the Bill, the Amendment was printed and distributed and properly moved to Third Reading. Thank you, for your inquiry. Mr. Clerk, read House Bill 652."

Clerk McLennand: "House Bill 652, a Bill for an Act that amends the Illinois Domestic Violence Act 1986. Second Reading of the Bill. No Committee Amendments. A fiscal note has been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 653."

Clerk McLennand: "House Bill 653, a Bill for an Act that amends the Civil Administrative Code of Illinois. Second Reading of the Bill. No Amendments. And a fiscal note has been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 784. Let's back up a moment and read, Mr. Clerk, if you would, House Bill 718."

Clerk McLennand: "House Bill 718, a Bill for an Act that amends the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Amendments, a fiscal note

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has been requested."

Speaker Johnson, Tim: "The Bill remains on Second Reading. House Bill 729

Clerk McLennand: "House Bill 729, a Bill for an Act that amends the Illinois Water Well Construction Code. Second Reading of the Bill. No Amendments. A fiscal note has been filed and a state mandates note has been requested."

Speaker Johnson, Tim: "The Bill would remain on the Order of Second Reading. House Bill 753, Mr. Clerk."

Clerk McLennand: "House Bill 753, a Bill for an Act that amends the Emergency Telephone System Act. Second Reading of the Bill. No Amendments. A fiscal note has been requested."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. House Bill 784. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 784, a Bill for Act that amends the School Codes. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1 has been referred to rules. A fiscal note has been filed on the Bill. Bills been read a second time previously."

Speaker Johnson, Tim: "Third Reading. House Bill 801."

Clerk McLennand: "House Bill 801, a Bill for an Act that amends the Government Salary Withholding Act. Second Reading of the Bill. No Amendments and a state mandates note has been filed."

Speaker Johnson, Tim: "Third Reading. House Bill 817."

Clerk McLennand: "House Bill 817, a Bill for an Act concerning roller skating rink safety. Second Reading of the Bill. Amendment #1 was adopted in committee. A fiscal note has been requested."

Speaker Johnson, Tim: "Chair recognized the Gentleman from Jersey, Representative Ryder on House Bill 817. Now if we

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could please, please have some order in the chambers. Break up our little mini caucus and direct our attention to at this moment Representative Ryder. Please have some order and all unauthorized personnel remove themselves from the House floor."

Ryder: "Thank you, Mr. Speaker."

Speaker Johnson, Tim: "Please don't make me do this a fourth time, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I attempted to contact the Gentleman who had placed the fiscal note request on this Bill to inform him that I've attempted to find the Illinois Department of roller skating rink safety in order to say that there is no fiscal impact and I haven't found that department yet. So that the Bill simply sets up standards for...of safety for roller skating rink. There was a concern on the Bill concerning tort liability, but I can tell you that the concerns of the Illinois Trial Lawyers Association have been met and that they have signed off on the Bill for that reason I believe the necessity of the delay, as established by the Gentleman who filed the Amendment...or note request has been met. And for that reason I would then move that the fiscal note is not applicable."

Speaker Johnson, Tim: "The question before the chamber. Direct your attention to Representative Ryder, the question before the chamber Representative Ryder's Motion is, that the fiscal note request is inapplicable. Is there any discussion or debate on that Motion? Chair recognized the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Speaker. I was just going to ask for a roll call."

Speaker Johnson, Tim: "Your request is granted. All in favor of

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the Motion of Representative Ryder that the fiscal note is inapplicable vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 64 voting 'yes', 49 'no', 1 'present'. The Motion prevails. Third Reading. Mr. Clerk, apparently there's been a recent last moment filing what's the status of House Bill 817."

Clerk McLennand: "House Bill 817 is on the Order of Second Reading. A judicial note has been requested by Representative Lang."

Speaker Johnson, Tim: "Request by Representative Lang?"

Clerk McLennand: "Yes, Sir."

Speaker Johnson, Tim: "Then with leave of the House, unanimously with the House, we'll return the Bill to the Order of Second Reading for purposes of hearing Representative Lang's last minute request. On that...you just have one moment. Recognize the Gentleman from Jersey, Representative Ryder. I know the Chairs having a difficult time listening to the substance of both the...note request and the explanations so if the Members could direct themselves both to Representative Ryder and Representative Lang I think we'd expedite things Representative a...Ryder with respect to that last minute filing."

Ryder: "Thank you, Mr. Speaker. My understanding that a judicial impact note has been filed. I am unaware of any impact that that might have on a Bill that my understanding is, at least a major interest group is no longer opposed to it. I had just talked with the promoter of this, this particular note, a few moments ago to inform him of my request out of courtesy to the previous promoter of the request as a result I would move that the note that is currently filed

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would be ruled inapplicable."

Speaker Johnson, Tim: "The Motion by the Gentleman from Jersey is that the recent request be declare inapplicable and on that Motion if the Chair could...the Chair will direct and Members direct their attention to Representative Lang, the Gentleman from Cook on the Motion."

Lang: "Thank you, Mr. Speaker. Firstly to the maker of the Motion, the Sponsor of the Bill, Representative Ryder. When you came over here to talk to me about Representative Granberg's note I had forgotten I had filed one so don't...I was not sandbagging you, I didn't realize I had filed it."

Speaker Johnson, Tim: "So noted."

Lang: "To the Motion Mr. Speaker. Any time that you talk about granting of immunity or taking away immunity it affects the court system of our state. Accordingly, the Judicial Note Act is exactly was that's for to talk about what it cost the system or what it might save the system and I think we're entitled to know that and accordingly the Note Act is applicable and I would ask for no votes on the Motion."

Speaker Johnson, Tim: "The Chair recognized the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. I joined Representative Lang in opposing this. This would definitely have an impact on the Judiciary. We're abolishing the liability for incidents occurring in a Skating Rink Act which any way you look at it has got to have some impact on the Judiciary. How many cases will be coming into the system, how many will be going out. It's a constant refrain we have around here for those reasons I will oppose the Gentleman's Motion."

Speaker Johnson, Tim: "No further discusstion? The question is, 'Is the note inapplicable?' All in favor vote 'aye';

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opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion there are 64 voting 'yes', 52 voting 'no', none voting 'present' and the Motion prevails. Both this Motion and the previous Motion having passed. Third Reading. Mr. Clerk, read House Bill 820."

Clerk McLennand: "House Bill 820, a Bill for an Act that amends the Higher Education Student Assistant Act. Second Reading of the Bill. No Amendments filed. A fiscal note has been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 823."

Clerk McLennand: "House Bill 823, a Bill for an Act concerning State Police Vehicles. Second Reading of the Bill. Amendment #1 was adopted in committee. A fiscal note has been requested."

Speaker Johnson, Tim: "A fiscal note has been requested of this Bill. A note has not been prepared so the Bill will remain in the Order of Second Reading. Mr. Clerk, read House Bill 824."

Clerk McLennand: "House Bill 824, a Bill for an Act that amends the Civil Administrative Code of Illinois. Second Reading of the Bill. No Amendments and a fiscal note has been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 827."

Clerk McLennand: "House Bill 827, a Bill for an Act that amends the Probation and Probation Officers Act. Second Reading of the Bill. No Amendments and a fiscal note has been requested."

Speaker Johnson, Tim: "Request has been made, not filed yet, so

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the Bill will remain in the Order of Second Reading. Mr. Clerk, read House Bill 864."

Clerk McLennand: "House Bill 864, a Bill for an Act relating public official and employers. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions filed. A fiscal note has been requested on the Bill as amended."

Speaker Johnson, Tim: "The Bill will remain in the Order of Second Reading. Mr. Clerk, read House Bill 897."

Clerk McLennand: "House Bill 897, a Bill for an Act concerning the pecuniary interest of townships and highway officials. Second Reading of this Bill. No Amendments. A correctional budget and impact note has been requested and it has not been filed."

Speaker Johnson, Tim: "The Bill will remain in the Order of Second Reading. Mr. Clerk, read House Bill 901."

Clerk McLennand: "House Bill 901, a Bill for an Act that amends the Environmental Protection Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. A fiscal note has been requested and has not be filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. Mr. Clerk, read House Bill 911."

Clerk McLennand: "House Bill 911, a Bill for an Act that amends the County Code. Second Reading of the Bill. No Amendments. A fiscal note and a state mandates note have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 921."

Clerk McLennand: "House Bill 921, a Bill for an Act that amends Lead Poisoning Prevention Act. Second Reading of this House Bill. No Amendments and a fiscal note has been filed."

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Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 935."

Clerk McLennand: "House Bill 935, a Bill for an Act that amends the Illinois Municipal Code. Second Reading of the Bill. No Amendments. A fiscal note and a state mandates note have been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 939."

Clerk McLennand: "House Bill 939, a Bill for an Act that amends the Bikeway Act. Second Reading of this House Bill. No Amendments. A fiscal note has been requested and has not been filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. Mr. Clerk, read House Bill 942."

Clerk McLennand: "House Bill 942, a Bill for an Act that amends the Child Care Act of 1969. Second Reading of this House Bill. No Amendments have been adopted and a fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 988."

Clerk McLennand: "House Bill 988, a Bill for an Act that amends the Wildlife Code. Second Reading of this House Bill. No Amendments and a fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 1023."

Clerk McLennand: "House Bill 1023, a Bill for Act to amend a Probate Act of 1975. Second Reading of the Bill. Amendments #1, 2, 3, 4, and 5 were adopted in committee. No Motions filed. No Floor Amendments, a fiscal note has been requested on the Bill."

Speaker Johnson, Tim: "Requested by Sponsor the Bill will be taken out of the record, and remaining on the Order of

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Second Reading. Mr. Clerk we're on House Bill 1048."

Clerk McLennand: "House Bill 1048, a Bill for and Act that amends the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendment a fiscal note and a state mandates note have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 1055."

Clerk McLennand: "House Bill 1055, a Bill for an Act concerning property taxes assessments. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments a state mandates note and a judicial note have been requested on this Bill and have not been filed."

Speaker Johnson, Tim: "The Bill would remain on the Order of Second Reading. Mr. Clerk read House Bill 1092."

Clerk McLennand: "House Bill 1092, a Bill for an Act that amends the Wildlife Code. Second Reading of this House Bill. No Committee Amendments, no Floor Amendments, a Fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 1093."

Clerk McLennand: "House Bill 1093, a Bill for an Act that amends the Wildlife Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk read House Bill 1125."

Clerk McLennand: "House Bill 1125, a Bill for an Act that amends the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been requested and has not been filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. If we could just have...please, break up

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the caucuses. I'm sure Mrs. Hutchenson, our guest, is looking down on us and...would appreciate, along with the Chair and both sides of the aisle, a little more quiet so we know what we are doing and we're moving through these expeditiously and we understand where we're moving. If we could please, break up the caucuses in the back of the chambers and at other places on the House Floor. Unauthorized personnel remove themselves from the House Floor. House Bill 1132, Mr. Clerk."

Clerk McLennand: "House Bill 1132, a Bill for an Act that amends the Transient Merchant Act of 1987. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments. A state mandates note has been requested and has not been filed."

Speaker Johnson, Tim: "The Bill would remain on the Order of Second Reading. House Bill 1197."

Clerk McLennand: "House Bill 1197, a Bill for an Act to amend the Liquor Control Act 1934. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions filed, no Floor Amendments."

Speaker Johnson, Tim: "The Bill will be held on the Order of Second Reading. House Bill 1221 Mr. Clerk."

Clerk McLennand: "House Bill 1221, a Bill for an Act that amends the Adoption Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note, state mandates note, Housing affordability impact note, a Judicial Note, and a state debt impact Note have been requested and they have not been filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. Mr. Clerk read House Bill 1276."

Clerk McLennand: "House Bill 1276, a Bill for an Act concerning the fixing of compensation of officers of local government."

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Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been requested and has not been filed."

Speaker Johnson, Tim: "The Bill would remain on the Order of Second Reading. Mr. Clerk, read House Bill 1319."

Clerk McLennand: "House Bill 1319, a Bill for an Act that amends the Credit Agreements Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been requested and has not been filed."

Speaker Johnson, Tim: "The Bill would remain on the Order of Second Reading. Mr. Clerk read House Bill 1321."

Clerk McLennand: "House Bill 1321, a Bill for an Act that amends the Illinois Health Facilities Planning Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments, and a fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 1486."

Clerk McLennand: "House Bill 1486, a Bill for an Act in relation to aggregate mining operations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been filed on the Bill."

Speaker Johnson, Tim: "Third Reading. We will now proceed, Members in the back of the chamber and to everyone else, we will now proceed to the Order of House Bills, Third Reading. Mr. Clerk, read House Bill 340. We are now on the Order of Third Reading. Final passage if the Members could be in their seats and direct their attention to the respective Sponsors the Chair on both sides of the aisles would be appreciated."

Clerk McLennand: "House Bill 340, a Bill for an Act that amends the Township Code. Third Reading of this House Bill."

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Speaker Johnson, Tim: "Chair recognizes the Gentleman from Dupage, Representative Tom Johnson."

Johnson, Tom: "Yes, Mr. Speaker and Members of the House. House Bill 340 amends the the Township Code a relatively simple provision that would permit health insurance coverage of retired officials and their dependences under a township group insurance plan. Should a retired person elect to continue on after they retire, however they would be 100% responsible for any charges for staying in the plan. This would prohibit any township from paying premiums on behalf of the retired person, but at least would give that retired person an option upon retirement to stay in a plan or not and I would ask for do pass."

Speaker Johnson, Tim: "On that Bill the Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

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

Speaker Johnson, Tim: "Sponsor indicated he'll yield."

Hoffman: "Representatives couldn't this already be done, what prohibits townships from making a contract or passing individual township Resolutions or ordinances which would allow this to begin with."

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "From what I understand Representative Hoffman, as it's been explained to me by the township officials the number of townships quite frankly have been doing this sort of thing. They consider it's a very gray zone within the law as to whether this is permissive or not and this would just clean that up to make sure that none of the townships are in violation of law."

Speaker Johnson, Tim: "Further questions? Representative Hoffman."

Hoffman: "Would this have any cost to the township? The

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individual townships?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "None."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Wouldn't it raise the premium rate for the rest of the policy holders simply because retired individuals remaining on the group plan essentially would raise the rates of the entire plan because obviously their retired and would have additional health care problems."

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "From what I understand is, that anticipate no rise in it and that the sense that these people who retire are already at the retirement ages anyway and, in fact, there's greater cost between those ages of 55 and 65 because at this point when you turn 65 for the most part medicare is already kicked in and it's kind of a supplemental issue so."

Speaker Johnson, Tim: "You have a further question Representative Hoffman? Then...Representative Hoffman is seeking to ask important questions of Representative Johnson on this important Bill. The Chair and a number of Members have indicated they've had a hard time hearing the questions by Representative Hoffman, and the responses by Representative Johnson. So for the fifth time if we could please have quiet on the House floor so that Representative Hoffman can properly articulate his questions the Chair would appreciate it. Representative Hoffman proceed."

Hoffman: "Representative us in downstate have always supported township officials is this supported by the township officials organization?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "Yes it is, in fact, they asked us to carry this."

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Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Downstate Members on this side of the isle have also seemed fit to support retired teachers and the teachers retirement system with regard to the health care benefits has certainly engraved trouble. Does this have anything to do or does this address the crisis that is presently in front of us with regard to the teachers retirement system?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "No Representative Hoffman, as I explain this deals with retired township official being able to pay 100% of their premiums to stay on a policy. I'm sure that if the retired teacher that offered to pay 100% of their premium they'd probably still be...this wouldn't be a crisis."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Well to the Bill Mr. Speaker."

Speaker Johnson, Tim: "To the Bill Representative Hoffman."

Hoffman: "To the Bill Mr. Speaker. Essentially what we have here is something that I can support that I'm going to vote for that I understand really doesn't need to be done in law, but we might as well clear the language up. But I just want to make one point. The teachers retirement system in the State of Illinois and the health care for teachers all over this entire state is in shambles. There're people who have served and have given, and teacher who have given to our state, to our educational community, to the children of our state many many years. And what we have done is we've abandoned them. We have not put forward any type of legislation that is going to effect and insure that they are going to continue getting health insurance. Now what we have here is something that probably maybe could be needed, I don't know but why aren't we addressing the hundreds of thousands of teachers who are already retired

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in this the State of Illinois, who presently don't have health insurance. The Governor on this floor last week gave a budget address what did he say about the teachers retirement system. What did he say about health care for teachers..."

Speaker Johnson, Tim: "Representative Hoffman, if I could have...Representative Hoffman, if we could have...first of all order in the chamber and ask you to confine your remarks to this Bill before the Chamber. The Chair and the Members would appreciate it. Do you have further comments on this Bill, Representative Hoffman?"

Hoffman: "Well, Mr. Speaker, you keep taking my time away. This is about pensions. This is a pension Bill and essentially we can continually put Pension Bills in ominous Bills unless we really want it. What we really want, is we want to help out teachers in this state who have given their life to teaching students and we see no proposals put forward by that side of the aisle to do it. We're going to keep working to do..."

Speaker Johnson, Tim: "Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I have some questions of the Sponsor but first I have a Parliamentary inquiry. May I state the inquiry."

Speaker Johnson, Tim: "State your inquiry."

Lang: "On page 5 of the Calendar, House Bills Third Reading. House Bills...House Bill 340, it indicates fiscal note requested and then it said state mandates note filed. What happened to the fiscal note?"

Speaker Johnson, Tim: "Mr. Clerk. The mandate filing incorporated the other as well, Representative. Do you have further comments or question as to the Bill? Hearing

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none. Representative Lang."

Lang: "Well I do have many...I have a few questions for the Sponsor Mr. Speaker. But I'm sorry I did not hear your response to me inquiry. If you would state it again Sir."

Speaker Johnson, Tim: "The fiscal note was included with the mandates note. The response and the filing was as to both, and so the rules of the House were complied with. Further inquiry."

Lang: "So, Mr. Speaker, I'm looking at the State Mandates Act note and a...it...it and well it does say State Mandate Act and fiscal note. However, Mr. Speaker, in the Body...in the Body of the response it only talks about the state mandates Act. The body of the response, although the heading refers to a fiscal note in the body of the response there is no discussion of a fiscal note. I would ask the Parliamentarian to take a look at this."

Speaker Johnson, Tim: "The Parliamentarian has examined this and determined we are in order. Further inquiry Representative Lang? Hearing seeing none. Chair recognizes the Gentleman from...Representative Lang do you have questions as to the Sponsor of the Bill?"

Lang: "Yes, and if the Sponsor will yield, I would like my 5 minutes back, Mr. Speaker."

Speaker Johnson, Tim: "Sponsor will yield."

Lang: "A Representative...you tried to answer this question that Representative Hoffman asked earlier, but I really wasn't satisfied with the answer."

Speaker Johnson, Tim: "Just a moment Representative Lang is seeking to ask questions of the Sponsor and just as with Representative Hoffman we need to accord Representative Lang the courtesy of quiet in the chamber so his questions can be heard clearly by the chamber and answered by the

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Sponsor. Representative Lang."

Lang: "Thank you. If a retiree stays on the insurance policy doesn't it increase the group insurance rates for the rest of the people in the plan."

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "I previously answered that as best I could for Representative Hoffman, and I stand on that answer that's the best information that I have."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well your answer was that they are at retirement age anyway so it wouldn't increase the policy. Is that what your answer was, Sir?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "As I answered to Representative Hoffman, it's my understanding...yes sit down...It's my understanding that they anticipate no real increases in their group insurance premiums just because they are retired and of age 65, but, in fact, a lot of the more costly expenditures are in the interim ages and when they are retired a number of these people will also be receiving medicare, which of course cuts down and makes this more of a supplemental policy. So, again that's the best answer I can give you. If you don't like that, Representative Lang, I can't help you any further."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well Representative, it's clear to just about anybody that if you take these older people off the policy the policy will be cheaper. Let me go on, there is a movement of foot that we hear about periodically to abolish township government, what happen to these folks if township government is abolished."

Speaker Johnson, Tim: "Representative Lang. To this question,

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Representative Johnson in response."

Lang: "I presume if townships are abolished the same thing will happen as far as these people that happen with everyone else that was on any type of programs with the townships. I presume those programs would be discontinued."

Speaker Johnson, Tim: "Representative Lang further inquiries?"

Lang: "So, you have no specific answer to that question, your really not sure what will happen. You just believe there'll be some sort of program to take care of this."

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "No, you know Representative Lang, if you read the language of this Bill it's actually easier to answer to answer this question than what would happen with a lot of the other township people. Because this is purely voluntary that as long as a group insurance plan exist and somebody pays 100% of their premium, no cost to the taxpayer whatever, they can stay in it. Now obviously if the group plan is abolished and is gone because of the abolishment of townships, if that were to ever occur, they could not make voluntary payments and therefore, their plan would be discontinued as well."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Representative, as I understand this Bill, it allows retirees to stay on the insurance plan. Is that just it in a nutshell?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "That's it in a nutshell."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well do you support the downstate teachers being able to get insurance when they retire?"

Speaker Johnson, Tim: "Chair recognizes the Lady from Cook, Representative Wojcik."

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Wojcik: "Point of order, Mr. Speaker. I believe the Gentleman..."

Speaker Johnson, Tim: "If we could have some quiet Representative Wojcik is seeking to make a point of order."

Wojcik: "Point of order Mr. Chairman...Mr. Speaker. For the point of order..."

Speaker Johnson, Tim: "We are going to accord the same courtesy to Representative Wojcik, that we did to Representative Lang. Representative state your point of order."

Wojcik: "For point of order, the Gentleman is not addressing the Bill. The teachers retirement in the downstate area is not in this Bill. So, I would say that's my point of order."

Speaker Johnson, Tim: "Your point is well taken. Representative Lang confine your comments to the Bill. Further questions?"

Lang: "Well, thank you, I would like my time back. But, Mr. Speaker to the point the fact is that this is a Bill that deals with continuation of insurance benefits after a public employee retires. I'm entitled to inquire as to this entire range of this area. The question I ask is right on point, you know it. The Lady that made the point of order knows it and the Gentleman who's sponsoring the Bill knows it. So I would ask, Mr. Speaker, for you to resend your previous comments right now."

Speaker Johnson, Tim: "The Chair has ruled on the point of order. Representative Lang bring your comments to a close. The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Johnson, Tim: "He indicates he will."

Hartke: "I recall this Bill in committee and so forth. Is this a mandate to township Government?"

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Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "No."

Speaker Johnson, Tim: "Further inquiry, Representative Hartke."

Hartke: "This is totally permissive then."

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "That's correct."

Johnson, Tim: "Representative Hartke."

Hartke: "Well do you have any idea of how many individuals would take advantage of this, that's one question. The second one would be are the retiree or the extownship officials. If they've been out of township government say for a one term or two terms, may they come back in at age 55 then and join the group?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "At age 55 or 65. It's my understanding retirement is age 65 as it relates to these plans. But I might be wrong there. But, yes, it's my understanding that if somebody has left township government say at age 55 they turn 65, retirement age they would be able to request the township to get into their group plan but of course, they would have to pay their entire premiums."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Yes, and if this group plan, and so forth they would be paying the premium that would apply to the group then?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "Right, whatever the additional cost is for them coming in."

Speaker Johnson, Tim: "Further inquiry, Representative?"

Hartke: "Yes and they would have to except any riders or whatever that would be normal for someone that age and so forth even if they were denied insurance somewhere else they would be accepted into the retirement program for the township

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officials. Is that correct."

Speaker Johnson, Tim: " Representative Johnson."

Johnson, Tom: "As I understand it Representative, obviously they'd have to accept whatever conditions are on the group policy. I do believe that you know, in terms of getting into a lot of these larger group policies a lot of these larger group policies often times preconditions are not..."

Speaker Johnson, Tim: "We'll give you, and the Sponsor an additional minute. If you could bring your questions and responses to a close. Representative Johnson, you want to complete your response."

Johnson, Tom: "I believe on some of the larger group insurance groups that this might give some people some advantage that they otherwise might not be able to get because often times they do not bar people from becoming part of that group due to preexisting conditions. But it would depend on the individual group."

Speaker Johnson, Tim: "Further questions Representative Hartke?"

Hartke: "Thank you, Mr. Speaker."

Speaker Johnson, Tim: "Please bring your comments to a close."

Hartke: "This would also then apply to their dependents is that correct?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "Yes."

Speaker Johnson, Tim: "Representative Hartke, you have 8 seconds you want to bring your comments to a close."

Hartke: "Yes, I think this is not a bad idea and as many people that are looking for insurance I plan on supp..."

Speaker Johnson, Tim: "Thank you, Representative. The Chair recognizes the Gentleman from Kankakee, Representative Novak. Representative Novak."

Novak: "Yes, Mr. Speaker. Just a few quick questions to the

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Sponsor, please."

Speaker Johnson, Tim: "The Sponsor indicates he'll yield."

Novak: "Yes, Representative Johnson what is the current insurance plan for a retired township officials under the current law?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "If I retired from Adisson township with 30 years of service what type of insurance am I provided, or if any?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "That would be...are you saying what is retirement age in terms of a township. Whether it's 55 or 65 or..."

Speaker Johnson, Tim: "Representative Johnson. Representative Novak."

Novak: "Yes I'm sorry, Representative Johnson, maybe I didn't present it correctly. What type of insurance program is available for retired township employees?"

Speaker Johnson, Tim: "Representative Johnson."

Novak: "Under the current law."

Speaker Johnson, Tim: "Representative Johnson do you wish to respond?"

Johnson, Tom: "Under the current law, if you are retired this is the grey area that this law is attempting to correct. One can argue there is none or that townships do not have the authority to keep them in the group plan or let them stay in the group plan once they retirement. Now it's my understanding some townships have basically been letting them stay in. This law is to clarify this to make it specific as to what the township is able to do and that is to let them stay in and they have to pay their premiums and that as I understand is what even those township who are doing things are doing anyway."

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Speaker Johnson, Tim: "Further questions? Representative Novak?"

Novak: "Yes, thank you, Mr. Speaker. Representative Johnson, let me clarify one thing. Does this Bill apply to retired township officials meaning elected individuals or township employees or both?"

Speaker Johnson, Tim: "Representative Johnson."

Novak: "Like a truck driver does it apply to like a retired truck driver? And like a township trustee? Both of them?"

Speaker Johnson, Tim: "Representative Johnson."

Johnson, Tom: "Both."

Speaker Johnson, Tim: " Further inquiry, Representative Novak?"

Novak: "Our analysis here indicates it only replies to retired township officials and their dependents. How do we define officials? Elected officials or township employees. Such as truck drivers or township administrative assistants or clerks."

Speaker Johnson, Tim: "Representative."

Johnson, Tom: "Representative Novak, I stand corrected. The Bill refers specifically to retired officials, so it would not be the truck driver or other individuals."

Speaker Johnson, Tim: "Further questions? Representative Novak?"

Novak: "Yes, so it only applies to township elected officials. Was there any suggestion or indication, Representative Johnson, to expand it to those township employees that worked for so many years plowing the snow, and helping senior citizens and filling out forms in township government offices. It's kind of incredulous that they weren't included in this, I mean those people worked many more years than elected township officials. I wish that we would have...I'm going to support this of course, but I wish we would have considered township employees."

Speaker Johnson, Tim: "Representative Johnson."

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Johnson, Tom: "I think you raised a very good point and you know, I'm not that verse in how those people are covered whether they have negotiated contract with their unions or whatever that might already have these benefits, I'm not sure. You raised a good point and I think it's something we ought to look at in the future."

Speaker Johnson, Tim: "Further questions, Representative Novak?"

Novak: "I'm finished. I'm complete."

Speaker Johnson, Tim: "Chair...your complete...Chair recognizes the Gentleman from Tazwell, Representative Ackerman."

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

Speaker Johnson, Tim: "The question is, 'Should the main question be put?' There's been a request for a Roll Call Vote. All in favor of moving to the previous question pursuant to Representative Ackerman Motion, vote 'aye' opposed vote 'no'. Voting is open. Have all voted who wish? Have all vote who wish? Have all voted who wish? On this question there are 64 voting...Mr. Clerk, take the record. On this question there are 64 voting 'yes', 51 voting 'no'. The Motion prevails, previous question is put. Representative Johnson to close."

Johnson, Tom: "Just ask for everyone to consider seriously a 'do pass' on this. I think this is a very good Bill. Cost our townships nothing, but certainly gives added protection to those who have served."

Speaker Johnson, Tim: "Question is, 'Should House Bill 340 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye' 1 voting 'no' 2 voting 'present', and this

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Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 365. Out of the record House Bill 513. Out of the record. House Bill 538. Out of the record. Have just a moment, and a little bit of order. Are there any announcements. The Chair recognizes a Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentleman of the House. There will be a C.O.W. meeting at 3:00, in Room 2275-K."

Speaker Johnson, Tim: "Attention to Representative Flowers."

Flowers: "And if you would like to join us, men please feel free to do so. But the meeting is for C.O.W. members only. Thank you very much."

Speaker Johnson, Tim: "Thank you. Representative Churchill now moves that the House stand adjourned until Wednesday March 8th, at the hour of 12:00 noon. All in favor signify by saying 'aye'; opposed, 'nay'. Opinion of the Chair the 'ayes' have it and the House now stands adjourned until Wednesday March 8th, at the hour of 12:00 noon."

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