

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

132nd Legislative Day

May 16, 1996

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor will please retire to the gallery. The Chaplain for the day is Pastor Mark Hamner of St. Luke's Union Church in Bloomington, Illinois. Pastor Hamner is the guest of Representative Bill Brady. Our guests in the gallery may wish to rise for the invocation. Pastor Hamner."

Pastor Hamner: "Let us unite our hearts in prayer. Oh God, mightily we pray for wisdom, courage and strength to serve You and Your people faithfully. Continually remind us of our duty to promote the general welfare, to secure the blessings of liberty, to see to it that justice and compassion reign from sea to shining sea, and that the beautiful resources of a favored land are not only thankfully received, but also gladly shared with those in need. We know, oh God, that this vision for us has never been fully realized, but neither has it been abandoned. Remind us that it is still significant to the rest of the world where echoes and adaptations of it are seen in the revolutions and constitutions of many peoples. It has been a magnet to our own people, charming it away from slavery and sweatshops, lynch mobs and vigilante justice, toward broader opportunity, deeper compassion, fuller equality and greater justice for all. Oh God, grant us wisdom and courage for the living of these days. Hear, too, our prayer for those in this House, across the state and around the globe who are in trouble, sorrow, need, sickness or any other adversity. May Your everlasting arms embrace them with Your compassion, comfort and strength. Grant, oh God, that these, Your servants, called by Your voice, elected by Your people, be granted the simple faith to walk the way You have set before them, the patience and courage to bear

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the burden layed upon them, humility to know that their authority is but leant by You, and the sure hope of life with You forever, to whom belongs all dignity and greatness, all majesty and power in both this world and the one to come. Amen."

Speaker Daniels: "We'll be led in the Pledge of Allegiance by Representative Bill Brady."

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

Speaker Daniels: "Roll Call for Attendance. Representative Currie is recognized on the Democratic side of the aisle for any excused absences."

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

Speaker Daniels: "The record will so reflect. Representative Cross, how old is your baby now?"

Cross: "Six days old, Mr. Speaker."

Speaker Daniels: "And could you report to us whether or not all Members of the House are present on the Republican side?"

Cross: "All of the Members on the Republican side of the aisle are here and present and ready to work today. Thank you."

Speaker Daniels: "Thank you, Representative Cross. Mr. Clerk, take the record. There are 117 Members answering the quor...the Roll Call and a quorum is present, and the House will now come to order. Representative Moore, for what purpose do you arise?"

Moore, A.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Daniels: "State your point."

Moore, A.: "I wish to report to you this morning that yesterday

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at the House - Senate game, which the House lost 15 to 5, several of us went for the first time and observed this game and it seems to be a different game. Now I know that 16 inch softball is a Chicago game and I'm just a country girl, but Flo Ciarlo and Representative Pankau and myself said to ourselves as we looked out there, we said, 'We can play this game.' Next year we can play this game. I can commit to you that I can drop a fly out there just as bad...just as good as any guy ever out there. We know, Representative Currie knows from yesterday watching that she can get thrown out at first just as easily, and so next year, we are going to turn around the House - Senate game and we are going to have a lit...a few more women playing and maybe even a woman coach."

Speaker Daniels: "Well, as we're preparing to do our business, we have a little bit of time before the Clerk's Office is ready with the Bills, but it seems to me based upon the score, you couldn't do any worse than the players did! Representative Morrow, were you one of those ones that dropped the fly ball out in left field?"

Morrow: "No, Mr. Speaker, I'm a veteran of the wars, the softball wars in the City of Chicago. I would encourage my female colleagues to join us, but I want them to think about this. See my hands, my hands are all mangled from playing 16 inch softball. So all of you ladies that have your nails nicely manicured and neat and everything, but we do need you. But we need to practice first. Senators are getting younger and we're getting older. So, Leader, maybe we might need you to play with us next year, huh?"

Speaker Daniels: "Well, Representative Morrow, my observation from this point is that every woman on the Republican side has hands that are ready to work. Representative

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Brunsvold, do you want to defend the male population on their loss of the game?"

Brunsvold: "Well, thank you, Mr. Speaker. As coach, as coach last night, I guess I take total responsibility for what happened and, you know, do say that we need to practice a little, and like to get everybody on the House floor involved and get out there and see if you can run and throw the ball. We only had one little injury last night, and I hate to mention this because Lou Lang pulled a, with a Jewish individual, a hamstring. I hate to say that, but yes, we need some work and I'll take total responsibility and as far as the...Andy's remarks on the other side of the aisle and as far as the females are concerned, I do have my hip boots on."

Speaker Daniels: "Representative Lachner."

Lachner: "Thank you, Mr. Speaker. As a freshman Member of the House, I would like to defend our coaching staff. It was my understanding, and as we all know, most women in the House are smarter than men. It was my understanding that the women were the coaching staff yesterday. And we asked them for advice and I think that if you were to look for blame or failure or excuses, you would have to go to the coaching staff that was on the sidelines, cheering us on and providing us with all the advice as to how catch these balls. Thank you."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I really was trying to be sympathetic to my male colleagues until I was provoked by the last speaker, who said that somehow the women who decided this year to step aside and let all of these expert ball players - we've all heard about your prowess in high school, of course - take over and win the game. We...I

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even brought a pom-pom to cheer on the team, which so gravely disappointed all of us. Next year, however, we'll be out there."

Speaker Daniels: "Representative...Representative Stephens, you sure you want to get into this?"

Stephens: "Well, I just want to set the record straight, that the...those who started and played, never missed a practice, Mr. Speaker. Never missed one practice. And I think that's a very good manner in which to determine who should start. Am I wrong, Gentlemen? Never missed a practice, did you, Lou Lang? No. No, you didn't and I'm proud of you for it."

Speaker Daniels: "How many practices did you have? We finally got our instructions from the Clerk's Office and let me just close that debate out by just advising you that I am positive that women members of our baseball team would be a substantial improvement to the embarrassment that you players brought to the House. And as you all enter into the campaign cycle, I hope you'll keep in mind that softball is a duty of yours to make sure that we return the trophy to the House next year. Okay, thank you. Mr. Clerk, announcement."

Clerk McLennand: "Rules Committee will meet Thursday, May 16 at 10:30 a.m. in the Speaker's Conference Room. Rules Committee will meet at 10:30 in the Speaker's Conference Room."

Speaker Daniels: "Mr. Clerk..."

Clerk McLennand: "Correction. Rules Committee will meet in the Majority Leader's Office at 10:30. The Rules Committee, Majority Leader's Office at 10:30."

Speaker Daniels: "Mr. Clerk, what is the status of Senate Bill 363?"

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Clerk McLennand: "Senate Bill #363 is on the Order of Third Reading."

Speaker Daniels: "Return that Bill to the Order of Second Reading. Mr. Clerk, on page 3 of the Calendar on Senate Bills - Third Reading appears Senate Bill 1650. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1650, a Bill for an Act in relation to Criminal Law. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Novak."

Novak: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1650 amends the Criminal Code and the Unified Code of Corrections; provides that intermediate sanctions imposed for multiple or repeat of violations of the terms and conditions of probation, conditional discharge or supervision shall include a term of home detention; makes it a Class III felony for a felon and a Class B misdemeanor for a misdemeanant to knowingly fail to abide by the terms of home confinement or electronic monitoring. It also provides that the offender sentenced for an offense in which a sentence of probation, conditional discharge or periodic imprisonment is prohibited by law and shall not receive credit for time spent in home detention prior to judgement. The Bill passed unanimously in the Senate. It is supported by the Illinois State Attorneys' Association and the associations that represent the probation interests. I'd be more than happy to entertain any questions."

Speaker Daniels: "Is there any discussion? Being none, the Gentleman, Representative Novak moves for the passage of Senate Bill 1650. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open."

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This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 114 'aye', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 2 of the Calendar, on the Order of Third Readings appears Senate Bill 1260. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1260, a Bill for an Act making appropriations to the Department of Corrections. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Since the numbers of the softball game don't add up, neither do the numbers on this Appropriations Bill. This is merely a vehicle. We need to move it back across to the Senate in order to keep the process going. Be glad to answer any questions."

Speaker Daniels: "Any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you. Will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Granberg: "Representative Ryder, is there any...Is this a shell Bill at the current time?"

Speaker Daniels: "Representative Ryder."

Ryder: "Yes."

Speaker Daniels: "Representative Biggert in the Chair."

Speaker Biggert: "Representative Granberg."

Granberg: "Representative Ryder, it's my understanding Director Washington was going to put money in here for the movie making department for the Department of Corrections. Is that correct?"

Speaker Biggert: "Representative Ryder."

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Ryder: "No."

Speaker Biggert: "Representative Granberg."

Granberg: "Nothing further."

Speaker Biggert: "Is there any further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Hannig: "Just along the lines of the last questioner, Representative. I think we were told in Committee, and I certainly know that I read in the paper that if we didn't...if we didn't get a supplemental appropriation on the Governor's desk by last Friday, that the State Police were going to cease operations. Now, I don't know how we could pass something today and make it effective last Friday, but my question is what has become the status of that crisis?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, we've already passed that Bill. It's in the Senate. You and I need to go talk to our Senator about that, to see what he's doing on that problem. We both know that he's very interested in the State Police operations, particularly at the facility in your district. We passed that supplemental. If the Senate would approve it, I think that it would meet the needs of the State Police."

Speaker Biggert: "Representative Hannig."

Hannig: "Yes, I agree and understand what you're saying, that the Senate has not taken action, and I guess I'm a little confused because I have not seen on the one hand where the Senate has taken the action, but I've not seen on the other hand where there has been these dire consequences that we were told about in Committee or even read about in the paper. And I was hoping maybe you could clarify as the



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spokesman on your side of the aisle on the budget, what's going on here? Why are the State Police telling us that they have to have this supplemental by last Friday or they'll close down operations, and yet, we haven't seen that to be the case. Has there been some other resolution that I'm not aware of?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, if you're confused, that's the first step to understanding. You're making progress and I congratulate you on that. I believe that the supplemental is in a position in the Senate, if they were to act on it, that we'd be able to take care of this matter. I also believe that the State Police is continuing to find resources to continue in operation. We're examining those requests right now, along with lots of others."

Speaker Biggert: "Representative Hannig."

Hannig: "Yes, I guess, you know, we're getting to...you know, we're getting to the question, you know, when these agencies come in and talk to us, we try to take them at their word. And when the State Police or any other agency come in and tell us they got to..that they have to have this money by absolutely by Friday, and then Friday comes and goes and they're just crying 'Wolf', it seems to me, Representative, that they're setting up a situation that's bad for all of us in this Assembly, Democrats and Republicans, when we have to begin to question the word of some of the directors that run the executive agencies. And I certainly hope that we could work together in a bipartisan way to try to make sure that they give us straightforward and meaningful answers as we go through the process this year and in years to come. Could I ask a question on another subject? We've voted on and sent over

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to the Senate the Speaker's proposal on education, the substantive Bill that provides for the per pupil grants. I'm still at a loss as to whether or not we're going to ever see how that \$500 million is found in the budget. Are there plans in your mind that you're aware of to show us what cuts will be made in what agencies to come up with the \$500 million to fund that proposal?"

Speaker Biggert: "Representative Hannig, that's very interesting, but it really doesn't have anything to do with this Bill. Representative Ryder, do you want to respond to the first part of that question?"

Ryder: "I'd be happy to respond. I realize this question doesn't apply to this vehicle, but then neither do my answers so it's okay. Representative, in the event that we're able to do that, I'm certain that we would be happy to share with you a budget that accommodates more money for education. I've been on the speaking trail, along with you, I might add, in which we both indicated we wanted to find more money for education. And I hope that we are able to accomplish that, but more importantly, in the bipartisan manner that you discussed, let's you and I as a bipartisan team, after we pass this Bill over to the Senate, walk together to the Senate to talk to our Senator to find out if they're going to take any action on the supplemental. In addition, I would suggest to you that when agencies come to us and ask us to meet a deadline that they impose, that we should therefore not be critical of those agencies when we don't meet their deadlines, and they are forced to find ways internally to meet theirs. I believe they come to us in a truthful fashion. I believe they come to us and suggest to us, 'This is what we need.' If we don't meet those needs, and they are able to accommodate those needs

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in other manners, I don't think that we should necessarily be critical or to indicate that they are prevaricating in any sort of way."

Speaker Biggert: "Representative Hannig, your time is just about to expire."

Hannig: "Well, I would just say that we've talked to these agencies and we've tried to ask them what we call the 'drop dead day,' the absolute last day they have to have this appropriation. We find on this occasion in particular that I would say that we were misled, that we simply were told that a day was the last absolute, possible day that that agency could operate without a Supplemental Appropriation. And the truth is that that day has come and gone and they've continued to operate. I applaud them for being able to do it, but I certainly think that they were not truthful to us when they gave us that date. And that's my concern, Representative. No criticism towards you or your side of the aisle, more to the Executive Branch on giving us false information concerning the budget. In general, this is another one of the proposals on the Republican side of the aisle to put together a budget that they are crafting in the back room on their own. Certainly no one on our side has had any input into this proposal. I would ask the Members on this side of the aisle to oppose this proposal and vote 'no'. And if they want to put together a budget on their side of the aisle, they certainly have the votes to do it, but I would not encourage any participation from this side."

Speaker Biggert: "Mr. Clerk, Committee announcement."

Clerk McLennand: "Rules Committee will meet immediately in the Majority Leader's Office. Rules Committee will meet immediately in the Majority Leader's Office."

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Speaker Biggert: "Further discussion? The Representative from Saline, Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield, please?"

Speaker Biggert: "He indicates he will."

Phelps: "Morning, Representative Ryder. I have a question. I have filed an Amendment to this Bill that addresses, and you were talking about addressing needs, and I think we as a state, especially a project in my district that has a need. Last year we had indicated there was a cost overrun of the Supermax Prison of \$4 million. This year the cost overrun has grown to 13 million. And I would like to know if there's anything you could positively respond to my Amendment on this Bill that would ask for a GRF. And let me just say this real quick, in the Appropriations Committee here, and it's my understanding that both the Directors of Capital Development Board and the Corrections, people indicated that there's nothing that would stand in the way really of asking for this money to come out of General Revenue Fund, since it doesn't look like the Bonding Bill is coming forth. So, that's why I filed the Amendment. We need to address the cost overrun. I think you agree. That's part of the needs we...that we have to address."

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, your Amendment is not part of the Bill. You and I are both aware of that. I would also suggest that had your Party voted for the bonding authorization, that you wouldn't find it necessary to offer that Amendment, and we could deal with the cost of capital projects in the state in an affirmative, positive manner. Since that cooperation did not take place, we're forced,

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again, to accommodate the state...the needs of the State of Illinois as best we can."

Speaker Biggert: "Representative Phelps."

Phelps: "Well, I appreciate that. I'm disappointed that not only is this not a part of the Bill, I know it's in Rules, but I don't understand why it wouldn't in some form, some other Sponsor or something, be...addressing the needs of the state is what you said this Bill's about, and I think we need to do that. As far as voting for the Bonding Bill, had we voted for the Bonding Bill, was not a part of it to begin with, but had we, we'd be coming back asking for 9 more million than last year, so someone needs to get their act together on the overruns, first of all. But this is very important to the state, to get these projects, you know, finally to fruition, and I think this is something that pored into Corrections. CDB can happen, we've got the money in the budget, so I would like to do it."

Speaker Biggert: "Representative Ryder."

Ryder: "I simply respond as I did earlier. Had we had the authorization, we could have spent the money. Without the authorization, there was no bonding money to be spent. And as a result, the needs of the state have had to be dealt with on a piecemeal basis. It's not my fault. I sponsored the Bill. I voted for the Bill. I was prepared to do the right thing for the State of Illinois. It's unfortunate that your Bill's still in Committee to try to do what it is that you wish, and if you'd let me go to Rules Committee right now, you know, there might be a possibility. So let's pass this Bill. Let me go to Rules Committee and then, we'll see what happens."

Speaker Biggert: "The Gentleman from Cook, Representative Schoenberg."

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Schoenberg: "Thank you, Mr. Speaker. Thank you, Madam Speaker.

These days the gender issue is a very thorny one around here, so I apologize. I'd just like to address something that Mr. Ryder said in response to Mr. Phelps, because I think that Mr. Ryder's response to Mr. Phelps on the lack of cooperation from Democrats in issuing bonds is somewhat of a red herring. Mr. Ryder may be aware that the Bureau of the Budget under its statutory authority last week sold \$17 million without any prior legislative approval. They did it unilaterally. The Bureau of the Budget sold \$17 million for prison related construction. This is an issue which is very similar to what Mr. Phelps is talking about. To accuse Democrats of playing politics with the issue and to suggest that Democrats' lack of cooperation on these issues is deterring us from public safety, I think does an injustice to the issue, because the Bureau of the Budget very well could have addressed Mr. Phelps' issues for prison related construction in a manner that wouldn't require our approval. If we're not going to do it, the Bureau of the Budget certainly could do it. I've spoken on the use of certificates of participation, on the lack of prior legislative oversight and approval before, but this is a prime example where if Mr. Phelps was indeed obliged on this and if we were moving forward on other prison related construction, we should be doing so with the Legislature's prior approval. Mr. Phelps, his point is definitely on the mark. To suggest that because we're withholding votes on our side to do a fiscally prudent thing, I don't think that really does justice to the issue of how appropriations are made, and more importantly, how public safety is ensured here in Illinois. Thank you."

Speaker Biggert: "With no one seeking further recognition,

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Representative Ryder, to close."

Ryder: "Thank you. I would appreciate an affirmative vote, and in response to the previous speaker, you better check your information. It wasn't bonding that was sold, certificates of participation were sold. Bonding - authorized bonding had already been exhausted. So we were forced to do certificates of participation in order to accomplish the goal that you are lauding at this moment. Everything has a price tag. If you're not willing to pay the price, don't complain about what it is that we have to do. I ask your affirmative vote."

Speaker Biggert: "The question is, 'Shall Senate Bill 1260 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 'ayes', 50 'noes', 3 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. (Now what?) On page 6 of the Calendar, Order of Concurrence appears House Bill 3436. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill #3436, a Motion to Concur has been approved for consideration."

Speaker Biggert: "The Lady from McHenry, Representative Hughes, is recognized."

Hughes: "Yes, Madam Speaker, thank you. What I want...would like to do is to move to concur in Senate Amendments 1, 2, 3 and 5, remove Amendment #4 from the concurrence."

Speaker Biggert: "Okay. The Lady has moved to concur in Senate Amendments 1, 2, 3 and 5. Proceed, Representative Hughes."

Hughes: "Thank you. Senate Amendment #1 changes the definition...This has to do with school buses stopping at

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crossings, whether or not they have children on board. And it changes the term, 'school'...broadens the term, 'school bus' so that it would include leased vehicles, not just school buses that are owned and operated by schools. It does not change the intent at all, but makes it more inclusive. Amendment #2 provides that other than a bus driver, a mechanic can inspect the school bus before it goes out on the pre-trip inspection that's required. Senate Amendment #3 has to do with the width of vehicles allowed under the Vehicle Code. There's a current maximum width for buses is eight feet, six inches. There's an exemption granted to buses operated wholly within Chicago. These buses may be six...eight feet, six inches in width on Chicago interstates and nine feet in width on all other roads in Chicago. The Amendment removes the exception and places the width restriction at eight feet, six inches. There is no opposition to this. Chicago does not have buses that are in excess of the eight feet, six inches. And Amendment #5 provides for exempting from the commercial driver's license provisions part-time township snow plowers in townships with a population of less than 3 thousand when the employee is needed to operate the vehicle because the employee who ordinarily operates it and who has a CDL is unable to operate it. This is for emergency situations. It would not apply to the regular employees of the highway department, only to a temporary employee. And it is 100% consistent with federal regulations pertaining to CDL's. So those are the four Amendments for which I wish to adopt a Concurrence Motion."

Speaker Biggert: "And on that, is there any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Madam Speaker. Pursuant to the House



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Rules, I request a division of the question, a Roll Call vote and a verification on each one if it receives the requisite number of votes. You have refused to allow us to have verifications. If we have to do this, we're trying to work on a bipartisan basis. You have continually rolled over on us on the rights of every Member of this chamber, so if we want to do that, we will do this. We'll start getting partisan again. And the stupid antics that are going on with the Chair and you're...Let's divide the question, Roll Call votes, verifications and that's certainly in the best interests of the people. Let's slow down the whole process."

Speaker Biggert: "Alright. Mr. Clerk, we'll start with Amendment #1. Who would like to discuss Amendment #1? The Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, before I begin, I would just like to inquire of the Chair. Have you acknowledged our right to verification and are you allowing a Roll Call vote on each of these?"

Speaker Biggert: "Yes, Representative, we will Roll Call and verify everything on this Bill."

Hoffman: "Will the Sponsor yield?"

Speaker Biggert: "She indicates she will."

Hoffman: "Ann, what exactly is this Amendment that you want us to concur on?"

Speaker Biggert: "Representative Hughes."

Hughes: "Amendment #1 replaces the words, 'school bus' with 'bus that meets all of the special requirements for school buses in Sections 12-801, 12-803 and 12-805 of the Code.'"

Speaker Biggert: "Representative Hoffman."

Hoffman: "What is the practical effect of that change?"

Speaker Biggert: "Representative Hughes."

Hughes: "The practical effect of that change is that not only the

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long yellow bus that transports students would be subject to this requirement, but that other vehicles who are used as school buses would also have to comply."

Speaker Biggert: "Representative Hoffman."

Hoffman: "It's my understanding that the Amendment itself says, 'A bus that meets all the special requirements for school buses in Sections 12-801, 12-803 and 12-805 of the Code.' What are the ex...What...Could you go through each of those Sections and please tell me what those special requirements are?"

Speaker Biggert: "Representative Hughes."

Hughes: "I don't have those Sections."

Speaker Biggert: "Representative Hoffman."

Hoffman: "So you're going...You're asking us to vote on a Bill that you don't even know what it does. Section 12-801, what's that do?"

Speaker Biggert: "Representative Hughes."

Hughes: "I do not have those Sections in front of me. What this does was...mean it would apply to chartered vehicles, leased vehicles, in addition to regular school buses. That is what it does."

Speaker Biggert: "Representative Hoffman."

Hoffman: "12-803, what does that do?"

Speaker Biggert: "Representative Hughes."

Hughes: "I have answered the question to the extent that I can."

Speaker Biggert: "Representative Hoffman."

Hoffman: "12-805, what does that do?"

Speaker Biggert: "Representative Hughes."

Hughes: "Same response."

Speaker Biggert: "Representative Hoffman."

Hoffman: "So, for the record, you just don't know. It's my understanding that you're trying to change the definition

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of school bus. We all know about the tragedies that have occurred. That's why I think it's incumbent upon us to make sure that we aren't accidentally reducing the requirements of school buses to stop at railroad crossings. You have to necessarily know and understand what goes on in Sections 12-801, 12-803 and 12-805 to know what the Bill does. Because what you're doing is you're taking out the word 'school' and changing it to 'bus that meets all the special requirements for school buses' in those Sections. So the concern is obviously by making...making reference to specific Sections, are you actually re...and not intendedly (sic - intentionally), but actually reducing the number of vehicles that have to stop at the crossings? The generic term, 'school bus', I would assume was always viewed as not the big yellow bus, I wouldn't think, but just generically as people that carry children generically, whether they're going to school or not...other places. So the concern is what do those Sections do, Representative? We can't tell what the Bill does without knowing what Sections 12-801, 12-803 and 12-805 do. So what do they do?"

Speaker Biggert: "Representative Hughes."

Hughes: "School bus, by definition, is a vehicle used to transport students for certain activities, including nursery, primary and secondary public and private schools. It does not include chartering of those same vehicles for other events. What this Amendment does is make the requirement that they stop apply to the broader definition of...(Where's my Amendment here?) 'a bus that meets all the special requirements for school buses' in those Sections. Not only a school bus transporting for primary, secondary and nursery school, but for other events, field trips, et cetera, that may be a chartered vehicle."

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Speaker Biggert: "Representative Hoffman."

Hoffman: "Well, I got the Statute. I'll do your work for you.

12-801 is regarding the color of the school bus. So it says that this would have to meet the color requirements that are in 12-801; 12-803 is in regard to the stop sign...stop signal arm. It says, 'Each school bus shall be equipped with a stop signal arm on the driver's side.' Now what you're saying is you're saying that in order for a bus to have to stop at a railroad crossing, all these things must be present. All these things must be present. In other words, it has to have a stop signal arm. Is that right? The problem is by doing that, if the stop signal arm is knocked off, if the bus would happen to be painted a different color, then the requirements are out the window. And you won't have to stop at the railroad crossing, because you're not meeting the requirements that you are superimposing into this Bill. I don't think that that's what you want to do. That's not what you want to do at all."

Speaker Biggert: "Representative Hughes."

Hughes: "Buses can't operate unless they meet those conditions.

So what this Bill does is include more buses under the requirement that they stop. Buses can't operate to transport children unless they meet those requirements."

Speaker Biggert: "Representative Hoffman, I've given you an extra minute. If you could bring it to a close."

Hoffman: "Well, what if the 12-805 says there has to be special lighting? What if the special lighting does not exist? What if the arm is not on there? You're saying then they don't have to stop because it's not meeting...it's not meeting, the way the Bill is drafted, because you've taken out the generic definition of school bus and you've put in

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these special Sections. If the special Sections aren't met, then they don't have to stop at the railroad crossing. It's a technical flaw. I understand your intent, but you have to read the Bill and you have to understand what your Bill is doing now. I'm not being mean, I'm just telling you the truth."

Speaker Biggert: "Representative Lang."

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

Speaker Biggert: "She indicates she will."

Lang: "Representative, is there anything in here that comes out of the sub...the Committee, the Counties and Townships Committee that you chaired after the school bus-train tragedy in Fox River Grove?"

Speaker Biggert: "Representative Hughes."

Hughes: "This Amendment is a result of input that was brought forward by the School Transportation Association."

Speaker Biggert: "Representative Lang."

Lang: "So there's nothing in here that comes out of that Committee that you chaired, that you allowed me to sit on, which I appreciate. Is there anything, anywhere in any Bill we're going to deal with this year that comes out of that Committee and that testimony that we heard?"

Speaker Biggert: "Representative Hughes."

Hughes: "This did come out of that Committee. It was not brought up at that Committee, but was brought up by parties who were involved in that hearing, in the discussions that have transpired since that hearing, so its foundation was in that hearing."

Speaker Biggert: "Representative Lang."

Hughes: "That applies to this Amendment and all..."

Lang: "Anything going to come up in this Bill regarding seat belts on school buses?"

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Speaker Biggert: "Representative Hughes."

Hughes: "No."

Speaker Biggert: "Representative Lang."

Lang: "Would it surprise you to know that a Bill regarding real safety on school buses, seat belts, is still in the Rules Committee? Would that surprise you at all?"

Speaker Biggert: "Representative Hughes."

Hughes: "I think that's a debatable question."

Speaker Biggert: "Representative Lang."

Lang: "Well, I don't know what part is debatable, whether it would surprise you or whether it was in the Rules Committee. All I asked you was, would it surprise you to know it's still in the Rules Committee?"

Speaker Biggert: "Representative Hughes."

Hughes: "The definition of the Bill is what is debatable."

Speaker Biggert: "Representative Lang, any further questions?"

Lang: "Well, no, just a comment, Madam Speaker."

Speaker Biggert: "To the Bill."

Lang: "Yeah, right, that's what the comment's about, to the Bill. Thank you. The Counties and Townships Committee met after the bus...school bus - train accident in Fox River Grove and heard much testimony about a lot of different issues. I don't see anything coming out of that Committee. I don't see real bus safety coming out of that Committee. I don't see real train safety coming out of that Committee. There was substantial testimony at that Committee on the issue of seat belts on school buses. I can tell you that my constituents are for seat belts on school buses, and if you would talk to your constituents, they would be for seat belts on school buses. My problem with the fact that that issue is still in the Rules Committee is that we can't even get it on the floor for a debate. We can't even get it to

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a committee for a debate. That's what's been going on here this year, not only on seat belts on school buses, but on Fund Education First, on real truth in sentencing, on every other kind of issue we discussed on this floor. In these kinds of circumstances we're always talking about why that Bill's still in the Rules Committee. This Bill should not be in the Rules Committee; many Bills should not be and it would be...it would be a nice day on the floor of this House if some of the Chairs in some of the committees that should be hearing these Bills would step forward and say, 'You know, it's time we had a real debate on these issues', and not just throw Amendments at the House Members that come out of the Senate. So, I really don't know how I'm voting on this Concurrence Motion, but I'm a little peeved at the process that would keep real Bills that do real things to save children's lives in the Rules Committee and do not even allow the Members of the House of Representatives to debate them, let alone pass them."

Speaker Biggert: "The Gentleman from Washington, Representative Deering."

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

Speaker Biggert: "She indicates she will."

Deering: "Representative, did I hear in your debate remarks that we can utilize school...should this Amendment pass or we concur with this Amendment, we can utilize school buses for the transportation of kids, but we could no longer charter them out for other uses or other purposes?"

Speaker Biggert: "Representative Hughes."

Hughes: "No, you did not. This Amendment expands by the changing in wording, expands the vehicles that would fall under the requirement that they stop, look and listen prior to crossing a railroad track whether or not they have children

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on board. It was brought to us by the School Transportation Association, is unopposed, has had unanimous votes in the Senate Committee on the Senate floor and in the House Transportation Committee yesterday."

Speaker Biggert: "Representative Deering."

Deering: "So it expands the type of vehicle, whether it's a school bus or a specially equipped van for hauling passengers or any kind of a vehicle that would haul school children and other passengers or just pertain to school children?"

Speaker Biggert: "Representative Hughes."

Hughes: "School buses hauling school children, not a commercial vehicle that is hauling the public at large."

Deering: "Thank you."

Speaker Biggert: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Madam Speaker, I rise to a quasi point of personal privilege."

Speaker Biggert: "Proceed. State your...State your...quasi point of privilege."

Skinner: "Well, it's not...It's really quasi...I mean it's as much on point as the Floor Leader from the Democrats comments were. There may be a time to consider seat belts on buses, but this is not it. The time to consider seat belts on buses is after the National Traffic Safety Board issues its report. Now I've told the Gentleman in private and we my as well put it on the record, the State Police crime folks took blood samples of every drop of blood they could find on that bus. They are going to do their best to figure out whether seat belts would have saved lives or would not have saved lives. Now it is abundantly clear that there were several children that would be dead today



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that are not dead had they had their seat belts on in that bus. So I think the Gentleman has a subject that deserves to be discussed, but it seems to me that the General Assembly ought to act...ought to wait until we have the best evidence available to advise us on what to do. In the meantime, he knows what the remedy is. He can go lobby every local school board. And if the local school boards follow his school board's example, they'll be seat belts on every bus in the State of Illinois. Thank you for your indulgence, Madam Speaker."

Speaker Biggert: "Thank you, Representative. The Gentleman from DuPage, Representative Biggins."

Biggins: "Yes, I...Thank you, Madam Speaker and Ladies and Gentlemen of the House. The seat belt discussion reminds me that...of the discussion I had with a bus driver, who told me that if we were serious in mandating that seat belts be on buses, would we also be serious in making sure that the people riding the buses would be belted? I said, 'Well, I presume we'd do that.' And he said, 'Well, I'm a bus driver. What would I do if somebody takes their seat belt off?' And I said, 'I suppose you'd have to stop the bus and make them go put their seat belt on.' He said, 'Well, we have trouble keeping them from fighting and chewing gum and pulling on the windows, so how would I stop them if they took their belt off or if another rider took their belt off, I'd have to stop the bus every time.' I said, 'Well, maybe you'd have to do that, if that was in the Bill. Otherwise you'd be guilty of a violation.' So he said, to which he said, 'Well, these kids may never get home. They may be out so late at night, they couldn't do their homework.' This is an anti-homework piece of legislation; it's an anti-family piece...proposal that is

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so big government. What's next? Belts on motel beds so that nobody falls out of bed at night? Come on, the other side of the aisle, get big government out of here."

Speaker Biggert: "Thank you. There being no further discussion, Representative Hughes, to close on Senate Amendment #1."

Hughes: "Enough's been said. I urge a 'yes' vote. Thank you."

Speaker Biggert: "Thank you. The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3436?' All those in favor signify by voting 'aye'; all those opposed signify by voting '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. Mr. ...Representative Lang or Representative Granberg, would you persist in your verification?"

Lang: "We do not, but we thank you for acknowledging that we had asked for one. That's the only reason my light was on. Thank you, Madam Speaker."

Speaker Biggert: "Representative Lang. On this question, there are 116 voting 'aye', 0 voting 'nay' and 0 voting 'present', and the House does concur with Senate Amendment 1 to House Bill 3436. Proceeding to Senate Amendment #2 on House Bill 3436. Representative Hughes."

Hughes: "Thank you, Madam Speaker. Senate Amendment #2 provides that a person other than a bus driver may perform a pre-trip school bus inspection as prescribed by the Department of Transportation. This was suggested by IDOT. Current law states that the school bus driver, each day that the bus is operated, shall make a pre-trip inspection. This suggestion of IDOT clarifies that another person, such as a mechanic, may perform the pre-trip inspection, subject by...to rule by IDOT. There is no opposition. It passed the Committee in the Senate on a 10-0 vote. It passed the

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Senate unanimously. It passed Committee yesterday on a Motion to Concur unanimously. I urge a 'yes' vote. Thank you."

Speaker Biggert: "Thank you. And on this question, is there discussion? The Gentleman from Cook, Representative Lang."

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

Speaker Biggert: "She indicates she will."

Lang: "Representative, you're going to leave this up to IDOT to determine what other people, other than the drivers, can do these inspections?"

Speaker Biggert: "Representative Hughes."

Hughes: "That's correct."

Speaker Biggert: "Representative Lang."

Lang: "What is the policy consideration behind allowing IDOT to do this rather than the General Assembly specifying who might do this?"

Speaker Biggert: "Representative Hughes."

Hughes: "I think where it's appropriate, this Body should set general policy and leave it to administration to implement that policy. These rules would be implementation. The policy that this Amendment reflects is that there are in many school districts those who are more qualified to do this pre-inspection than a school bus driver, such as a mechanic that is there full time, and this would allow for that."

Speaker Biggert: "Representative Lang."

Lang: "Well, then why don't we simply say 'mechanic' or somebody who has knowledge of the mechanics of a bus? What if... What would your response be next Session if IDOT this fall, if this Bill should become law, decides that the PTA President can inspect school buses?"

Speaker Biggert: "Representative Hughes."

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Hughes: "I think we would deal with that and I think that IDOT would...should be held accountable and some one should perhaps be fired for not implementing this in...with the professionalism that they ought to have and I believe do have."

Speaker Biggert: "Representative Lang."

Lang: "Well, shouldn't we at least have some restrictions in here to require that IDOT do this by rule, but they at a minimum restrict that rule to people that have certain mechanical knowledge about a bus?"

Speaker Biggert: "Representative Hughes."

Hughes: "I am confident that if IDOT does not develop a rule that is totally in keeping with the intent of this Amendment, that JCAR will make certain that in the end, the rule is appropriate. So it will, in the end, be dealt with legislatively."

Speaker Biggert: "Representative Lang."

Lang: "Well, Representative, do you believe that there are other areas of state policy that we should just make general guidelines and allow our state agencies and JCAR to decide the actual guts, the actual workings of these policies? Or don't we have a responsibility to set full and complete policy on the floor of this House?"

Speaker Biggert: "Representative Hughes."

Hughes: "I suspect that each and every one of us would suggest that there is legislation that goes too far into administration and that there is administration that goes too far into policy. There are probably 118 different definitions as to how that would be dealt with in the end."

Speaker Biggert: "Representative Lang."

Lang: "Would you not agree with me that allowing JCAR and agency departments to make their own rules as they go along cedes

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a little too much power to them, at least in certain circumstances, and that we do it too often."

Speaker Biggert: "Representative Hughes."

Hughes: "I believe that IDOT doing the rule-making for this Amendment is appropriate, that it would be subjected to JCAR and that is appropriate, and that is the issue that is before us."

Speaker Biggert: "Representative Lang."

Lang: "Nothing further."

Speaker Biggert: "Thank you. There being no further discussion, Representative Hughes, to close."

Hughes: "Again, I think it's fully explained. I urge a 'yes' vote. Thank you."

Speaker Biggert: "The question is, 'Shall the House concur with Senate Amendment 2, to House Bill 3436?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, take the record. Representative Lang, do you persist in your request for a verification?"

Lang: "Once again, Madam Speaker, we will withdraw our request, but do appreciate your acknowledging it."

Speaker Biggert: "Thank you. On this question, there are 113 voting 'aye', 0 voting 'nay', 0 voting 'present' and the House does concur with Senate Amendment #2 to House Bill 3436. Senate Amendment #3 to House Bill 3436. Representative Hughes."

Hughes: "Thank you. Senate Amendment #3 is at the request of IDOT. It removes an exception that applies only to the City of Chicago, which would allow nine buses...vehicles nine feet in width to be on Chicago roads. The reason for

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this request is that IDOT has been notified by the Federal Highway Administration that nine foot wide buses will not be allowed on the newly instituted national highways system. That system includes state and primary routes and city streets in Chicago as well as interstate highways. The City of Chicago does not use nine foot buses; and therefore, this does not create a problem for them, and it makes our Statute consistent with federal law. There is no opposition. It passed the Senate Committee on a unanimous vote, the Senate on a unanimous vote and the Transportation Committee yesterday for Concurrence on a unanimous vote."

Speaker Biggert: "And on this question, is there any discussion? The Gentleman from Cook, Representative Lang."

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

Speaker Biggert: "She indicates she will."

Lang: "Representative, you indicated that the purpose of this Amendment is to conform Illinois law with federal law. Is that correct?"

Speaker Biggert: "Representative Hughes."

Hughes: "Yes, that's correct."

Speaker Biggert: "Representative Lang."

Lang: "Well then, would you like to put an Amendment on here to take care of the motor voter fiasco so that Illinois law can conform with federal law there as well?"

Speaker Biggert: "Representative Hughes."

Hughes: "The issue...The issue before us is the Federal Highway Administration."

Speaker Biggert: "Representative Lang, we are straying a bit. Proceed."

Lang: "Well, no, you see, Madam Speaker, this isn't straying at all. The Sponsor indicated that the purpose of this legislation is to make sure that the State of Illinois

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complies with all federal regulations and that our laws comply with all those nasty federal laws that come down here, all those terrible federal mandates. And I think it was perfectly fair to ask the Sponsor if she's got any other plans to have Illinois comply with other federal mandates. I still haven't gotten an answer, maybe I could get one now. How about it, huh?"

Speaker Biggert: "Representative Hughes, do you have a response?"

Hughes: "I believe the Representative re-stated my response in different words, which expanded it greatly. This Amendment would put IDOT in compliance and our statutes in compliance with the Federal Highway Administration's newly instituted national highway system. Going beyond that, as suggested, would probably create an issue of germaneness and be thrown out of court, as we have seen recently."

Speaker Biggert: "Representative Lang."

Lang: "Well actually, we could make the title of this Bill to have Illinois law comply with federal law. And in fact, Madam Speaker, we could have a very long list of these where Illinois has not done what they're supposed to do under all sorts of federal guidelines. That would certainly be germane, and I think we ought to do that at the earliest possible time. And I know, Madam Speaker, you would agree with me on this as well. Thank you."

Speaker Biggert: "No one seeking recognition, Representative Hughes, to close."

Hughes: "I ask for a 'yes' vote. Thank you."

Speaker Biggert: "The question is, 'Shall the House concur with Senate Amendment #3 to House Bill 3436?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. Representative Lang, would you like to proceed with your verification?"

Lang: "No, Madam Speaker, we do not, but we do appreciate the courtesy in recognizing the fact that we asked for a verification. Thank you so much."

Speaker Biggert: "Thank you, Representative. On this question, there are 116 voting 'aye'; 0 voting 'nay' and 0 voting 'present', and the House does concur with Senate Amendment #3 to House Bill 3436. On Senate Amendment #5 to House Bill 3436. Representative Hughes."

Hughes: "Thank you, Madam Speaker. Senate Amendment #5 contains language exempting from commercial drivers' licenses, CDL's, exemption for part-time township snow plowers in townships of a population less than 3 thousand residents when the employee is needed to operate the vehicle because the employee of the township or road district, who ordinarily operates the vehicle and who has a commercial driver's license, is unable to operate the vehicle. This Amendment was adopted unanimously to House Bill 3677. It was adopted unanimously for concurrence in Transportation Committee yesterday, passed the Senate Committee unanimously, passed the House (sic - Senate) unanimously. It is an exemption which reflects 100% consistently the federal laws and regulations relative to commercial drivers' licenses."

Speaker Biggert: "And on this question, is there any discussion? The Representative from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Biggert: "She indicates she will."

Hoffman: "It's my understanding that the township officials are proponents of this Bill. Is that right?"

Speaker Biggert: "Representative Hughes."



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Hughes: "That is correct. Township officials are proponents. There are no known opponents."

Speaker Biggert: "Representative Hoffman."

Hoffman: "And essentially, what this would do is it would ensure that...It would ensure that people who work like in the small townships, they don't have to have the CDL requirement when there is an emergency. Is that what it does? (Is that this one)?"

Speaker Biggert: "Representative Hughes."

Hughes: "That is correct. If there is an emergency due to illness or due to a weather emergency, these would be temporary individuals, correct."

Speaker Biggert: "Representative Hoffman."

Hoffman: "Does this in any way jeopardize our standing with the Federal Government and our compliance with the federal law?"

Speaker Biggert: "Representative Hughes."

Hughes: "I believe that I've already made that clear that this is consistent with the federal exemptions."

Speaker Biggert: "Representative Hoffman."

Hoffman: "Well, I'm very pleased that this is...I think this is a good Bill. I think it's going to help small communities; it's going to help small townships. I think that township officials and all the organizations who have worked so hard on this have done a wonderful job. And I would certainly like to commend the Sponsor for doing a wonderful job on this Amendment."

Speaker Biggert: "Thank you. The Gentleman from Washington, Representative Deering."

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

Speaker Biggert: "She indicates she will."

Deering: "Representative, you said this is consistent with the

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federal exemption. Are there any requirements that an individual has to meet in order to drive a vehicle requiring a CDL license? I mean, if there is an emergency, can we just pull anybody off the street or anybody off the farm or out of the town and put them in this vehicle?"

Speaker Biggert: "Representative Hughes."

Hughes: "They have to be licensed to drive the vehicle. I mean that's...We aren't changing anything in that regard."

Speaker Biggert: "Representative Deering."

Deering: "So they have to be licensed to drive a vehicle, which could be a car or a pick-up truck. What if they have no idea about how to drive a tandem axel truck or a two ton truck using a snowplow or something like that. Are we just going to say now because it's supposedly deemed an emergency, we're going to be able to put someone behind the wheel?"

Speaker Biggert: "Representative Hughes."

Hughes: "They would have to have the appropriate class of license for the vehicle that they are driving. It would not apply to an individual such as myself, who has whatever class my license is that entitles me to drive a car or a pick-up truck. It would not allow me to drive this vehicle in an emergency situation. It would allow only those who have the appropriate class of license for the vehicle that's being driven - as is the law now."

Speaker Biggert: "Representative Deering."

Deering: "Well, the requirement right now is if you're going to drive a certain class of vehicle, you've got to have a CDL."

Speaker Biggert: "Representative Hughes."

Deering: "So, I mean if you're saying..."

Speaker Biggert: "Proceed, Representative Deering. I'm sorry. I

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thought you were finished."

Deering: "So, if you're saying you have to have a certain classification of license, well, we're giving an exemption for that classification."

Speaker Biggert: "Representative Hughes."

Hughes: "The CDL is an additional license on top of other licenses. And this applies to very narrowly defined situations."

Speaker Biggert: "Representative Deering."

Deering: "What's the other classification of license that you can have that would let you drive a tandem axel truck or a semi down the road without having a CDL? Tell me what the classifications are?"

Speaker Biggert: "Representative Hughes."

Hughes: "We're trying to get the answer for you, Representative."

Speaker Biggert: "Representative Deering."

Deering: "Okay, since you're looking for the answer, I have another question. If, in an emergency purpose, I'm put in one of these vehicles that drive down the road and I don't have a CDL, under what level of blood alcohol will I be legally allowed or permitted to drive this vehicle? Is it .1? Is it .04 or is it zero tolerance?"

Speaker Biggert: "Representative Hughes."

Hughes: "Okay, B, none CDL is the answer to your first question. Your second question is under what blood alcohol content would be legal without a CDL or with a CDL?"

Speaker Biggert: "Representative Deering."

Deering: "If you grant an exemption for someone to drive a vehicle without a CDL, what if they've been drinking..."

Speaker Biggert: "Proceed, I've given you another minute."

Deering: "What if they've been drinking somewhere throughout the day and they have alcohol in their system. What level of

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alcohol content will they be legally deemed to drive?"

Speaker Biggert: "Representative Hughes."

Hughes: "I understand now. If you are arrested or stopped, the legal limit under a CDL is .04."

Speaker Biggert: "Representative Deering."

Deering: "I understand that. We're giving an exemption for CDL here. So, you don't fall under, with the exemption, you don't fall under the CDL classification. So at what legal limit will you be allowed to drive that vehicle?"

Speaker Biggert: "Representative Hughes."

Hughes: "You would be allowed...You would... .1, yeah, .1, but you could still be pulled over no matter what your blood alcohol content is in either situation."

Speaker Biggert: "The Gentleman from Bureau, Representative Mautino."

Mautino: "(Okay.) Thank you. Will the Sponsor yield?"

Speaker Biggert: "She indicates she will."

Mautino: "Representative, just to clarify some of the...some of the points in the Bill here. You're saying that we are waiving the CDL requirements, but in another statement you said that anyone whose...anyone who has a license for that class vehicle would fall under this category, so what other classification is there?"

Speaker Biggert: "Representative Hughes."

Hughes: "The... The... "

Speaker Biggert: "Representative Hughes."

Hughes: "You have to have the underlying Class B license. That is not waived."

Speaker Biggert: "Representative Mautino."

Mautino: "Under current law, can you...can you drive a tandem vehicle, for example, a township dump truck with a v-plow on it, with a 'B' license?"

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Speaker Biggert: "Representative Hughes."

Hughes: "You have to have the B license to drive that vehicle under current law."

Speaker Biggert: "Representative Mautino."

Mautino: "It doesn't say that in the Bill. Are you specifying 'B' license? It doesn't say anything about a specification in the language of the Bill."

Speaker Biggert: "Representative Hughes."

Hughes: "We are not changing any specifications for licensing for any drivers that are currently law, except for the CDL provision. And that is in a manner consistent with federal regulations, applying only to part-time township or road district employees who are filling in in an emergency or for an ill person who normally would have that CDL."

Speaker Biggert: "Representative Mautino."

Mautino: "Now as far as the, um, now I'm just going to look at this from a liability standpoint, too. Because what we are talking about taking the most dangerous driving conditions, you know, it's 11 o'clock at night. There's been four inches of snow. You're going to take a person who doesn't have the Commercial Driver's License, put them in a vehicle with a five speed split axel transmission and a snowplow and send them down city streets where you've got people's personal property parked on either side. So is there any question towards liability? Is a township going to have additional liability for putting someone under or behind that wheel that maybe would not be qualified to hold a license to drive that vehicle?"

Speaker Biggert: "Representative Hughes."

Hughes: "Whether or not an individual has a CDL does not in and of itself say that that an individual will not be intoxicated in the vehicle. That is the responsibility of

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his supervisor in hiring and in managing his employees."

Speaker Biggert: "Representative Mautino,"

Mautino: "I don't think I mentioned anything about intoxicated, it was in that line of questioning. My question is, suppose he gets in there, doesn't know how to run a 5 speed split axel transmission and hits a car or something. I mean he's not...something you would normally have the CDL for, a large piece of equipment."

Speaker Biggert: "Representative Hughes."

Hughes: "Still...He still has the underlying Class B license, which says he is competent to drive that type of vehicle."

Speaker Biggert: "Representative Mautino."

Mautino: "Just a quick parliamentary procedure...procedural question. Is this...of the Parliamentarian, is this Amendment in order since we've nonconcurred on...they're planning on nonconcurrence on #4?"

Speaker Biggert: "Representative, it is in order. We are going to, after the...proceed on this Motion and then do a nonconcurrence. Further discussion? The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Madam Speaker. Members of the House, to the Bill. The...to the Amendment. The Amendment, the thing that we need to realize is that when CDL licenses are put into place, when a person receives a CDL license, they still do take the test to drive each one of these vehicles, but they're non-commercial licensed. Still what we do do, we take and put other requirements down on these employers, in this case, the township, and we require them to keep records that are very appropriate for over the road trucking companies and trucking companies and everything like that, but they are very inappropriate when you're talking about the small amount of driving that these

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employees do when we have to keep that mass amount of records for every employee, when you're only using these employees a couple times of year in many of the counties and when we bring the snowplows out. This keeps down on the amount of paperwork being required of them and the cost to them. In no way does it make...allow us to put a driver in these vehicles that is not certified to drive and qualified to drive the vehicle. They still have to be qualified to drive that vehicle. And I would move...I would support the Bill."

Speaker Biggert: "The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Madam Speaker, I yield my time to Representative Terry Deering."

Speaker Biggert: "Thank you, Representative. Proceed, Representative Deering."

Deering: "Thank you, Madam Speaker. Representative, to continue or carry on the line of questioning that we were talking about. I asked the question about the blood alcohol level in a person driving with this exemption. You said they could drive at .1; however, they could still be stopped, pulled over, checked out, whatever the case may be. So tell me then, why should we let people drive these vehicles when we have a CDL classification where a driver of a semi or a driver of a tandem or a second or third or fourth division vehicle, whatever the case may be, has to be under .04, and he or she is driving someday and gets stopped...gets stopped and blows a .05. They lose their CDL license. Now you know we all deal with these problems everyday in our district offices. We're going to take away the chance for them to support their families, but yet we're going to let someone go out here, who probably

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doesn't know the roads or what to do in an emergency situation, and say, 'Oh, that's okay. You can drive at .01.' Why do we want to allow that to happen?"

Speaker Biggert: "Representative Hughes."

Hughes: "In terms of the risk that is created by the driver, what is...his blood count... The number that he tests at doesn't determine whether his...he is... activity is safe or not safe. It is merely a presumption that can be refuted in court as to whether he is driving drunk or not. The people who are driving without a CDL are, on occasion there will be years when no one would fall under that qualification in these townships. The CDL qualification imposes the record-keeping referenced earlier, imposes certain rules in terms of testing. It does not remove in any way the responsibility of the township to have appropriately trained and competent individuals on the highway and to protect the safety of the residents of their township."

Speaker Biggert: "Representative Deering."

Deering: "But, according to this Amendment, we're not talking about appropriately trained and competent people, we're talking about pulling people off the street in a so-called emergency to drive a CDL division vehicle at an alcohol limit of .1. You just said the alcohol limit, and correct me if I misunderstood your statement, but you said the alcohol limit doesn't mean nothing; .04 doesn't mean nothing. It's just the basis to where we go. Now we have a representative here from the Secretary of State's Office. Maybe she should come over and help you answer this question. Are you telling me then that my local semi driver who lost his license because he or she blew a .05, they should get their license back because it was merely a misunderstanding or didn't really impair the person's



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ability to operate that vehicle?"

Speaker Biggert: "Representative Hughes."

Hughes: "I did not speak accurately or clearly. No, I'm not suggesting that. That is a condition of that CDL license, that he not exceed .04, and that he not be stopped and tested and exceed at .04. That's not a guarantee that he won't be a .2 and not be stopped."

Speaker Biggert: "Representative Deering."

Deering: "I understand that, Representative, but so we understand each other on the .04 level, but now we're saying, we're giving a CDL exemption so an individual can drive one of these upper division vehicles at a .1. Why the two tiered system?"

Speaker Biggert: "Representative Hughes."

Hughes: "I can't explain why the Federal Government set up its rules the way it did. If the person who does not have the CDL has a .4, a .5... a .04, a .05 or a .21, if he is in an accident and has an injury, the consequences of that are going to be identical relative to his employability. That is the job of his supervisor: To assure that he is fit and able on the road, irrespective of whether he has a CDL or not."

Speaker Biggert: "Representative Deering."

Deering: "I have two short questions. I'll try to finish real quick. Number 1, does the Secretary of State's Office support increasing the blood alcohol content for drivers of CDL division vehicles? Cause we're raising it to .01 in these emergency situations. So is the Secretary of State's Office in support of that?"

Speaker Biggert: "Representative Hughes."

Hughes: "The Secretary of State's Office is neutral on this Bill."

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Speaker Biggert: "Representative Deering."

Deering: "Final question, if this Bill goes to Conference, would you put an Amendment in or amend it to keep the level at .04? If you would do that, I would take away my opposition to this Amendment."

Speaker Biggert: "Representative Hughes."

Hughes: "If the Bill goes to Conference, would I put an Amendment in to say that they lose their license if they're .04? Is that what you're...Is that what you're asking?"

Speaker Biggert: "Representative Deering."

Deering: "No, I want you to put an Amendment in saying that we'll grant the CDL exemption, but they still have to be .04 or below, just like every other CDL classified driver in the State of Illinois."

Speaker Biggert: "Representative Hughes."

Hughes: "That would be...That would be up to the Sponsor of this Amendment. There is no opposition to this Amendment, and I believe that would be a preemption of the federal regulations in this regard."

Speaker Biggert: "The Gentleman from Grundy, Representative Spangler."

Spangler: "Thank you, Madam Chairman (sic - Speaker), Ladies and Gentlemen of the House. To the Bill, to the Amendment. We've heard a lot of dialogue and a lot of confusing issues here that virtually have no impact on what we're talking about at hand. We're talking about a township or a road district with less than 3 thousand population having the ability to have somebody that's fully competent, fully trained in a snow emergency to be able to operate that snowplow, so that we can get fire trucks, fire emergency apparatus, ambulances and what have you out to our rural constituents. I'm a township trustee, and I can assure you

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that no one gets behind the wheels of these vehicles that's incompetent or impaired, particularly in a situation where they have to go out and their lives are at stake when they're pushing the snow and there's ditches and a lot of ground cover. You can't see where you're at. I rise in strong support of this Amendment, and I would hope that we would all concur on it. It's necessary; it's needed. Back when the CDL program was put down to us from the Federal Government, there was no intent to regulate these types of vehicles. It was unfortunate that it even came to this point, that we had to have an Amendment and a Bill such as this to be able to exclude them. So I would encourage all of my colleagues to vote 'aye' on this Amendment. Thank you."

Speaker Biggert: "Thank you. There being no further discussion, Representative Hughes, to close."

Hughes: "This Amendment is a very reasonable Amendment. As I said, there has been no objection to it at any point. It has received unanimous votes along the way. It is reasonable. It allows townships, small townships, to operate under emergency situations in a responsible manner without overburdensome regulation. It deserves a 'yes' vote. Thank you."

Speaker Biggert: "The question is, 'Shall the House concur with Senate Amendment #5 to House Bill 3436?' All those in favor signify by voting 'aye'; all those opposed signify by voting '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. Representative Lang, do you persist in your verification request? The Representative is signifying 'no'. On this question, there are 100 voting 'aye', 15 voting 'nay', and 1 voting 'present', and the

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House concurs with Senate Amendment #5 to House Bill 3436. On Senate Amendment #4 to House Bill 3436, a Motion has been filed to Nonconcur with Senate Amendment #4. And on that Motion, Representative Hughes."

Hughes: "Yes, Madam Chairman (sic - Speaker), I move to Nonconcur in Senate Amendment #4 to House Bill 3436."

Speaker Biggert: "And on that question, is there any discussion? The Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, I just have a parliamentary inquiry, Madam Speaker. If we..."

Speaker Biggert: "State your..."

Hoffman: "If we Nonconcur on Senate Amendment #4, it will then make Amendment #5 out of order."

Speaker Biggert: "Representative Hoffman, if we...the House is not taking final action. If we Nonconcur on Senate Amendment #4, and the Bill will go back to the Senate, and we'll have to see what they do. Proceed, Representative Hoffman."

Hoffman: "Well, the big concern is, I'm a very big proponent of Amendment #5 and if we're doing this incorrectly, Amendment 5 technically, if we Nonconcur on this one, will not be a part of this Bill, because the Section that it amends will not be part of the Bill. That's the concern."

Speaker Biggert: "Representative Hoffman, we understand your concern, but this is not taking final action. It will go back to the Senate and perhaps the Senate will not recede, and then we'll go to a Conference Committee. Is there any further discussion on the Motion? Seeing none, Representative Hughes, to close. The... There has been a request for a Roll Call vote, and so the question is, 'Shall the House Nonconcur in Senate (Amendment) #4 to House Bill 3436?' All those in favor of Nonconcurring

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signify by voting 'aye'; all those opposed to Nonconcurring signify by voting '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. Representative Lang, do you wish to proceed with your request for a verification?"

Lang: "Well, no, Madam Speaker. We do not wish to persist in our verification request, but we do thank you for acknowledging that we made that request. Thank you very much for your indulgence, Madam Speaker."

Speaker Biggert: "Thank you. On this question there are 115 voting 'aye', 0 voting 'nay' and 0 voting 'present', and the House does Nonconcur with Senate Amendment #4 to House Bill 3436. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following Joint Action Motions were referred, action taken on May 16th, 1996, reported the same back 'do approve for consideration' to the House floor, Floor Amendment #1 to Senate Bill 363; Floor Amendment #2 to Senate Bill 643; Floor Amendment #4 to Senate Bill 1327; Floor Amendment #1 to Senate Bill 1757, and House Joint Resolution #92. To the Order of Concurrence, House Bills 347, 2250, 2524, 2664, 2916, and House Joint Resolution #85."

Speaker Biggert: "Joining us today are the students and parents from Ashmore Grade School. They are here with their teacher Janet 'Ruddle' and they are the guests of Representative Mike Weaver. Welcome. Also joining us on the House floor today is former Representative Tom McCracken and former State Senator Tom McCracken and Chairman of the RTA. Welcome. Mr. Clerk, on the Order of Senate Bills Second Reading appears Senate Bill 1327. Read

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the Bill, please, Mr. Clerk."

Clerk McLennand: "Senate Bill #1327. The Bill's been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment's #2, 3 and 4 have been referred to Rules. Floor Amendment #4 has been approved for consideration and is offered by Representative Zickus."

Speaker Biggert: "Representative Zickus is recognized on Floor Amendment #4."

Zickus: "Thank you, Madam Speaker and Members of the House. Floor Amendment #4 deletes provisions that would have removed the exemption under the Open Meetings Act for meetings of the State Emergency Medical Services Disciplinary Board and deletes provisions in the EMS Act that require that a closed session of a meeting of the State Emergency Medical Services Disciplinary Review Board must be in compliance with the Open Meetings Act. The language for the Open Meetings Act was added to the legislation, but some concern was raised by the Associated Fire Fighters of Illinois and the Chicago Fire Fighter's Union. Since they raised those concerns we've been meeting and all parties concerned - nobody wanted to do anything to hurt the underlying Bill which is in response to the heat disaster in Cook County during last summer. So we have agreed to continue negotiations and meetings to resolve this issue, but we're going to remove this from this Bill now so we can proceed with it."

Speaker Biggert: "And on that Amendment is there any discussion? The Representative from Cook, Representative Schakowsky."

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

Speaker Biggert: "She indicates she will."

Schakowsky: "I understand from the Associated Fire Fighters in Illinois that they objected to House Amendment #1 which

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they felt infringed on their membership's 'due process' rights. Are you saying that Amendment #4 now deletes the objectionable provision?"

Speaker Biggert: "Representative Zickus."

Zickus: "Yes, it does. It removes that portion of the Amendment that was put on. So this does remove the Fire Fighter's objections."

Speaker Biggert: "Representative Schakowsky. Ladies and Gentlemen, please...Proceed, Representative Schakowsky."

Schakowsky: "They also said that the...that Amendment #1 would...they said further, would allow the Department of Public Health to bring in whomever they wanted to the hearing, but not the Fire Fighter, EMT or other emergency services personnel. Is that portion also now gone from the Bill?"

Speaker Biggert: "Representative Zickus."

Zickus: "Yes, it is, Representative. We've been meeting with the Fire Fighters. That's the reason for Amendment #4, to address their concerns."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "It sounded like there was one other provision, however, in Amendment 4 that did not necessarily relate to those concerns. Is that correct? And could you tell me what that is, if I am correct?"

Speaker Biggert: "Representative Zickus."

Zickus: "Representative, the other portion was Senate Bill 1326 that was added and that would...the Department of Public Health would be required to investigate the circumstances that caused the hospital to go on bypass status, to determine whether the hospital properly went on bypass status and that they could impose sanctions as determined by rule upon any hospital that had determined went on

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bypass status. That was the other portion of that Amendment, was incorporating Senate Bill 1326."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Well, I have some questions about the underlying Bill, but I think that Amendment #4 certainly does improve it and I would urge support for Amendment #4, and I...we're calling for a Roll Call vote on all Amendments including this one."

Speaker Biggert: "Representative Lang, further discussion?"

Lang: "Madam Speaker, we...before I forget, we would seek to verify this if it should reach the magic number. Do you acknowledge?"

Speaker Biggert: "Yes, Representative, there will be a verification if you so request."

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

Speaker Biggert: "She indicates she will."

Lang: "Representative, I have to tell you I'm sorry, I guess my mind wandered thinking about that softball game yesterday or some such thing. But I really didn't hear what your Amendment does. Can you give us a hint?"

Speaker Biggert: "Representative Lang, there's been quite a bit of discussion. Is it too noisy in here for you?"

Lang: "Well, Madam Speaker, I think you're doing a marvelous job as you always do conducting the business of the House. When you're in the Chair we're always pleased on this side of the aisle, but I wasn't able to hear much of the discussion. If the Representative would just briefly tell me what this Amendment does."

Speaker Biggert: "Representative Zickus, for a brief explanation."

Zickus: "This Amendment satisfies the concerns of the firefighters. It deletes the provisions that would have



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removed the exemption under the Open Meetings Act for meetings of the State Emergency Medical Services Disciplinary Board. Also deletes provisions in the EMS Act that required that a closed session of the meeting of the State Emergency Medical Services Disciplinary Review Board must be in compliance with the Open Meetings Act; and further, in addition to that, we are going to be conducting...there will be ongoing meetings regard...with the firefighters and those parties concerned, regarding this issue."

Speaker Biggert: "Representative Lang, was that helpful?"

Lang: "That was well read and well spoken. Thank you."

Speaker Biggert: "No one...no one seeking further recognition, Representative Zickus to close."

Zickus: "I would appreciate your 'aye' vote."

Speaker Biggert: "The question is, 'Shall Floor Amendment #4 to Senate Bill 1327 be adopted?' All those in favor vote 'aye', those opposed 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. Representative Lang, would you like to proceed with your request for the verification?"

Lang: "Madam Speaker, we do not wish to proceed with our request for a verification. However, we do thank you for acknowledging the fact that we requested it."

Speaker Biggert: "Thank you. On this question there are 100...Representative Hartke, for what purpose do you rise?"

Hartke: "Well, we've been updating and our computers don't have a Floor Amendment #4 on the Bill. Well, we just did."

Speaker Biggert: "The Clerk is checking. The Clerk informs us that the Amendment is on the system. Representative Lang, for what purpose do you rise?"

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Lang: "Well, Madam Speaker, it passed 111 to 2, but the fact is you have not declared it passed. It really is not on the system, Madam Speaker, and we should do this properly. It will pass later. Why don't we just take the Bill out of the record and make sure it gets on the system, give Members a chance to read it if they wish to make sure that the 111 people who voted for it believe they did the right thing and then go back to it. I don't see it on my computer, Madam Speaker."

Speaker Biggert: "Representative Lang, your point is well taken and we will ask the Clerk to dump the Roll Call and try and determine where the Amendment is in this electronic age on the computers. We have now determined that the Amendment is in the system on both sides of the aisle. Just a reminder that you need...that you need to download your system occasionally and you will find that on the bottom on the computer screen. If you would like further help, there are people on the floor and you can raise their (sic - your) hand and they will help you. Representative Hartke, for what purpose do rise?"

Hartke: "I still have a question. Maybe the Parliamentarian or the Clerk could tell me how often are Amendments required to be on the desk or on the system before we enact the...or do any work on that Amendment or Bill?"

Speaker Biggert: "There is no time limit on the...on Amendments. They simply need to be there when we consider them. Representative Hartke."

Hartke: "Well, I don't know. Maybe the computer whizzes around here could put a little flag on there and say is the system, you know, has been updated with information or how often do they do this? You know, we could be updating...it takes about a minute and a half to update it. We could

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updating every 10 minutes and still miss it cause we had know idea what that Amendment was about. We didn't see it. It was dumped on...dumped on the system at the last minute. How are we suppose to know what's going on? I know there's a little thing here that says it's been two hours since you updated it, but I do it quite often and it was gone. It was just not there."

Speaker Biggert: "Representative Hartke, this is our first year with the computer system and I think we all appreciate having it and there are going to be...a time period to get used to it. But I do think that you do have to download occasionally and you do have to go outside the system. There is a reminder every two hours, but to be up to date you do have to do that more often when we are on the House floor and I appreciate your concern. Representative Lang, for what purpose do you seek recognition?"

Lang: "Only to say, Madam Speaker, that I appreciated the computer wizards showing us how to update between that two hour notification. We do now have Amendment 4 and I for one would have no objection if you wish to proceed again."

Speaker Biggert: "Thank you. The Gentleman from Peoria, Representative Saltsman, for what purpose do you rise?"

Saltsman: "Yes, as a matter of privilege information."

Speaker Biggert: "State your privilege information."

Saltsman: "When Representative Zickus was approached with this Amendment by the Illinois Federation of Fire fighters of which I'm still a member, she cooperated 100% with this group. And she said if this is the problem that you people have, she says I'll eliminate the problem that's there. She's cooperated with them a 100%. I trust her word for this and I think we should go on with business and pass this and get it over with."

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Speaker Biggert: "Thank you, Representative. Now that we have our electronic system straightened out let's return to Senate Bill 1327, Floor Amendment #4. Representative Zickus, do you wish to remind us of Floor Amendment #4?"

Zickus: "Floor Amendment #4 is in response to the concerns of the Associated Fire Fighters and the Chicago Fire Fighters. It cleans up this Bill for them. The underlying Bill is good. Nobody wanted to hurt that one, so I'd appreciate your support of Floor Amendment #4."

Speaker Biggert: "No one seeking recognition, the question is, 'Shall Floor Amendment #4 be adopted?' All those in favor vote 'aye', those opposed 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 that question there are 112 voting 'aye', 3 voting 'nay' and 0 voting 'present'. Representative Lang, did you request a verification on this?"

Lang: "Madam Speaker, once again we withdraw our request for a verification, but we thank you very much for acknowledging that we requested one."

Speaker Biggert: "Thank you, Representative Lang. On that...on this question there are 100...Okay. And on that question there are 112 voting 'aye', 3 voting 'nay' and 0 voting 'present', and Floor Amendment #4, having received a majority of those voting, is adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments have been approved for consideration. The notes that have been requested on the Bill have been filed."

Speaker Biggert: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 1327. Read the Bill...read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 1327, a Bill for an Act amending the Emergency Medical Services Systems Act. Third Reading of this Senate Bill."

Speaker Biggert: "The Representative from Cook, Representative Zickus, on the Bill."

Zickus: "Thank you, Madam Speaker and Members of the House, and I would like to thank the Clerk for adding Representative Lopez's name up there. He is a Cosponsor of this legislation. This legislation is in response to over 7 hundred heat related deaths that occurred in Cook County during the summer of 1995. The provisions of this legislation resulted from recommendations by the task force on the heat crisis. That was a bipartisan task force that operated last summer. This Bill provides that both the EMS Medical Director's Committee and the Trauma Center Medical Director's Committee shall address the establishment and submittal to the Department of Public Health an internal disaster plan to control the transfer of patients during an emergency. It also states that it would require the Department of Public Health to investigate the circumstances that caused a hospital to go on bypass status, to determine whether the hospital properly went on bypass status and that the department may impose sanctions. During the heat crisis, 18 hospitals in Cook County went on bypass status. Having 18 hospitals on bypass status at one time caused EMS personnel to find open emergency rooms outside of Chicago and Cook County, creating unnecessary delays for people trying to access medical care. This legislation would give the EMS system medical directors more authority in enforcing bypass policy. If a hospital goes on bypass and that causes a patient flow problem, the EMS medical director can refer the hospital to its own

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internal disaster plan and assist the hospital in making arrangements to transfer patients during the emergency. I know of no opposition to this legislation. It can only help in the event of another emergency and I urge your support."

Speaker Biggert: "And on that question is there any discussion? The Lady from Cook, Representative Schakowsky."

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

Speaker Biggert: "She indicates she will."

Schakowsky: "I know that there are many parties who were part of the ongoing discussions on this legislation. I wanted to know if the City of Chicago participated in those discussions?"

Speaker Biggert: "Representative Zickus."

Zickus: "My understanding, Representative, was, yes, people from the city did testify at the hearings."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Is there any opposition to this Bill, and quite specifically, does the Press Association have a position on this legislation now?"

Speaker Biggert: "Representative Zickus."

Zickus: "The Press Association came to me with the Amendment that would make this Disciplinary Review Board subject to the Open Meetings Act. That was what we just took off in Floor Amendment #4 with the understanding that that issue continues to be addressed and that all of the parties will continue communication. We were talking about having another meeting in another month or so to address that and they have no problem...They did not want to do anything that would undermine this Bill because it's very important...the legislation is very important."

Speaker Biggert: "Representative Schakowsky."

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Schakowsky: "During the heat crisis, how many hospitals went on bypass and for those Members who may not know, I'm assuming that means that the emergency vehicles were not allowed to admit patients to that institution. They had to bypass that hospital and go elsewhere. How many hospitals were on bypass?"

Speaker Biggert: "Excuse me, Representative Zickus. It appears that Representative Giles might have a problem there. Could you proceed?"

Giles: "Thank you, Madam Speaker. I do sort of have a problem trying to help a young man out. There is someone that has ordered a large ice tea and a...looked like a turkey sandwich. Whoever is the recipient, please raise your hand so we can get that to you. Thank you. Thank you, Madam Speaker."

Speaker Biggert: "Representative Clayton here. Thank you. Representative Zickus, proceed."

Zickus: "Yes. There were 18 hospitals that went on bypass at one time during that heat emergency and that is what created the problems of having to go outside of the Chicago...in the county."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "And how exactly will this Bill avert the crisis that resulted in 733 people dying, to heat related conditions?"

Speaker Biggert: "Representative Zickus."

Zickus: "This legislation would have the hospitals come up with an internal disaster plan in case of similar emergencies and make them better prepared to address them."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "And what if a hospital decides to go on bypass, thus forcing a patient to go much further and perhaps risking their life. What do we do in this Bill to make sure that

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it was appropriate, that they didn't shut down, you know, inappropriately?"

Speaker Biggert: "Representative Zickus."

Zickus: "The Department of Public Health would be able to impose sanctions if they determine that a hospital improperly went on bypass."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "And in what time frame does that happen? Are there...is there a capacity for the Department of Public Health or a mandate that they respond quickly during the time frame of the crisis itself or when?"

Speaker Biggert: "Representative Zickus."

Zickus: "I don't believe there is a time frame, but it would have to be investigated by the Department of Public Health."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Well, certainly we want to take steps to avert the kind of disaster that took place last year. I would certainly hope that we, at all levels, are working closely with the affected institutions and with the municipalities, including the City of Chicago, that has responsibility. And so I would, as a first step, an important step, urge support for Senate Bill 1327."

Speaker Biggert: "Thank you. Seeing no further discussion, Representative Zickus to close."

Zickus: "Thank you. So that you know that this legislation is supported by the Dep...This legislation is supported by the Department of Public Health and the Illinois Hospital and Health Systems Association. Together we can help prevent other tragedies as happened last year and I urge your support."

Speaker Biggert: "The question is, 'Shall Senate Bill 1327 pass?' All those in favor vote 'aye', all those opposed vote



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'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 'ayes', 0 voting 'present', 0 voting 'nay'. Representative Lang or Representative Granberg. Seeing that there is a withdrawl...Representative Granberg."

Granberg: "Thank you, Madam Speaker. We would withdraw our request for a verification."

Speaker Biggert: "Thank you. On this question there are 111 voting 'aye', 0 voting 'nay' and 0 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Second Reading of Senate Bills, Senate Bill 363. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 363. This Bill has been read a second time previously. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Biggert: "Representative Winters on Floor Amendment #1."

Winters: "Thank you, Madam Speaker, Members of the House. Amendment #1 to Senate Bill 363 allows selling junk cars by auction or private treaty and simply codifies the present practice. It is supported by the Secretary of State and all interested parties."

Speaker Biggert: "Is there any discussion on Floor Amendment #1? The Lady from Cook, Representative Schakowsky."

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

Speaker Biggert: "He indicates he will."

Schakowsky: "I'm sorry, I didn't hear a word you said, Representative. Could you repeat to me what Amendment #1 does?"

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Speaker Biggert: "Representative Winters."

Winters: "Certainly. Amendment 1 simply allows the selling of junk cars by auto companies that receive them from their insured. It allows selling those by auction or private treaty. It codifies the way that we presently are dealing with it, but according to the Secretary of State, the statutes are not written such that they should be allowed to do this."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Well, when I look at my screen at Amendment 1, it replaces 'junking or'...it deletes 'junking or'. So what is the significance of deleting 'junking or'?"

Speaker Biggert: "Ladies and Gentlemen. Proceed, Representative Winters."

Winters: "In the underlying Bill 'junking or' was originally in there. It would have not allowed that to be sold at private treaty. It would have required that it be sold at auction. This is simply expanding the market to other...other potential buyers other than are listed. The salvage vehicles would still be only by auction, but junk cars would be available to a scrap metal dealer. Adds to the potential buyers and hopefully will drive the price up a little."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "I guess what I didn't understand is I thought when I'd looked at the underlying Bill, that that's essentially what the underlying Bill does and I was confused at how this enhances the intent of the underlying Bill."

Speaker Biggert: "Representative Winters."

Winters: "This makes it much clearer, technically. It could be construed the way the original Bill was drafted, that junked or salvage cars could only be sold at auction and

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could not be sold by private treaty. By taking out the junking, these two words, it makes it clearer that salvage vehicles can only be sold by auction. Junk cars, then, would be still be available to be sold by private treaty."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "What if an individual wanted to buy a car for salvage?"

Speaker Biggert: "Representative Winters."

Winters: "If a private individual wanted to come in and buy a salvage vehicle, they would not be allowed to unless they are licensed by the Secretary of State. We're trying to make sure that we don't end up with 'chop shops' that get into this side of the market - so that we require a licensure of the bonding and make sure that this is all aboveboard."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "So the purpose would be...would be to preclude individuals and it is the underlying...underlying intent of this Bill to get at 'chop shops?' Is that what we're...what you're trying to do here?"

Speaker Biggert: "Representative Winters."

Winters: "We want to make sure that 'chop shops' don't have any additional access and we are trying to codify the present practice which allows insurance companies to sell these cars at auction."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Well, I have no further questions on the Amendment. Thank you."

Speaker Biggert: "Representative Winters."

Winters: "I would urge a positive vote on this technical Amendment."

Speaker Biggert: "Representative Hartke."

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Hartke: "I just wondered if it's time to update again? You might remind Members to, you know, move it down to download, go to the right mouse button and then push update."

Speaker Biggert: "It works well, doesn't it?"

Hartke: "Yeah, on this."

Speaker Biggert: "Okay. The question is, 'Shall Floor Amendment #1 to Senate Bill 363 be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and Floor Amendment #1 is adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments have been approved for consideration. The notes that have been requested on the Bill have been filed."

Speaker Biggert: "Mr. Clerk, on the the Order...Third Reading. On the Order of Senate Bills, Third Reading, appears Senate Bill 363. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 363, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Biggert: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Madam Speaker, Members of the House. Senate Bill 363 amends the Illinois Vehicle Code to permit the sale by auction of vehicles for which a junking or salvage certificate has been issued to licensed rebuilders, automotive parts recyclers, scrap processors or out-of-state salvage buyers. I would be happy to answer any questions."

Speaker Biggert: "Is there any discussion? And on that the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Madam Chair...Speaker. Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

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Schakowsky: "What is the difference between salvage and junk?"

Speaker Biggert: "Representative Winters."

Winters: "Rebuilt. Salvage cars are still able to be rebuilt.

Their amount of damage does not require them to be removed from the market, but a junked vehicle, for instance, might have been in a major crash, the frame bent, it may have been flooded. The damage is extensive enough that the Secretary of State will stamp on the title that this is a junked vehicle. It is then not able to go back into the marketplace regardless of how much effort is put into that vehicle. It needs to be scraped."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "I'm wondering, Representative, why there was a prohibition. I mean, maybe we should...since we're taking it away, we should understand why it was there in the first place. Maybe there was some public interest reason for it?"

Speaker Biggert: "Representative Winters."

Winters: "What was your question? I think that you're talking about taking away the 'or junking' language in the Amendment. The problem with that is that those...we felt the way it was drafted that it would have only allowed those to be sold by auction. And there also is many cases where scrap cars are sold simply to scrap dealers. They don't need to be by an open outcry auction, they can just simply do it by private treaty. I've got 20 junk cars, what'll you give me per ton? And it was felt that it was not needed, that those have to go to auction. The salvage vehicles, however, are auctioned."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "Thank you. I have no further questions."

Speaker Biggert: "All right. And any further discussion? The

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Gentleman from Effingham, Representative Hartke."

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

Speaker Biggert: "He indicates he will."

Hartke: "Representative Winters, last week we talked about recognizing various plates from other states. Has this piece of legislation put us in sync with, say, Missouri and Indiana and those states in regard to junk car titles and so forth?"

Speaker Biggert: "Representative Winters."

Winters: "I'm not aware of what their titling is, how they handle it in their states. I do know that the Secretary of State supports this and I would assume that if he had major concerns with any of the adjoining states, that he would have not...not supported this."

Speaker Biggert: "Representative Hartke."

Hartke: "Well, it's my understanding in talking to some of our salvage dealers, one particular in my area, he says that cars that have salvage certificates in Missouri can be brought over to Illinois and get a different title than they do when a salvage title is stamped salvage title or salvage vehicle here in Illinois. This clarifies that and says it's no longer a salvage vehicle when they do what they do to it?"

Speaker Biggert: "Representative Winters."

Winters: "This legislation is not addressing any concerns with across the border traffic. It really is just simply dealing with once a vehicle in Illinois has a salvage title or a junk title, how that can change hands. The present standard of operation, if you will, from the Secretary of State, is to allow auctions or to allow private treaty for junkers, but our underlying statutes do not allow auctioning of those vehicles. All we're trying to do is to

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make sure that it is in the leg...in the statutes that auctioning is permitted. But it doesn't deal...In response to your question, it doesn't change anything with how we deal with out-of-state car titles."

Speaker Biggert: "Representative Hartke."

Hartke: "I might suggest that you look into this a little further and maybe we can get together next year on some legislation because I think many of these salvage vehicles are just as good as a used car title or anything else that we do. But here in Illinois we stamp them salvage and that lowers the value for those individuals. Some of those salvage vehicles are just as good as older used cars on the road."

Speaker Biggert: "No one seeking recognition, Representative Winters to close."

Winters: "Thank you, Madam Speaker. This legislation is technical cleanup language. It codifies our present practices. I think it really is relatively noncontroversial and would appreciate affirmative votes. Thank you."

Speaker Biggert: "The question is, 'Shall Senate Bill 363 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', 1 voting 'nay' and 0 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page five of the Calendar, Senate Bill, Second Reading, appears Senate Bill 1757. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1757. This Bill has been read a second time previously. No Committee Amendments. Floor Amendment

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#1, offered by Representative Meyer, has been approved for consideration."

Speaker Biggert: "And on that Amendment, Floor Amendment #1 to Senate Bill 1757. Representative Meyer."

Meyer: "Thank you, Madam Chairman or Madam Speaker. Ladies and Gentlemen of the House, Floor Amendment #1 is pretty straightforward. It deletes the effective date on the underlying Bill. The underlying Bill is a vehicle Bill and I would just ask for your favorable consideration. Be happy to answer any questions."

Speaker Biggert: "And on that Amendment is there any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Biggert: "He indicates he will."

Granberg: "Representative Meyers (sic - Meyer), is this to be used solely as a vehicle Bill. Your Amendment makes a technical change and there is no substance to the Bill at this point?"

Speaker Biggert: "Representative Meyer."

Meyer: "Representative, that's correct."

Speaker Biggert: "Representative Granberg."

Granberg: "And is there any purpose for this Bill at the present time, Representative?"

Speaker Biggert: "Representative Meyer."

Meyer: "Well, Representative, that's a question of the underlying Bill. I'd be happy to respond to it. As part of the normal process of how we work between the House and Senate, everyone realizes, I believe, that we do pass back and forth vehicles for use as we go into the final weeks of the Session and that's the purpose of this Bill."

Speaker Biggert: "Representative Granberg."

Granberg: "Is it possible this Bill might be used to reduce our



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bonding authority so we can enhance our state's bond rating?"

Speaker Biggert: "Representative Meyer."

Meyer: "Representative, again we all understand the use of a vehicle Bill. The underlying Bill does, in fact, reduce the bonds by one dollar, but it is a vehicle Bill."

Speaker Biggert: "Representative Granberg."

Granberg: "I don't think we need a vote on this, we need a vote on Third Reading. Thank you, Representative. A question of the Chair, Madam Speaker. Are we going to vote on this, call it to Third Reading immediately after this Amendment is adopted?"

Speaker Biggert: "Representative Granberg, I believe that was our intention."

Granberg: "Well, Madam Speaker, we will not ask for a Roll Call vote and verification on this Amendment at this point, but I would ask the Chair to acknowledge me, that we will ask for a Roll Call and a verification for this Bill on Third Reading. I would ask the Chair to indulge me in this. You did not do it on the Department of Correction's Appropriation Bill. So if you would please respond and you would also make a ruling as to how many votes it will pass to...required to pass this Bill? I believe it's 60 since it's a reduction."

Speaker Biggert: "It would require 60 votes because it is a reduction, Representative."

Granberg: "Okay. And then you will acknowledge our request for a verification...a Roll Call vote and a verification?"

Speaker Biggert: "I acknowledge what you have requested. When it comes to a vote on Third Reading we will have a Roll Call vote and a verification. If it does not come now, I would...I would ask you to remind me or whoever is in the

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Chair. Representative Granberg."

Granberg: "Madam Speaker, you just indicated you're going to call this Bill on Third Reading immediately after this Amendment is adopted."

Speaker Biggert: "Representative Granberg, I said that was the intention, but intentions aren't...always come to fruition."

Granberg: "Well, I know you're very organized, so you can't tell me what you're going to do 30 seconds from now?"

Speaker Biggert: "Representative Gran...I think I've answered the question. The Gentleman from Effingham, Representative Hartke."

Hartke: "Yeah, is this the Salvage Vehicle Bill?"

Speaker Biggert: "The question is, 'Shall Floor Amendment #1'...Representative Lang."

Lang: "Thank you. Madam Speaker, since you can't guarantee us we're going to vote on this on Third Reading, we would ask for the Roll Call vote and a verification on Floor Amendment #1."

Speaker Biggert: "But Representative Granberg just said they weren't going to ask. We will proceed to...take a Roll Call vote on this Amendment and should it receive a requisite majority we will...of those voting, we will proceed with a verification. The question is, 'Shall Floor Amendment #1 to Senate Bill 1757 be adopted?' All those in favor vote 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 62 voting 'aye', 53 voting 'nay' and 0 voting 'present'. Representative Lang, do you persist in your request for a verification?"

Lang: "Well, I think so, Madam Speaker, and thank you for

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asking."

Speaker Biggert: "Very well. Mr. Clerk, read those voting in the affirmative."

Clerk McLennand: "Those Representatives who are voting in the affirmative are Representatives Ackerman, Balthis, Biggert, Biggins, Black, Bost, Brady, Churchill, Ciarlo, Clayton, Cowlshaw, Cross, Deuchler, Doody, Durkin, Goslin, Hassert, Hoeft, Hughes, Tim Johnson, Tom Johnson, John Jones, Klingler, Krause, Kubik, Lachner, Lawfer, Leitch, Lindner, Lyons, McAuliffe, Meyer, Mitchell, Moffitt, Andrea Moore, Mulligan, Maureen Murphy, Myers, Noland, O'Connor, Pankau, Parke, Pedersen, Persico, Poe, Rutherford, Ryder, Salvi, Saviano, Spangler, Stephens, Tenhouse, John Turner, Wait, Weaver, Wennlund, Winkel, Winters, Wirsing, Wojcik, Zickus, and Mr. Speaker."

Speaker Biggert: "Questions of the Affirmative Roll, Representative Lang?"

Lang: "Thank you. Representative Klingler."

Speaker Biggert: "Oh, for goodness sakes, I think Representative Klingler is in her chair as usual."

Lang: "Representative McAuliffe."

Speaker Biggert: "Representative McAuliffe is in the back of the chamber."

Lang: "Representative Salvi."

Speaker Biggert: "Representative Salvi. Is the Gentleman in the chamber?"

Lang: "Is it possible he resigned to run for another office?"

Speaker Biggert: "I don't believe so. Representative Salvi is not in the chamber at the present time. Mr. Clerk, please remove him from the roll."

Lang: "Representative Lachner."

Speaker Biggert: "Representative Lachner. Maybe he's over in the

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Senate. Representative Lachner. Is the Gentleman in the chamber? Mr. Clerk, please remove him from the roll."

Lang: "Representative Tim Johnson."

Speaker Biggert: "Representative Tim Johnson is in the back of the chamber."

Lang: "Representative Noland."

Speaker Biggert: "Representative Noland. Is Representative Noland in the chamber? Mr. Clerk, please remove Representative Noland from...please remove Representative Noland. Representative Lang, Representative Lachner has returned to the chamber. Mr. Clerk, please return him to the roll."

Lang: "Representative Roskam."

Speaker Biggert: "Representative Roskam is not voting."

Lang: "Representative Rutherford."

Speaker Biggert: "Representative Rutherford is close to his seat. Representative Lang, Representative Noland has returned to the chamber. Mr. Clerk, please restore him to the roll."

Lang: "Madam Speaker, I don't want to be too technical, but the Clerk keeps adding these names back to the board when the Clerk sees them. The Clerk should wait for the Speaker to so state."

Speaker Biggert: "Mr. Clerk!"

Lang: "This is my life, Mr. Wennlund. This is my life."

Speaker Biggert: "Representative Lang, any further inquiries?"

Lang: "No further, Madam Speaker, but we thank you for allowing us to proceed in an orderly fashion with this verification. Thank you and thank you Mr. Wennlund for your indulgence as well."

Speaker Biggert: "On this question there are 61 voting 'aye', 53 voting 'nay' and 0 voting 'present' and Floor Amendment #1, having received a majority of those voting, is adopted.

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Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. A Fiscal Note had been requested on the Bill, as amended, and has been filed."

Speaker Biggert: "Third Reading. Mr. Clerk, on the Order of Senate Bills, Third Reading, appears Senate Bill 1757. Read the Bill, please, Mr. Clerk."

Clerk McLennand: "Senate Bill #1757, a Bill for an Act that amends the Build Illinois Bond Act. Third Reading of this Senate Bill."

Speaker Biggert: "The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Bill that is before you today is a vehicle Bill that...to be used in Build Illinois Bond...Bonds. It authorizes the reduction of the bonds by one dollar. Be happy to answer questions."

Speaker Biggert: "And on that question the Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, Madam Speaker. I would request a verification on this Roll Call should it get 60 votes. Would you acknowledge that request for us, please."

Speaker Biggert: "It is so acknowledged."

Hannig: "Yes, thank you, Madam Speaker. And would the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Hannig: "Yes, Representative, when was the original underlying Build Illinois proposal passed? I'm uncertain about that."

Speaker Biggert: "Representative Meyer."

Meyer: "Well, Representative, it was before my time. So if you're uncertain, you've been here longer than I have. I'm not sure."

Speaker Biggert: "Representative Hannig."

Hannig: "Well, Representative, you're sponsoring an authorization

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Bill to deal with it. I'm just wondering. I know it was under Governor Thompson, so it's been at least five years. But in any case, how much...how much authorization is left or how much authorization has been unspent from this program?"

Speaker Biggert: "Representative Meyer."

Meyer: "Well, Representative, the current authorization is \$2,036,500,000. The Bill before you, again, is a shell Bill, it's a vehicle Bill. It's a procedural means of passing from one House to the other. The use of vehicle Bills has been used by both Republican and Democratic administrations. When your side of the aisle was in control of the House we utilized vehicle Bills. Sometimes we voted for them, sometimes we voted against them. It's a simple matter and I believe your questions are dilatory to the issue."

Speaker Biggert: "Representative Hannig."

Hannig: "Well, Representative, I'm just trying to figure out the nature of why we even need this Bill. If the Build Illinois Program is an old program that existed under Governor Thompson, what is it that we're intending to do with this? Why do we need a Build Illinois Authorization Act now?"

Speaker Biggert: "Representative Meyer."

Meyer: "Again, Representative, this Bill reduces the bonding authorization by one dollar and the Bill will be used, perhaps, later on this Session, perhaps not at all."

Speaker Biggert: "Representative Hannig."

Hannig: "Well, do you have a list of projects that remain on the Build Illinois...in the Build Illinois Program that are not funded and potentially could be funded and do you have any thoughts on which ones you would propose to be funded? I

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mean, I think those are legitimate questions to be asked as we discuss whether or not we want to borrow some additional money."

Speaker Biggert: "Representative Meyer, the question seems to have strayed from the Bill. Do you desire to respond?"

Meyer: "No, Representative...excuse me, Speaker. I think it's pretty straightforward what the purpose of this Bill is and any further questions on it are really dilatory."

Speaker Biggert: "Representative Hannig, do you have anything further?"

Hannig: "Well, I guess it's a sad day when I can't even get an answer on what the Build Illinois Program is about anymore. So the Sponsor has a Bill that he wants us to keep alive for a program that he doesn't want to tell us about, for amounts of money that he doesn't want us to know where it might be spent and whose district there still may be projects that are outstanding, and when and how it might be possible that we would even consider these programs. So it seems to me that if you were someone who was here during the Build Illinois Program and you still have a...you still have a project, you might have an interest in this. But I suspect for those of you who came after Governor Thompson, I would have to ask you, why do you want to borrow money to fund projects from the past? So I would suggest that this is just another part of the Governor's proposal and the Republican proposal to borrow and spend and borrow and spend. We can't even borrow enough money and spend enough money to fund the programs that we authorized under Governor Thompson, let alone under Governor Edgar, and so I would urge Members on both sides of the aisle, until we can get some understanding on why we even need this program anymore to vote 'no'."

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Speaker Biggert: "Representative Mautino, questions for the Bill?  
Representative Mautino, do you have any questions to the  
Bill?"

Mautino: "Yes, I do. Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Mautino: "Okay. Representative Meyer, over some of the noise in  
the chamber I wasn't able to hear a few of your responses.  
Your...this Bill, as amended, you put on the effective  
date, I believe, in the last Amendment. This reduces it by  
one dollar, the authorization. Is that correct?"

Speaker Biggert: "Representative Meyer. Ladies and Gentlemen, so  
that we don't have to keep going over the same material  
could you please come to order. Representative Meyer."

Meyer: "Thank you. Representative, the Bill is a vehicle Bill to  
be used later on in the legislative process and we're...the  
Bill itself reduces the bonding authorization by one dollar  
in it's present form."

Speaker Biggert: "Representative Mautino."

Mautino: "Do we have any idea what the Senate intends to do with  
this? Or what are your intentions with the Bill. Are you  
familiar with their plans for this legislation?"

Speaker Biggert: "Representative Meyer."

Meyer: "Representative, my intentions are to have the Bill  
receive a favorable vote to pass it back to the Senate and  
I do not have, at this point, any further information that  
I'm able to share with you."

Speaker Biggert: "Representative Mautino."

Mautino: "So we don't know if the Senate is going to look  
at...look at this. What is the amounts of authorization  
inside the Build Illinois? What's left? I know we...we  
went through this is '92 with the Emergency Budget Act and  
some of this was addressed when we looked at and raided



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other funds throughout the state. What is actually left in Build Illinois? I think that's something a lot of the Members who haven't been here that long don't know."

Speaker Biggert: "Again, Representative Meyer, they seem to be straying a bit from the Bill. Would you care to respond?"

Meyer: "Representative, I will tell you this, that the current authorization...the proposed...new level of authorization is laid out in the Bill which is on your computer. It's \$2,036,499,999."

Speaker Biggert: "Representative Mautino."

Mautino: "Is that what...is that what remains as spendable? What is left in the Build Illinois...That's the total amount of the authority. What's left that's able to be spent? What do we have left in that program for projects?"

Speaker Biggert: "Representative Meyer."

Meyer: "My response deals with the actual Bill that's before you and that's what we're acting upon."

Speaker Biggert: "Representative Mautino."

Mautino: "I understand, your Bill does nothing. I understand that. But when it goes to the Senate it will do something when it comes back. It may come back as \$500 million bond Bill. It may come back with, you know, part of a budget attached that none of us have seen including yourself or any of the Members on your side of the aisle. I just wonder when we send these Bills over to dollar, what's going to happen in the Senate. I guess that's something that all the Members, including the Members on your side of the aisle, would probably like to know. Thank you."

Speaker Biggert: "No one seeking recognition, Representative Meyer to close."

Meyer: "Thank you, Madam Speaker. I'd just ask for a favorable vote."

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Speaker Biggert: "The question is, 'Shall Senate Bill 1757 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 61 'ayes', 54 'nays', 1 voting 'present', and there has been a request for a verification. Mr. Clerk, please read the Affirmative Roll."

Clerk McLennand: "Those Representatives voting in the affirmative are Ackerman, Balthis, Biggert, Biggins, Black, Bost, Brady, Churchill, Ciarlo, Clayton, Cowlshaw, Cross, Deuchler, Doody, Durkin, Goslin, Hassert, Hoeft, Hughes, Tim Johnson, Tom Johnson, John Jones, Klingler, Krause, Kubik, Lachner, Lawfer, Leitch, Lindner, Lyons, McAuliffe, Meyer, Mitchell, Moffitt, Andrea Moore, Mulligan, Maureen Murphy, Myers, Noland, O'Connor, Pankau, Pedersen, Persico, Poe, Rutherford, Ryder, Salvi, Saviano, Spangler, Stephens, Tenhouse, John Turner, Wait, Weaver, Wennlund, Winkel, Winters, Wirsing, Wojcik, Zickus, and Mr. Speaker."

Speaker Biggert: "Questions in the Affirmative roll? Representative Hannig."

Hannig: "Yes. Is Representative Klingler on the floor?"

Speaker Biggert: "Representative Klingler is not in her chair, but she is in the center aisle."

Hannig: "Okay. Representative Wirsing?"

Speaker Biggert: "Representative Wirsing is down in the front. Representative Maureen Murphy requests leave to be verified."

Hannig: "Representative Roskam?"

Speaker Biggert: "Representative Roskam is not voting."

Hannig: "Representative Tom Johnson."

Speaker Biggert: "Representative Tom Johnson is standing at his

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chair."

Hannig: "Representative Salvi?"

Speaker Biggert: "Representative Salvi is standing by his chair."

Hannig: "I'm shocked! Representative Wennlund?"

Speaker Biggert: "Representative Wennlund."

Hannig: "No further, Madam Speaker."

Speaker Biggert: "Representative Wennlund is in the back."

Hannig: "Yes, no further, Madam Speaker."

Speaker Biggert: "Thank you. On this question there are 61 voting 'aye', 54 voting 'nay', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, messages from the Senate."

Clerk McLennand: "Madam Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following House Bills together with their Senate Amendments: House Bill #2695 together with Senate Amendments #1 and 2 and House Bill #3048 together with Senate Amendments #1 and 3, in the adoption of which I'm instructed to ask concurrence of the House. These passed the Senate, as amended, on May 16th."

Speaker Biggert: "Introduction of Resolutions, Mr. Clerk."

Clerk McLennand: "House Resolution #119, offered by Representative Hartke. House Resolution #120, offered by Representative Wojcik. House Joint Resolution #115, offered by Representative Barbara Currie. House Joint Resolution #116, offered by Representative Monique Davis. House Joint Resolution #117, 118, 119, 120, 121 and 122, offered by Representative Monique Davis. These were all referred to the Rules Committee."

Speaker Biggert: "Supplemental Calendar announcement, Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #1 is being distributed."

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Speaker Biggert: "Mr. Clerk, on House Calendar Supplemental #1 under Resolutions appears House Joint Resolution 92. And on that, Representative Meyer."

Meyer: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Joint Resolution #2 is a product of committee work in the Veteran's Affairs Committee. As you can see it has bipartisan support for the Resolution and it urges the United States Department of Veteran's Affairs to authorize veterans to receive outpatient medical services in the LaSalle/Mantino areas. Currently, there are many veterans that reside in either the facilities that are located in those two towns themselves or else in the surrounding community, and when they need to receive medical care they have to drive all the way to one of the federal facilities such as Hines Hospital in the City of Chicago. It...because of the long trips that they have to drive, they sometimes are out of their veteran's homes for a full day in order to receive the treatment they have. What we're doing here is asking the Federal Government to locate outpatient services at the two veteran's homes that were named and to better serve the veteran's populations of the state. Be happy to answer any questions."

Speaker Biggert: "Is there any discussion? And on that, Representative from Kankakee, Representative Novak."

Novak: "Thank you, Madam Speaker. I simply rise and ask my colleagues to join in this very very worthwhile Resolution. Representative Meyer and I and all the other Sponsors have worked diligently on this. I think it's a great idea that we request our United States Department of Veteran's Affairs to provide medical outpatient services to our veterans at the various veteran's home facilities that currently exist around the State of Illinois. It's

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unfortunate we don't have more veteran's homes. But I know the department, in it's long range planning process, is planning to expand beds and...or the number of beds and certain wings at facilities in the future. So, simply, it's a very sound reasonable request for the United States Department of Veteran's Affairs. Currently, in the City of Joliet in Will County the VA has an outpatient clinic downtown. It provides access to the veterans in that area there which is a growing area of the southwestern suburbs, providing a veteran's center outpatient clinic in Manteno in LaSalle County, in Quincy, in Vienna in southern Illinois, will enable veterans to cut down in their travel time cause many veterans don't even have access to transportation to get to a veteran's clinic such as in Danville or Hines or north Chicago. So this is a real simple but yet very logical and reasonable and appropriate Resolution."

Speaker Biggert: "Thank you. Any further discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker. I simply rise in support of this Resolution and proud to be one of the Sponsors as well. I've been working on this for quite some time with members of our congressional delegation and with other Members here who have...have homes, veteran's homes, within their district. I think that this is going to be a tremendous asset and I would hope that we could urge the Federal Government to move on it to set up these needed facilities."

Speaker Biggert: "Thank you. Further discussion? The Gentleman from Grundy, Representative Spangler."

Spangler: "Thank you, Madam Chairman (sic - Speaker), Ladies and Gentlemen of the House. To the Bill. This is a very

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important Bill. As a matter of fact, it's estimated that in the long run when we started allowing these veterans to be treated closer to their home town facilities there, that it's going to save money. And not only save money, but it will save the wear and tear of all these veterans that served, you know, so that we could have the freedoms that we have here. I rise in strong support for this and would encourage all my fellow colleagues to vote 'aye'. Thank you."

Speaker Biggert: "No one seeking further recognition, Representative Meyer to close."

Meyer: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I think it's important to note some of the other Sponsors on...or Cosponsors on the Bill, Representative Mautino, Black, Holbrook, and Lachner, all have participated in the development of this legislation, this Resolution. The Resolution does not require any state expenditures and the facility would be provided for...that we're asking for, would be financed through the Federal Government and through the veteran's programs that they have. I would simply ask that we have the unanimous support of the Legisla...of the House. Thank you."

Speaker Biggert: "Thank you. The Gentleman has moved for the adoption of House Joint Resolution 92. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the Resolution is adopted. Mr. Clerk, on page seven of the Calendar appears, under Resolutions, House Joint Resolution 104. Representative Stephens."

Stephens: "Thank you, Madam Speaker. House Joint Resolution 104 simply calls for the creation of a task force to study the feasibility of creating a regional airport authority in

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southwestern Illinois. That task force would be created, have seven members, one appointed by the Governor, two by each of the Speaker and President of the Senate and one by each of the Minority Leaders of the respective Houses. Chairman would be appointed by the Speaker. I move it's adoption."

Speaker Biggert: "And on that is there any discussion? The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. (sic - Madam) Speaker. Ladies and Gentlemen, on this issue I have not received one call, one contact of support from any of our regional planning organizations, either East/West Gateway or Bi-State Transit Districts or from either transit districts in either of my counties, either St. Clair or Madison. We feel that there should be a lot more local input on this and we disagree. We...I disagree and most of my colleagues in my area disagree with the makeup of this regional airport authority. And at this time I would ask the people not vote for this and people on both sides of the aisle join with us to let us locally decide what we want to do with our area down there to have...give us more input into it. Right now we feel it's a stacked deck. What's going in is about...it's going to be five Republicans and two Democrats and we all know we're from a highly Democratic area. We'd like to have our local people. I'd also require a roll...I ask that there be a Roll Call and a verification on this issue, Mr. Speak...Mrs. Speaker. Thank you."

Speaker Biggert: "Thank you. It will be so noted. The Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Hoffman: "Yes, Representative, I asked in committee whether the

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Leadership Council of Southwestern Illinois had taken any position on this or whether they are in favor of this. Has that changed? Your answer was no in committee."

Speaker Biggert: "Representative Stephens."

Stephens: "Representative, let's make sure we're talking about the same subject. This is a creation of a task force to study. It's not the creation of a regional airport authority. I think that the whole purpose is to go to those local organizations, such as the Leadership Council that you referred to, the various county officials, any and all interested parties in developing the future transportation needs as far as airports are concerned in southwestern Illinois, so that we can avoid some of the potential problems. No, I didn't go and check with the various organizations that have interest in a variety of topics in our area. That's the purpose of this Resolution is to take a task force to them to ask their...for their input. And I think that's a worthy idea. I think it's very timely and that we can prevent some future problems in airport development in a major...the second major metropolitan area in the State of Illinois."

Speaker Biggert: "Ladies and Gentlemen, please. Representative Hoffman."

Hoffman: "Yes, I just wanted to tell Members on both sides of the aisle what this is all about. In our area, and I've been extremely, extremely fortunate to work with, on a bipartisan basis, with all the Representatives in our area to build a new civilian airport which is part of a military airport at Scott Air Force Base. It's a joint use facility. There are contracts that have been signed over the years with the Federal Government and St. Clair County which says that St. Clair County has to...has to be



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responsible for the local portion of the airport. There are contracts with St. Clair County saying they have to run it. Now we have a Resolution here today that's going to allow all people from Chicago and the Chicago suburban area to make appointments as to who is going to serve on a board to determine the future of who's going to run these airports. Now I think it's ridiculous and I'm asking everybody for sure on my side of the aisle to oppose this takeover attempt, number one. Number two, I'm asking people on your side of the aisle, if you're a downstater, if you are Republican and you have any type of transportation needs, it's a terrible precedent to set, to start a task force that's going to be appointed by the Speaker of the House, the President of the Senate, the Minority Leader who is from Chicago and I don't want him appointing members - Minority Leader in the House and Senate, I don't want him...them appointing members to determine the future of our transportation systems or whether there's going to be a transportation authority in my area. So I ask you all to join me and Representative Holbrook, Representative Davis, Representative Wyvetter Younger, opposing this piece...this takeover attempt and letting Chicago and the suburban Chicago areas once again stick their nose into our downstate area where they don't belong."

Speaker Biggert: "Thank you. Further discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Madam Speaker. I believe Representative Holbrook requested a verification. Is that correct?"

Speaker Biggert: "Yes, he did and it was duly noted."

Granberg: "And you acknowledge that request, Madam Speaker? Okay, thank you. To the Bill."

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Speaker Biggert: "To the Bill."

Granberg: "To the Resolution, I'm sorry. I, too, rise in opposition. What we've seen this Session is unprecedented interference with local governmental units. Whether we're talking about a third airport in Peotone, which is disastrous to downstaters, and now in our own area downstate. When we mix and we have this interference in our local processes that could be disastrous for all of us because once it happens to one group it will happen to others. I, too, urge my Republican friends from downstate in particular to vote 'no' on this. If you vote 'yes' you will once again be siding with your suburban leadership, you'll be voting against downstate Illinois, much like the school aid formula, much like all these other votes that have come before us in this chamber. If you vote with your leadership you'll be voting against your constituents and your downstate districts. We don't want interference from suburban interests in downstate on how to run our airport. We've worked together on this for many years, bipartisan, regional cooperation and it has succeeded. Why would we jeopardize this enterprise now? So I would ask Representative Jones, Representative Bost and others, be careful how you vote on this measure because this will come back in the campaign. This is an issue that affects all of us downstate. So we have asked you before, join with us on a bipartisan basis. Work for downstate. Put the interest of downstate above your suburban leadership and vote 'no' on this Resolution."

Speaker Biggert: "Is there further discussion? The Gentleman from Madison, Representative Davis."

Davis, S.: "Thank you, Speaker. Would the Sponsor yield?"

Speaker Biggert: "He indicates he will."

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Davis, S.: "Representative, can you give us an overview as to exactly why you feel that we need this task force at this time in our region?"

Speaker Biggert: "Representative Stephens."

Stephens: "Representative Davis, I don't know if you know this, but many...many people don't recognize that southwestern Illinois is the second largest populated area in the State of Illinois. The second largest populated. I think that it is appropriate that as a legislative body we take a moment. In spite of all of the protestations that I've heard, all we are doing is studying an issue that is really going to be one of the major issues of the 21st century and that is air traffic, transportation needs and the airports associated with them. We simply want to properly plan for the future. The...it seems to me that it's the appropriate thing to do."

Speaker Biggert: "Representative Davis."

Davis, S.: "Yes, the task force that you're wanting to create, is there any provisions in there that would require that members on that task force would be from our region?"

Speaker Biggert: "Representative Stephens."

Stephens: "The Resolution's very straightforward in relation to that and it just simply gives the Speaker two appointments, the President of the Senate two appointments, your side of the aisle an appointment, the Democrats in the Senate an appointment, the Governor, who represents the entire state, two appointments. And I would hope that anyone interested and I will help anyone interested in serving on this task force to receive one of those appointments. I would hope that the people of our area, and I've already been contacted by several who have expressed an interest, that they would welcome the opportunity simply to openly discuss

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the future of airport ownership, development and operations in our area, the purpose of which...I mean, unless you have something to hide, why would you oppose long term planning discussion of very important transportation issue of the next century. I didn't think we would wind up with opposition and now I'm wondering...You know, to me on the surface, I think, well, 'gee manently', do you have something that you don't want discussed openly in the public. And remember, this didn't come from any leadership on any side of the aisle. I happen to have been born in East St. Louis, raised in the City of Caseyville in St. Clair County. I now reside in Madison County. That is southwestern Illinois. It is my home and I am the Sponsor and that's the genesis of this. It's my concern for the future generations and how they're going to be impacted by air transportation issues."

Speaker Biggert: "Representative Davis."

Davis, S.: "Representative, we don't have anything to hide and we're certainly not trying to hide anything. My main concern is this. We have local control of our airports right now. In Bethalto, my city, we have the regional...the St. Louis Regional Airport Authority and the members are appointed by the various mayors who are in the airport authority district and appointed by the county board chairman. That airport's been in existence since 1947. They've done an excellent job of expansion. They continue to expand, they continue to meet the local needs through that airport authority. The Madison County Transit District has been in existence for a very long time. They have recently purchased an airport and I have complete faith in the Madison County Transit District and their leadership. Scott Air Force Base has been talked about,

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the Regional Commerce and Growth Association has talked about air transportation openly for the last 20 years. They've talked about our regional transportation needs including air traffic for the last 20 years. They're an excellent planning organization. I think that our local people are much more qualified to discuss this than any state task force is. I have a big problem whenever we have to bring the State of Illinois down into southwestern Illinois and tell us how to run our business. We're not trying to hide anything. Our books are open. All of the transportation organizations' books are open. It's there for public discussion and public scrutiny and I would urge all of my Members on the floor to please vote 'no' on this. It's another waste of the taxpayers money in the State of Illinois. Thank you."

Speaker Biggert: "There being no further discussion, Representative Stephens to close."

Stephens: "Well, once again my friends on the other side of the aisle have tried to portray this...my friends on the other side of the aisle have tried to portray this for something that it is not. There is nothing about control from Chicago or any other part of the region of the state. As a matter of fact, this is simply a task force and what we want to do is to hear from the various entities that you refer to and others, the citizens that they affect. This is indeed a great downstate issue. I'm surprised that my colleagues on the other side of the aisle don't want to join with us on this side of the aisle that believe that we ought to listen to local authorities. We ought to be going out and reaching out in every way that we can to see how we can assist them and that's the purpose here. There is absolutely no power or control in this task force. It is

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simply for the purpose of gathering information. Now the only reason you would be opposed to gathering information is if you had something to hide. I don't think Republicans stand on this side of the aisle for hiding anything and that's why we rise in support. This is a common sense measure talking about economic development and transportation issues in the 21st century. We can either plan it or we can let it happen to us. I prefer to plan it and that's why I want to go back to southwestern Illinois with Representatives who will listen to the concerns and needs of that part of...that region of the state and give them what is their due."

Speaker Biggert: "The Gentleman has moved the adoption of House Joint Resolution 104. All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question there are 60 voting 'aye', 55 voting 'nay' and 0 voting 'present'. Representative Holbrook has asked for a verification. Representative Holbrook."

Holbrook: "Thank you, Mr. (sic-Madam) Speaker."

Speaker Biggert: "Mr. Clerk...Mr. Clerk, please read the affirmative vote."

Clerk McLennand: "Those Representatives voting in the affirmative are Ackerman, Balthis, Biggert, Biggins, Black, Bost, Brady, Churchill, Ciarlo, Clayton, Cowlshaw, Cross, Deuchler, Doody, Durkin, Goslin, Hartke, Hassert, Hoeft, Hughes, Tim Johnson, Tom Johnson, John Jones, Klingler, Krause, Kubik, Lachner, Lawfer, Leitch, Lindner, McAuliffe, Meyer, Moffitt, Andrea Moore, Mulligan, Myers, Noland, O'Connor, Pankau, Parke, Pedersen, Persico, Poe, Rutherford, Ryder, Salvi, Saviano, Skinner, Spangler, Stephens, Tenhouse, John Turner, Wait, Weaver, Wennlund,

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Winkel, Winters, Wirsing, Wojcik, and Mr. Speaker."

Speaker Biggert: "Representative Holbrook, Representative Krause requests to be verified. Representative Holbrook."

Holbrook: "Representative Klingler."

Speaker Biggert: "Questions of the those in the affirmative."

Holbrook: "Representative Klingler."

Speaker Biggert: "Representative Klingler is in her chair."

Holbrook: "Representative Lyons."

Speaker Biggert: "Representative Lyons is not voting. Representative Meyer requests leave to be verified."

Holbrook: "Fine, Jim. Representative Bost."

Speaker Biggert: "Representative Bost is in his chair."

Holbrook: "Okay. Representative Durkin."

Speaker Biggert: "Representative Durkin is in his chair."

Holbrook: "Okay. Representative Moffitt."

Speaker Biggert: "Representative Moffitt is in his chair."

Holbrook: "Okay. Representative John Jones."

Speaker Biggert: "Representative John Jones is standing by his chair."

Holbrook: "Okay. All right. Representative Wait."

Speaker Biggert: "Representative Wait. Representative Wait is talking to Representative Moffitt."

Holbrook: "I have an inquiry of the Chair. Does this take 60 votes to pass? I ask the Parliamentarian."

Speaker Biggert: "It takes more voting 'yes' than voting 'no'. Just a majority of those voting."

Holbrook: "Majority of those voting. Could you cite the rule?"

Speaker Biggert: "While we're waiting for... Representative Black requests to be verified. And Representative Tim Johnson. And Representative Verna Clayton. The...This Resolution does not call for the expenditure of state funds. The task force members serve without compensation; therefore, under

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Robert's Rules, this is a Motion requiring a majority of those voting. Representative Holbrook."

Holbrook: "Yea, Representative Hartke."

Speaker Biggert: "Representative Hartke. He seems to have disappeared, Representative Holbrook. Mr. Clerk, take him from the Roll."

Holbrook: "Representative Lindner, is she not voting? Voting yes?"

Speaker Biggert: "Representative Lindner. Is Representative Lindner in the chamber? Mr. Clerk, remove Representative Lindner from the Roll."

Holbrook: "Representative Mitchell."

Speaker Biggert: "Representative Mitchell. Is Representative Mitchell in the chamber? Representative Mitchell. Mr. Clerk, remove Representative Mitchell from the Chair (sic - Roll)."

Holbrook: "We withdraw that one. Representative Cross."

Speaker Biggert: "Representative Cross. Representative Holbrook, Representative Lindner has returned. Please restore Representative Lindner to the Roll, Mr. Clerk."

Holbrook: "No further questions, Mrs. (sic-Madam) Speaker. Thank you for that recognition on that Roll Call. Thank you - and verification."

Speaker Biggert: "On this question, there are 59 voting 'aye', 55 voting 'nay' and 0 voting 'present' and this Resolution, having been approved by majority of those voting, is hereby adopted. The Gentleman from DuPage, Speaker Daniels is recognized."

Speaker Daniels: "Madam Speaker, Ladies and Gentlemen of the House, once a year I have the privilege of having my eldest daughter visit. She is a resident of Bethshan, the adult care facility in Palos Heights, and she joins us today as



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my guest, and I would ask that you just say hello to her, and she would like to say a few words to you, if you don't mind. This is Laurie Daniels, my eldest daughter."

Speaker Biggert: "Laurie Daniels is recognized."

Laurie Daniels: "Hi, thank you for letting me come. And you are doing a good job. And everything that all of those people on the buses and we need to have seat belts. George Ryan is good. And thank you for everything and have a good day."

Speaker Daniels: "Laurie is my eldest child. She suffered brain damage shortly after birth. She is 31 years old and she is, as many of you know and have met her, an inspiration and delight. Let me just say that she lives at Bethshan, which is an adult care facility in Palos Heights. We are joined by Joe Lanenga, who runs the Bethshan organization. And for adults like Laurie that have an opportunity to excel and to meet the challenges, everyday challenge, but also to excel and to meet their highest potential. Organizations such as Bethshan and what we as a state do for the handicapped people of this state, that is giving them and affording them the opportunity to develop the maximum of their potential. Laurie is an example of what you all, over the years, have been doing for the disabled in Illinois, and she is always grateful for that. What she said to you was that seat belts are important in buses, so you all know that, because she listened intently to the discussion and the debate and was very concerned about that and then told you that George Ryan is good. George has managed to provide license plates for all of their wheel chairs, so they can zoom around the State of Illinois. And in closing, let me just tell you that Laurie won two gold medals in the Special Olympics. One for wheel chair

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racing, because she has an extra fast one and the other for softball. So, thank you very much for listening to Laurie."

Speaker Biggert: "The House could very much use her on our softball team. We will keep that in mind for next year. Mr. Clerk, introduction of Resolutions."

Clerk McLennand: "House Resolution #121, offered by Speaker Daniels, was referred to the Rules Committee. Messages from the Senate, Mr. Spea...Madam Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills, together with their Senate Amendments: House Bill #22, together with Senate Amendments #3 and 4; House Bill #548, together with Senate Amendments #1, 2, 3 and 4; House Bill #1249, together with Senate Amendments #1, 2, 3, 4, 6, 7, 8, 9 and 10; House Bill #2230, together with Senate Amendments #2 and 3; House Bill #2294, together with Senate Amendments #1 and 3; House Bill #2529, together with Senate Amendments #1 and 2; House Bill #3057, together with Senate Amendment #1 - in the concurrence of which and the adoption of which I'm instructed to ask for concurrence of the House. Passed the Senate as amended May 16, 1996."

Speaker Biggert: "The Representative from Cook, Representative Doody, for what purpose do you rise?"

Doody: "Madam Speaker, as a point of privilege, I'd like to introduce in the gallery, the entire gallery, 200 plus the entire eighth grade from James Hart Junior High School in Homewood. Welcome. Thank you, Madam Speaker."

Speaker Biggert: "Thank you, Representative. We thought that it was the entire state. Welcome, all of you. We're joined today by the Athens High School F.F.A., the winning 1996 State F.F.A. Meat Judging Competition. With them is Mr.

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Terry Brown, the F.F.A. Advisor Coach. The Athens High School team is the guest of Representative Poe. Please join me in welcoming them."

Speaker Wojcik: "Representative Wojcik in the Chair. On page 4 appears Senate Bill 643. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #643, the Bill's been read a second time previously. Floor Amendment #1... Floor Amendment #1, offered by Representative Hughes, has been approved for consideration."

Speaker Wojcik: "Representative Hughes, do you wish to proceed with Floor Amendment #1 or do you wish to proceed with Floor Amendment #2 on its own?"

Hughes: "I wish to withdraw Floor Amendment #1 and proceed with Floor Amendment #2."

Speaker Wojcik: "With leave of the House, Floor Amendment #1 is withdrawn."

Clerk McLennand: "Floor Amendment #2, offered by Representative Hughes, is approved for consideration."

Speaker Wojcik: "Representative Hughes, on Floor Amendment #2."

Hughes: "Thank you, Madam Speaker. Floor Amendment #2 amends the Nursing Home Care Act by removing the mandated prescreening for parties entering long term care facilities. And this Amendment has the technical corrections that we're missing in Amendment #1, which was discussed in Health and Human Services yesterday."

Speaker Wojcik: "You've heard the Lady's Motion. And on that, is there any discussion? The Lady from Cook, Representative Schakowsky, is recognized."

Schakowsky: "Thank you, Madam Speaker. I want to talk to the...to this Amendment and want to urge everyone in this House to oppose this Amendment - and here's why. Right now, the majority of people who enter nursing homes convert

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and become Medicaid recipients at a tremendous cost to the State of Illinois. Secondly, most people would prefer to stay in their homes, rather than go to nursing homes, and very often are unaware of that option. The universal prescreening, which this state adopted last year, was intended to address both these issues. That is, to save the state significant dollars in Medicaid expenditures and to make sure that the elderly in this state were aware of their options, which might be home care, home delivered meals, an array of options in the community that preclude their having to go - or thinking they have to go - to a nursing home. This is a measure that is widely supported by the elderly in the state. The AARP is for it, as well as home care providers, as well as advocates for the elderly and for persons with disabilities. This is a Bill that is not in any way government coercion. This is a Bill that will explain to people at a critical moment in their lives what the options are. This is a Bill that middle-class families, middle-class seniors really need. How often do you as Legislators get people calling your office, 'What am I going to do with Mom? What am I going to do with Dad? What am I going to do to avoid going to a nursing home?' That was the purpose of this Bill. At an eleventh hour effort that benefits nobody, except for the nursing home industry. These are the only beneficiaries of this Bill, because it will make sure that more people go into nursing homes. They're for this Amendment. We should be siding with the elderly in this state, with persons with disabilities who want to stay in their homes, or at least, have the information to make an intelligent decision. We pay as a state for 65% of the nursing home bills. We are talking about millions, even perhaps over a billion dollars

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worth of bills that go to, well over a billion dollars, that go to nursing homes in this state. We want to have universal prescreening, so that we can help the elderly do what they want to do, so that we can save money as a state. It makes no sense at all, no sense at all, to vote 'yes' on this Amendment. Now, if we want at some time to evaluate the universal prescreening after it's been in effect, which in fact is part of the current legislation, to evaluate, let's do that. And if we want to do it better, fine. But this is not the time when we're trying to save money on Medicaid, on health care costs, to do away with the one mechanism that will guarantee that we are able to save money and to give seniors the tools that they want and the tools that they need. I am sure if you check your messages that you are getting phone calls, frantic phone calls, because nobody knew about this end run to do away with a wonderful mechanism to save money and help seniors. I urge all of you at this time to vote 'no' on Floor Amendment #2."

Speaker Wojcik: "Is there any further discussion? The Lady from Cook, Representative Mulligan, is recognized."

Mulligan: "Thank you, Madam Speaker. I, too, agree that this is a rush for something that was put in the press that would make seniors panic that we're invading their privacy. I think to the contrary. This is something that would aid them before they have spent their money to go into a nursing home and would certainly put out their options, something that we've tried to do for awhile. Anyone that has seen what has happened in the past year, the proposals that are coming out of Washington and what will happen with Medicaid dollars know that those Medicaid dollars are going to be less and the burden increases on the state. Of our

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budget, which is somewhere in the neighborhood of \$36 billion, 18% of it goes to long term care and Medicaid. Of that 18%, 2/3 are poor people who spend only 1/3 of that. The other 1/3 are the elderly and disabled, who spend 2/3 of our Medicaid dollar. The object of the prescreening is to let them know what their options are, that may stay in their homes longer, that they do things that seniors would probably prefer, rather than to enter a nursing home. How many of us have heard a parent or a friend or a relative say, 'The last thing I want to do is go to a nursing home.' If we eliminate this and we pass this Amendment, what happens is the first time we get to talk to them is when they're already Medicaid eligible and it may be too late to assist them in not going into a nursing home and providing them with other options. Many of our senior centers and many of the people that are gearing up to do this prescreening offer a comprehensive service of telling people what's available for them to stay in their home. If the ability to get Meals On Wheels or a personal attendant or move to a mid-level care facility are there, then they can have those options long before they reach the dollars. I think that it has been overcharacterized both in the press as something that is an invasion of privacy when it...within one or two questions, you can eliminate that, if you do not care to participate. And if you would talk to one of the major newspapers, who I...as I have before over the summer from their Editorial Board, they agree that we have a problem with the spend down and the giving away of assets in Illinois that we do not address. And while the Editorial Board agrees with that, they turn around in one of their financial aids sections and put out a sheet on financial planning on how you can do just this, divest

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yourself of your assets. This particular problem is creating a Medicaid crunch here in Illinois and it's very difficult for us to address that. Instead, we look for a better way that is easier to deal with. Those of us that are...our relatives may soon be us, and that is to prescreen and to show people the options that they have, not to enter a nursing home. This Bill will eliminate a problem, will eliminate a solution to a problem that we've talked about and has been on the books, is going into effect July 1st for over a year. I think that it is a very good idea to personally get at senior citizens and talk to them when they still have the money available to avail themselves of the many options there are prior to entering a nursing home, or make them aware of the fact that in some instances their disability may not make them eligible for Medicaid after they've already spent those assets, and it's too late to avail themselves of other options. I think we're rushing to this because of a few newspaper articles and maybe a radio show that seems to say that we are getting into people's privacy. I think it had better be put to a discussion of how we can do this in maybe a little different way, but I think it is a good solution to a problem that is also very compassionate, very helpful to seniors and will save the state a lot of money in the long run, besides being a very, very compassionate solution for things that they need. I also would urge either a 'no' or a 'present' vote on this. I do not think it is a good idea, and I think we need to examine it very carefully. The long term savings is much, much greater than the small cost of this prescreening, which should have been available to people for years, and we have not offered it."

Speaker Wojcik: "Is there any further discussion? The Gentleman

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from Cook, Representative Lang, is recognized."

Lang: "Thank you. I rise to agree with my colleagues, Representative Schakowsky and Mulligan in their opposition to this Amendment. I would add that Representative Mulligan has asked you to vote 'no' or 'present'. This is...this is an Amendment, so a 'present' vote doesn't help. So, if you're opposed to this, vote 'no'. And Madam Speaker, we would request a Roll Call vote on this. I'm joined by many of my colleagues for a Roll Call vote and we would ask for a verification as well."

Speaker Wojcik: "Any further discussion? The Gentleman from Will, Representative Wennlund. Did you wish... okay. Any further discussion? The Gentleman from Effingham, Representative Hartke."

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

Speaker Wojcik: "She indicates she will."

Hartke: "Representative Hughes, I think I understand what you're trying to do here. Could you tell me, will this program that is to go into effect July 1st, has that been done in any other states?"

Speaker Wojcik: "Representative Hughes."

Hughes: "I believe it is."

Speaker Wojcik: "Representative Hartke."

Hartke: "Is that program proved to be cost effective in those other states?"

Speaker Wojcik: "Representative Hughes."

Hughes: "I have heard reports both ways. Some say it is, some say it is not."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, it's my understanding that the program that's to go into effect July 1st would require senior citizens and those who seek to enter nursing homes would submit



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themselves to an interview to determine what those individuals' options are, and not necessarily requiring them to go to a nursing home or to not go to a nursing home, but to allow them to seek out all the options that are available. Is that correct?"

Speaker Wojcik: "Representative Hughes."

Hughes: "It would require, yes, an interview prescreening for all private paying individuals - for all individuals - irrespective of need to be undertaken prior to admission to a long term care facility."

Speaker Wojcik: "Representative Hartke."

Hartke: "Yes, and this interview would take place with that individual or a guardian. What does the law specifically say?"

Speaker Wojcik: "Representative Hughes."

Hughes: "That would be subject to rule-making."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, if this law is to go into effect July 1st, those rule-making issues should be before JCAR at this time, so that we could implement that law on the designated date. Is that correct?"

Speaker Wojcik: "Representative Hughes."

Hughes: "My understanding is that there are negotiations for the rule-making on this issue."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, I don't know, but I think I stand here in opposition to this Floor Amendment simply because it makes that information available to those individuals. And I've heard a couple speakers out here say that, and I know it's the case in my family, that that's the last thing that my parents want to do. I mean their last absolute option that they want to do, and that is to go to a nursing home. I'm

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sure that would be the opinion of most of us for our parents if they're still alive or even ourselves in that situation. So I'm not sure that we should not allow this law to go into effect to see what happens. You know we could always repeal that law at a later date and so forth. One, it would make all the options available through this requirement that they have this interview. And number two, it could save the State of Illinois some money. Now I know that the long-term care is probably opposed to the law that's going to go into effect, but I think they've got to see our side, too. We're trying to be as cost effective as the State of Illinois and provide those nursing home facilities and available beds to those who have no other option that's available, but without that knowledge of the other options, they don't have a choice or they don't know a choice. So I think maybe we ought to let that law go into effect and see if it does work, so I reluctantly, I'll have to stand in opposition to the Sponsor's Floor Amendment #2."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative Kubik, is recognized."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support to Representative Hughes' Amendment. It seems to me that what we're talking about here are people who are involved in private pay nursing homes. I know I've got a number of private pay nursing homes in my district that accept no...no government funds. As a matter of fact, they have instances where they have life-care contracts with their people and others pick up the tab. So the government, we the taxpayers don't pay for those folks. They do it themselves. And so what we're saying to these people are that you've got to go through

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this governmental bureaucracy and prescreening process in order to do something that you wish to do with your own money. And frankly, I don't think that's a good idea. I think that if there are Medicaid or governmental dollars involved, then they ought to go to a prescreening process. But this is a system, Representative Hughes, all Representative Hughes is saying is that if you are using your own money, your own private funds, and you're going into a private pay nursing home, you ought to have...you shouldn't be required to go through this process. I think that's only common sense. I think that makes a lot of...it makes good sense for us, and I would support the Lady's Motion on Floor Amendment #2."

Speaker Wojcik: "Is there any further discussion? The Lady from Kane, Representative Lindner, is recognized."

Lindner: "Thank you, Madam Chairman (sic - Speaker). Will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Lindner: "I don't know how I'm going to vote on this yet. I'm listening very carefully to the debate, but can you tell me exactly how this works when a person who has money and wants to put a senior citizen into a nursing home, what procedure would they exactly have to go through? Does the person have to appear, him or herself? Are there forms that have to be filled out? Where does the person go? How much time does it take? Is this an invasion of privacy or if they are asked if they make over a certain amount a year, then do they not have to fill anything out? Could you tell me exactly what the procedure would be?"

Speaker Wojcik: "Representative Hughes."

Hughes: "As I stated before, the rules are in the process of being formulated. It is anticipated that these interviews

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would be approximately one-half hour, conducted by either through contract by DORS or the Department of Aging. They would inquire as to an income level. That question would not have to be answered, and then the interview would go on from there."

Speaker Wojcik: "Representative Lindner."

Lindner: "Does this mean that if a person is in a town where there is not a branch of one of these agencies, where would they have to travel or does some one come to their home? If the person is infirm, does the person have to go him or herself?"

Speaker Wojcik: "Representative Hughes."

Hughes: "I can't answer all of that again, because all of the rules aren't in place. For those that would be moving from a hospital setting to a long-term care facility, I presume that interview would be taking place, and believe that is the intent, would be taking place at the hospital, rather than at the residence. As to those who would not be in a facility prior to the long term care facility, I cannot answer that."

Speaker Wojcik: "Representative Lindner."

Lindner: "But I guess then if someone wanted to put their relative in a nursing home, and went to that nursing home, the nursing home would advise them that they couldn't come there until they went through this government process. Is that correct?"

Speaker Wojcik: "Representative Hughes."

Hughes: "Yes."

Speaker Wojcik: "Representative Lindner."

Lindner: "Thank you."

Speaker Wojcik: "Any further discussion? The Gentleman from Kankakee, Representative Novak, is recognized."

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

Speaker Wojcik: "She indicates she will."

Novak: "Representative, if I understand it, are you just taking out the part of the rule-making or the Bill that relates to private pay facilities. Is that it?"

Speaker Wojcik: "Representative Hughes."

Hughes: "Madam Speaker, I would like to take this Bill out of the record for the moment."

Speaker Wojcik: "At the Sponsor's request, the Bill will be taken out of the record. Mr. Clerk, on page 6 of the Calendar appears Senate Bill 1814. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1814, the Bill's been read a second time previously. No Committee Amendments, no Floor Amendments. Fiscal Notes, State Mandates Note have been requested and filed."

Speaker Wojcik: "Third Reading. Mr. Clerk, on the Order of Senate Bill - Third Reading appears Senate Bill 1314...1814. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1814, a Bill for an Act concerning the conveyance of land. Third Reading of this Senate Bill."

Speaker Wojcik: "The Gentleman from Cook, Representative Saviano, is recognized."

Saviano: "Thank you, Madam Speaker, Members of the House. Senate Bill 1815 facilitates a land transfer from the Department of Natural Resources to the Museum of Contemporary Art in Chicago. This is enabling legislation for this transfer to occur. It passed out of the...out of Committee unanimously and I would ask for a favorable vote."

Speaker Wojcik: "And on that, is there any discussion? The Gentleman from Cook, Representative Lang, is recognized."

Lang: "Madam Speaker, I rise in support of this, but I would

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yield my time to Representative Erwin."

Speaker Wojcik: "Representative Erwin."

Erwin: "Thank you, Madam Speaker. That will, I'm sure, be the first and possibly, but thank you, Representative. I appreciate that. I rise in strong support of Senate Bill 1814. This is an opportunity for the Museum of Contemporary Art in Chicago to be able to own the land that the state has been leasing to them for \$1 a year for 99 years. It so happens that the Museum of Contemporary Art is not one of the museums in the parks, as the Chicago Art Institute, the Chicago Historical Society and the other museums in the parks do receive a subsidy from property taxes in the City of Chicago. As I know many of you know, the funding for the arts has been reduced both at the national level and at the state level. I think this is a good opportunity for them to be able to leverage a little bit of additional dollars that they can certainly use for a great institution that will...a new museum that will be opening in July. So I certainly urge an 'aye' vote. Thank you."

Speaker Wojcik: "With no one seeking recognition, Representative Saviano, to close."

Saviano: "Thank you, Madam Speaker. I appreciate a big vote on this."

Speaker Wojcik: "The question is, 'Shall Senate Bill 1814 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 'ayes', 10 'nays', 0 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk,

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introductions."

Clerk McLennand: "House Resolution #122, offered by Representative O'Connor, referred to the Rules Committee."

Speaker Wojcik: "We would like to extend welcome to 60 nurses, who are representing the Illinois Organization of Nurse Leaders and the Illinois Council of Nurse Managers. They are holding their mid-year meeting in Springfield today and they are guests of Representative Krause. Mr. Clerk, Committee Announcements."

Clerk McLennand: "The Rules Committee will meet at 2:30 in the Majority Leader's Office. Rules Committee will meet at 2:30 in the Majority Leader's Office."

Speaker Wojcik: "For what purpose does the Gentleman from Fulton, Mr. Smith, rise? You're just being funny. Would you like to speak, Mr. Smith? Are you going to Washington or something?"

Speaker Daniels: "Speaker Daniels in the Chair. We're joined in the gallery by members of the Beardstown Ladies Group. They are the guests of Representative Myers, in the rear of the chamber. Please welcome them to Springfield. You may know the Ladies of Beardstown, because they have been highlighted in national news. I personally have watched you on national news, and I've been following your investment plan. I'm not as successful as you are, but they've written two articles or publ...two best-selling books on investment strategy. So, Members of the House, you might talk to them. They could give you a lot of advice. And thank you very much for joining us, Ladies, and the good work you do. The Rules Committee is to meet at 2:30 in the Majority Leader's Office. I have several announcements that I'd like to make. The House Republican Caucus will meet immediately in Room 114. The House will

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reconvene at the hour of 3:30, and I have an announcement to make on the rest of the Session schedule. We will work today and we will work tomorrow and be prepared to work potentially late tomorrow. We will then adjourn until Monday at 10:00 a.m., so we'll start working on Monday at 10:00 a.m. You are to return to start work and pack for the rest of the time. We'll stay in Session till we conclude our work. So, we'll once again, we will be out of Session Saturday and Sunday. Return Monday at 10:00. So when you come back on Monday, just be prepared to stay until we conclude our work, which we have targeted for Wednesday, but you never know around this place, so be prepared to stay as long as necessary. So the House will now stand in recess until 3:30 p.m. There will be an immediate Republican Caucus in 114 and Rules Committee is meeting in the Majority Leader's Office at 2:30. Representative Brunsvold, there is no Democrat Caucus. There is no Democrat Caucus. Alright, thank you. Attention Members of the House of Representatives, the House will delay reconvening until 4:00 p.m."

Speaker Johnson, Tim: "The House will come to order. House will come to order. Representative Johnson in the Chair. Members will please be in their chair. Will all unauthorized personnel please remove themselves forthwith from the House Chamber. Committee...Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on May 16, 1996, reported the same back 'do approve for consideration' to the House floor: House Resolutions #121 and 122, House Joint Resolution #114, approved for



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consideration Floor Amendments #2 to Senate Bill 1363, Floor Amendment #3 to Senate Bill 1390, Floor Amendment #4 to Senate Bill 1669 and Conference Committee Report #2 to Senate Bill #1140; approved for consideration Motions to Concur in Senate Amendment #1 to House Joint Resolution #85, Senate Amendment #1 to House Bill 2250 and Senate Amendments #1, 2 and 3 to House Bill 2664."

Speaker Johnson, Tim: "Supplemental Calendar announcements, Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Lang, for what purpose do you rise? Please give Mr. Lang your attention."

Lang: "Thank you, Mr. Speaker. This morning we were suppose to convene at 10:00 a.m. At five minutes to 10, I was sitting at my office and I heard a very clear announcement, that the House will convene in five minutes. We came to the floor and we didn't convene for many, many, many more than five minutes. And we adjourned earlier, we were supposed to be back at 3:30. Then there was an announcement we were supposed to be back at four o'clock, and it's now 4:41 and now we're convening. And I'm going to ask the same question I asked yesterday, Mr. Speaker. Are these times that we're given, times we can count on or should we just consider them to be estimates?"

Speaker Johnson, Tim: "The Gentleman from Madison, Representative Stephens, for what purpose do you rise?"

Stephens: "The Gentleman from Cook is starting to suffer from delusions. Probably suffered some secondary to the softball game last night. He played his heart out. He obviously has some sort of fascination with the clock. Time marches on, Representative. There are only so many

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minutes in a day, and we promise, we will not overwork you.

And we also hope that you'll play better next year."

Speaker Johnson, Tim: "The Gentleman from Effingham, Representative Hartke, for what purpose do you rise?"

Hartke: "Well, I have an inquiry of the Clerk."

Speaker Johnson, Tim: "State your inquiry."

Hartke: "Well, I just updated my handy, dandy computer here and looking down the list of the Bills and Resolutions I introduced this morning to the Clerk, House Resolution...they gave me a number 119. And I see that 118 is on my computer and 121 and 122. I was wondering if you lost it somewhere, because I don't see 119 or 120?"

Speaker Johnson, Tim: "Representative Hartke, we're looking into that. In any event, the Resolutions are still in the Rules Committee. Proceeding to the Order of Supplemental Calendar #1 on the Order of Concurrence appears HJR 85. And on that, the Chair recognizes the Gentleman from Washington, Representative Deering. Proceed, Sir."

Deering: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 on HJR #85. The only thing the Resolution does is changes the reporting date from, I believe August 1, 1996 to January 1, 1997."

Speaker Johnson, Tim: "On the Motion to concur, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Johnson, Tim: "Indicates he will."

Black: "Representative, I thought you promised me I could be on this Resolution with you. Have you forgotten?"

Speaker Johnson, Tim: "Representative Deering."

Deering: "I did, Representative, but I'll be more than happy to

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add your name as a Chief Sponsor."

Black: "Thank you very much. You're a Gentleman and a scholar and there are very few left."

Speaker Johnson, Tim: "The Gentleman from Washington has moved that the House concur with Senate Amendment #1 to HJR 85. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no' or 'present' and the House does concur in Senate Amendment #1 to HJR85 and the House does adopt HJR 85. Mr. Clerk, on the...on Supplemental Calendar #2 under the Order of Resolutions appears HJR 114. And on that, the Chair recognizes the Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker, Members of the House. HJR 114 calls for a commission to examine the various alternatives to ad valorem property taxes for the funding of schools in Illinois, and I would urge its adoption. It would be composed of six Members of the Senate, six Members of the House. This is the legislative response to the Ikenberry Report."

Speaker Johnson, Tim: "On the Resolution, the Chair recognizes...and if we could please give the Gentleman your attention, the Gentleman from Clinton, Representative Granberg, proceed."

Granberg: "Will the Gentleman yield?"

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

Granberg: "Representative Winters, this sounds like a very novel idea. Sounds like a very novel idea. We've never done this before. How many tasks force have we had or how many

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commissions on funding education? Do you know?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "You know I do not. I..."

Speaker Johnson, Tim: "Please give the Gentleman your attention.  
Proceed."

Winters: "I do not know how many we've had. This is the first  
one that I've sponsored."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So, we're going to study this again, because well,  
let's put it this way. Were you in favor of the Governor's  
Blue Ribbon Panel recommendation?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I don't know what this is waving in front of me here,  
but I think that at least one Member on our side was in  
favor of that."

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

Granberg: "Well, were you not in favor of the Governor's  
proposal?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I thought the Governor's proposal needed additional  
work, and that is the genesis of this commission. It lacks  
legislative input, and this obviously will be heavily  
weighted towards the legislative input. We're the ones  
that have to pass the legislation to put it into effect,  
and that's the reason for this commission - is to come back  
to this next General Assembly with a definite plan. They  
would be studying through this summer and come back next  
year when we have plenty of time in the next General  
Assembly and to work on this and get it off dead center."

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

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Granberg: "Are these members going to be serving voluntarily? Are they going to be paid? Is there any staff that's going to be utilized? Any expenses? What's going to be entailed in this new idea?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I would assume that there would be per diems, but we already are paid. Staff would be working on this issue anyway, but possibly with a little bit more focus with a commission driving them to come up with a final solution."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Where would these staff come from?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "They would come from the Representative's District Office from the staff that's already on line. I assume that we would have a liaison from the Department of Revenue, other people as needed. But, all people who would be on staff already."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So we're going to use our District Office personnel to draft this report. Is that what you're saying?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I have a wonderful legislative assistant. I will probably use her for at least some of the support work."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "And so I assume your legislative assistant has better credentials than Stan Ikenberry and his or her report will be a little more professional than Mr. Ikenberry's recommendation?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "You know actually, I think my legislative assistant may have more legislative experience than Stan Ikenberry does."

Speaker Johnson, Tim: "Representative Granberg."

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Granberg: "What didn't you like about the Governor's Blue Ribbon Task Force recommendation? What do you want to clarify?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I simply felt that it was a response from a number of people who were engaged in their own organizational activities. They had their own axes to grind. They did not have to consider the ramifications of trying to pass legislation in Springfield. I felt that they lacked a legislative perspective."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Didn't you have the opportunity to testify before the Blue Ribbon Committee?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I was not asked."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Didn't you have the opportunity, Representative? We all had the ability to go before the Commission and offer testimony. Did you not avail yourself of that opportunity?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "You're correct. I did not."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "And so how are you going to change this? What legislative proposal are you going to make or what do you think should be made to address the legislative input? Could you be a little more definitive."

Speaker Johnson, Tim: "Representative Winters."

Winters: "I'm sorry, I missed the last part of your question."

Speaker Johnson, Tim: "Restate the question, Representative."

Granberg: "Could you be a little more definitive on what you saw as lacking legislative input?"

Speaker Johnson, Tim: "Representative Winters."

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Winters: "I'm simply saying that the make up of that Committee...or Commission did not properly consider the areas, the different parts of the state and how we are going to, as representing our own districts, have to come back on this entire question of education funding."

Speaker Johnson, Tim: "Representative Granberg, you have 10 seconds."

Granberg: "Thank you. To the Resolution. Thank you, Representative Winters. Mr. Speaker, if you could just extend the time for a moment."

Speaker Johnson, Tim: "An extra minute, Representative. Proceed."

Granberg: "Thank you. Well, this is going to look good on the campaign brochure. Let's study this again. We studied about six times. We've had legislative commissions, we've had legislative task forces and now we're going to have another one because of the election campaign issue, because the Legislature has failed to address the problem of education funding reform. We unilaterally killed the Governor's proposal. The House proposal took money away from downstate and poor school districts, although all our downstate Republican friends voted for it for the flat grants, and now we have to look to this. This is...This is absurd at its best. And I have no comment. This will sail out of here, but this does nothing. And a parliamentary inquiry, Mr. Speaker. I have been told that this is not on our computer. Is this not on the system?"

Speaker Johnson, Tim: "Representative Granberg, do you withdraw your inquiry?"

Granberg: "Yes, the Clerk indicated it is now on the computer, so that is fine. I withdraw my remarks."

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

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Skinner, on the Resolution."

Skinner: "Yes, the text says that this commission shall examine various alternatives to ad valorem property taxes for the funding of schools in Illinois. Now, automatically I think that means income tax hike, but I might be wrong. Is this commission going to study the option that Representative Wirsing has come up with and could be labeled under the generic term a local option front end referendum income tax replacement for part of property taxes?"

Speaker Johnson, Tim: "I assume you're asking if the Gentleman will yield. He indicates he will. Representative Winters."

Winters: "That is one of many ideas that I think have merit. The idea is to winnow it out and come back to the Legislature with the idea that 12 Legislators are putting this idea forward. I would certainly assume that Representative Wirsing's idea would be one of those that is most heartily considered."

Speaker Johnson, Tim: "Representative Skinner."

Skinner: "Well, I must admit I have that sneaking suspicion that this is the first step toward a massive income tax increase, but I'll give the Gentleman the benefit of the doubt and support his Resolution."

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

Novak: "Yes, thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Johnson, Tim: "Indicates he will."

Novak: "Representative Winters, how many meetings do you plan on having around the State of Illinois? Can you give us an idea?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "I am not planning to have any meetings. This



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commission will be chaired by two Members of the House and Senate. It will be up to the commission to decide what type of meetings they wish to hold."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Well, did you have an opportunity to travel and testify before the Ikenberry Commission this past year?"

Speaker Johnson, Tim: "Representative..."

Novak: "Those are public meetings held around the State of Illinois. Did you have an opportunity to attend any of those?"

Speaker Johnson, Tim: "Representative Winters."

Winters: "There were none convenient to me. I did not travel to those. They were farther out of town."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Well, I drove about 40 miles north to Joliet and attended a meeting that was chaired by Mr. Ikenberry, and I can tell you that he conducted that meeting in a very honorable, professional and proficient manner. And I think all those members that served on that committee performed just as well. I would like to make a recommendation. I think we ought to invite Stanley Ikenberry to testify before this commission. I think it's very appropriate that the renowned, retired President of the University of Illinois should be invited to testify before this commission. Ladies and Gentlemen, just as previous speakers has (sic - have) indicated, this is going to fly out of here. It's going to really look good for campaigns, but we've been down here and we know we have a term for these things. They're called 'dog and pony' shows. That's all this is going to be."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Parke, proceed. Representative Parke. Representative

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Parke, your light is on. Do you wish to address the Resolution? Apparently not, then the Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' Those in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Winters, to close."

Winters: "Thank you, Mr. Speaker, Members of the House. The idea of this Resolution is to force this General Assembly to address the property tax funding of our schools, bring back a solution by the next Session, and I would urge its adoption."

Speaker Johnson, Tim: "The question is, 'Shall HJR 114 be adopted?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes', 14 voting 'no' and 3 voting 'present' and HJR 114 is adopted. On page 5 of the Calendar under Senate Bills - Second Reading appears Senate Bill 1669. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1669 has been read a second time previously. No Committee Amendments. Floor Amendment #3, offered by Representative Biggert, has been approved for consideration."

Speaker Johnson, Tim: "The Chair recognizes the Lady from DuPage, Representative Biggert, on Floor Amendment #3."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #3 to Senate Bill 1669 is to amend the Unemployment Insurance Act to exclude...(Oh, I'm sorry)

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Excuse me, Mr. Speaker."

Speaker Johnson, Tim: "Do you wish...Do you wish to withdraw Floor Amendment #3?"

Biggert: "I would like to, yes, withdraw Floor Amendment #3."

Speaker Johnson, Tim: "With leave of the House, Amendment #3 is withdrawn. Further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Biggert."

Speaker Johnson, Tim: "On Floor Amendment #4, the Chair recognizes the Lady from DuPage, Representative Biggert, proceed."

Biggert: "Floor Amendment #4 to Senate Bill 1669 is to amend the Unemployment Insurance Act to exclude from the Act's definition of employment services performed by real estate closing agents and real estate appraisers if these services meet certain criteria...where an employer/employee relationship does not exist. To clarify that a little bit, closing agents are hired by a title company to attend a real estate closing in the offices other than where they are...they are not in an office as such, but they are going to the place where the attorney's office where the deal is, and real estate appraisers are hired out on contract by contract basis. This change applies only if the real estate appraiser is paid on a fee per appraisal basis and the individual is free to accept or reject the appraisal request made or the individual is not prohibited from contracting to perform those services for a person other than the person for whom the services are being performed or both. I'd be happy to answer any questions."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I rise in opposition to

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Floor Amendment #4. When this legislation came to committee, there was a clear understanding that we were going to deal only with modeling agencies. And organized labor agreed to stay neutral on that Bill, even though it deals with unemployment insurance. As we debate this Bill, there are negotiations going on regarding unemployment insurance where employers and workers are sitting down together at the table. There is no reason why an issue like this could not be part of those negotiations. We call that an Agreed Bill Process. This is clearly a violation of that process which is ongoing at this moment to bring in this issue, which now adds additional people who will not be eligible for unemployment insurance. Currently in Illinois, only about 31% of unemployed workers are eligible. This Bill will add to that people who are currently covered. We now have what is called an ABC test to find out if someone is an independent contractor or if they are an employee. If these employees really met the ABC criteria, which is that they're free from control or direction, they perform services outside the employer's usual course of business, the worker is independently established in his or her own trade, they would not need to come to the General Assembly. So it seems to me that since business and labor has agreed to sit down, negotiate on this point, let's bring this issue into those negotiations. Put it on the table. In the meantime, a Bill passed the committee with the support, bipartisan support, that did not have this controversial Amendment added to it. So I would suggest to the Sponsor, take this Amendment out of the record. Let's pass Senate Bill 1669. Let's discuss these other issues in the negotiations. And before I close urging a 'no' vote, I'd like to ask, Mr. Speaker, for a

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Roll Call vote on this Amendment and a verification. Would you acknowledge my request?"

Speaker Johnson, Tim: "Yes, yes, on both points, I will."

Schakowsky: "Thank you, so I would strongly urge a 'no' vote to Floor Amendment #4."

Speaker Johnson, Tim: "Thank you, Ma'am. The Chair recognizes the Gentleman from Cook, Representative Parke, proceed."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am reluctantly going to rise and concur with my colleague on the other side of the aisle, Representative Schakowsky. In committee, the underlying Bill was agreed that it would stay just this Bill; and therefore the union, the AFLCIO, and other unions agreed to stay neutral on this legislation. No one has talked to me about, other than the Sponsors and the people that are working for the Amendment itself, but I don't understand why we need to do this at this time. Representative Schakowsky is correct. We are in negotiations, trying to find common ground between labor and business, and it's my sense that this is not what I think is in keeping with the spirit of that group meeting and trying to find a compromise. So, I'm going to reluctantly oppose this Amendment when it's my turn to vote."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in very strong opposition on Amendment #4. Amendment #4 is a slap in the face to organized labor once again. Under this Bill, loan closing agents and real estate appraisers are being excluded from unemployment insurance benefits by defining them as independent

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contractors. True independent contractors are already excluded from the Act, and there's a whole test to determine whether they're excluded. So if they're truly independent contractors, we don't need a separate Bill. In addition, this Bill is a continuation of the picking away at different walks of life and excluding them from the Unemployment Insurance Act. Why this group? Why real estate appraisers? Why loan closing agents? What relevance is there to that and why should these folks not be included under the Unemployment Insurance Act? In addition, and perhaps most egregious, we continue to see an abandoning of the agreed Bill process. Now some may say, 'Well, let's abandon it'. But the fact is it's worked very well for many years. Earlier this year, over our protest on this side of the aisle, there was a Bill passed providing unnecessary and huge tax breaks to business at the expense of organized labor in the Unemployment Compensation Fund. And now this - now this is another attempt to abandon the agreed Bill process. And the worst of this, Ladies and Gentlemen, is that there are negotiations going on today regarding unemployment insurance between all sides, between all parties. Why, in the face of current negotiations, would we step forward and attempt to abandon the very process that the parties are working with? They're attempting to negotiate changes in unemployment insurance. Why would we step in with this new abandonment, with this new intrusion into that process, with this new picking away at working men and women and taking away their rights? Let's stop taking away workers' rights. Let's start talking about what's good for working men and women in Illinois. Let's start talking about what fosters a good business environment. Let's start talking about what

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encourages workers for these employers that you're so anxious to protect to make these workers happy at work, secure at work, feeling they have benefits they can count on. Let's not continue to take benefits from them. Let's not continue to remove these benefits that they rightly deserve, and most important, let's not abandon an Agreed Bill Process that's worked very well down here for a long period of time, especially during a time that all parties are in the process of negotiating changes in unemployment insurance. This is wrong for Illinois. It's wrong for working men and women, and it's wrong for the Illinois House of Representatives. Vote 'no'."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Chair recognizes the Lady from DuPage, Representative Biggert, to close on the Amendment."

Biggert: "Thank you, Mr. Speaker. To clarify what I've heard. The Bill...The Amendment uses on page...on the first page of the Amendment, line 13, it says, 'The term employment does not include services performed by an individual as a real estate transaction closing agent when the individual has entered into a contract that specifies the relationship of the individual to the title insurance company.' And that's the important language that is...We're really not dealing with someone who is an independent contractor, but we are dealing with the term employment. So that it is very specific and does not include really most of the closing...real estate closing agents, but a very minute part. With the real estate appraisers, it's also on page 2, Section...on line 12, the term employment for real estate appraisers does not include services performed by the individual as a real estate appraiser under a written independent contract or agreement if the agreement

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provides...and then it lists the specifics. So, I think this is a little bit different than it does not really have the ABC test as applied to independent contractors as such. I would ask for your favorable consideration."

Speaker Johnson, Tim: "The Lady has moved for the adoption of Floor Amendment #4 to Senate Bill 1669. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...On that question, there are 71 voting 'yes', 43 voting 'no' and 0 voting 'present'. The Chair recognizes the Lady from Cook, Representative Schakowsky, for purposes of verification. Do you wish to persist in your request?"

Schakowsky: "I do not, Mr. Speaker, but thank you for acknowledging it."

Speaker Johnson, Tim: "On this question, there are 71 voting 'yes', 43 voting 'no' and Floor Amendment #4 to Senate Bill 1669 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Floor Amendments. The Notes that have been requested on the Bill have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills - Third Reading appears Senate Bill 1669. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1669, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "On the Bill, the Chair recognizes the Lady from DuPage, Representative Biggert, proceed."

Biggert: "Thank you, Mr. Chairman...or Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1669 is to amend the Unemployment Insurance Act to exempt talent or modeling



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agencies licensed under the Private Employment Agency Act from the definition of employing unit with respect to the performance services for which an individual has been referred by the agency. As a regular part of their business, talent or modeling agencies refer individuals on a job by job basis. Currently, this has been challenged by the Department of Employment Security as requesting an audit whether these services should be...are employment and there should be unemployment tax paid, so I know of no opposition to that part of the Bill. This would also then would include the Amendment to exempt real estate closers and real estate appraisers. I'd be happy to answer any questions."

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

Lang: "Thank you, Mr. Speaker. You may have received a memo from organized labor indicating that they had no position on this Bill, but that was before Amendment 4 was put on the Bill. That was the Amendment we just adopted. Make no mistake about it, organized labor is opposed to this Bill now. They're opposed because this is a violation of the Agreed Bill Process during a time that there's negotiations. They're opposed because this is a picking away at different types of employment. What's next? There will be others. If we continue to do this, there will be others. And pretty soon, there will be some people exempt from unemployment comp and other people not exempt from unemployment comp, and we'll have a hodgepodge of laws in the State of Illinois that make no sense whatsoever. That's not our responsibility. Our responsibility is to have a uniform system of laws that affect all employees in the State of Illinois. What sense does it make to have a

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law that only covers some working men and women in Illinois and not other working men and women in Illinois? So make no mistake about it, Ladies and Gentlemen, a 'no' vote here is the right vote. A 'yes' vote is a vote against labor, against the working men and women that live in your districts. And I don't care whether they're real estate appraisers or loan closers or not, because it's the beginning. And if you let them get away with this, other employees will be next, other employees will be after. And pretty soon, we'll have laws all over the place that no one will know. We'll have employers that have some employees covered under employment...unemployment comp and some employees that are not covered under unemployment comp. Somebody tell me what sense that makes, makes no sense at all. So I urge you to take another look at your positions, those 71 that voted for Amendment #4. Remember that the working men and women of this state deserve the protection of this Body, and you should be very well advised to be voting 'no' on this Bill."

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

Hoffman: "Yes, will the Sponsor yield?"

Speaker Johnson, Tim: "Indicates she will."

Hoffman: "We just want to make sure that we have a Roll Call and a verification...verification of this issue."

Speaker Johnson, Tim: "A Roll Call is required in any event and your request for a verification is granted."

Hoffman: "Well, I guess that the thing on this side of the aisle is, 'Here we go again!' So we did something for UPS. We did something for every special interest, so now let's do another thing for more special interests. That's all this

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is all about. For years, as Representative Schakowsky had pointed out, we've had a tradition in this state that we're going to have a certain test whereby we'll determine independent contractors. So next week, what are we going to say? Jockeys are independent contractors. We'll say that horse trainers are independent contractors. We'll say that janitors are independent contractors, and the list will go on and on. Where does this stop? The point being that everybody is trying to make, we have a test that covers this. That's what we need to do, is go on that method, something that's reasonable, instead of this in a hodgepodge, taking care of every special interest, everybody who donates, everybody who cares about us. Let's vote 'no' on this Bill. Change your vote."

Speaker Johnson, Tim: "The Lady from DuPage, Representative Biggert has moved for the passage of Senate Bill 1669. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 38 voting 'no' and 2 voting 'present', and the request for verification...is withdrawn. So on this question, there are 72 voting 'yes', 38 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Grundy, Representative Spangler, for what purpose do you rise?"

Spangler: "Thank you, Mr. Speaker. I would just have the record reflect that I would have voted 'yes' on that last Bill. I did push the button, apparently it didn't engage and the back of my computer screen covered, and I didn't see it until it was too late."

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Speaker Johnson, Tim: "The record will so reflect. Representative Morrow, the Gentleman from Cook, for what purpose do you rise?"

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the Members ought to be aware that we're being filmed by a camera on the House floor for national TV purposes. I think it should have been...the Members should have been informed so that they wouldn't show up on national tv doing something that they normally would not be doing. I really don't think that the press should be on the floor taking pictures, but I understand it's been approved, so I'm not going to make an issue out of it, but a five second clip if you on national TV could hurt or help you, and it does not really show the hard work that I think the Members of this Body put in. So I just wanted to make you aware, there is a Gentleman on the House floor taking pictures of us."

Speaker Johnson, Tim: "Thank you, Sir, Ladies and Gentlemen, if I could have your attention, please. Order in the chamber. Members will please be in their seats. And again all unauthorized personnel remove themselves from the House floor. Any caucuses would be better placed at the rear of the chamber. Mr. Clerk, on Supplemental Calendar #2, on the Order of Resolutions, appears House Resolution 121. Read the Resolution, Mr. Clerk."

Clerk Rossi: "House Resolution 121, offered by Speaker Daniels."

'WHEREAS, When the Illinois General Assembly adjourns its Spring Session this year, the Capitol faces the end of an era; and

WHEREAS, Bill O'Connell, reporter for the Peoria Journal Star, leaves Springfield for the last time as a member of the media, ending over 41 years in the Statehouse press

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room; and

WHEREAS, Bill O'Connell, dean of the Illinois legislative press corps, began covering the legislature in 1955, and over the years has won the respect, admiration, and friendship of legislators, lobbyists, staff, and his fellow journalists; and

WHEREAS, Bill O'Connell, Jr., who holds graduate and undergraduate degrees from Bradley University, followed in his father's footsteps and began working with the Peoria Journal in 1949; he covered the paper's major beats - city hall, the courthouse, the police department; his tenacity earned him a reputation of always getting his story; and

WHEREAS, The legend of Bill O'Connell, an "old-time" reporter, includes reports of his role in lobbying legislators for hometown projects and benefits and his ability to act as a conduit and interpreter between Chicago and Downstate Illinois; and

WHEREAS, Bill O'Connell was often as much responsible for creating news stories as he was for covering them; and

WHEREAS, Bill O'Connell never hesitated suggesting legislation during his late night social Sessions with legislators and had no qualms about lobbying for bill he liked; it was Bill O'Connell who suggested the use of revenue garnered by racetracks to build downstate civic centers; and

WHEREAS, Bill O'Connell has received numerous honors and awards, including being named Illinois Journalist of the Year in 1986 by Northern Illinois University; he also won a national award from the American Political Science Association and has been honored by the Associated Press, the Illinois Education Association, and the Illinois Valley Press Club; and

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WHEREAS, Bill O'Connell is proud of his Irish heritage and supports the activities of the St. Patrick's Society and the Ancient Order of Hibernians; and

WHEREAS, He has the loving support of his wife Helen, his five children, and his eight grandchildren; and

WHEREAS, Bill O'Connell will be missed; therefore, be it  
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we applaud Bill O'Connell for his many years of service to the citizens of this State and to this legislature and extend to him our most sincere best wishes for the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Bill O'Connell as an expression of our admiration and esteem. Congratulates Bill O'Connell of the Peoria Journal Star as he retires after 41 years of service in the Statehouse press room.'

Speaker Johnson, Tim: "On the Resolution the Chair recognizes the Chief Sponsor, the Gentleman from DuPage, the Speaker of the House, Representative Daniels. Proceed."

Daniels: "Well, just think what your witnessing today, Legislators standing up and applauding a member of the press. An incredible moment. And, Bill, look what else you're witnessing, a Daniels/Madigan agreement. Many, many things are happening today that are very unique, but most important of all, of course, is the recognition that is deserved by a Gentleman who we all hold in high esteem. To the new members of the press corps and some of you that are younger and haven't been around as many years, we do have an institutional memory in Bill O'Connell. And I found out many years ago, during one of his late night social Sessions that he was presiding over, that there are many

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things that this Gentleman remembers from years ago. And that's always something that you want to value in tradition and to keep in mind, because the memory of how this place operates and some of the intricacies of it and the ins and outs are what help make your profession even better as you write stories and report on them in the background and call upon your own memory. I remember sitting with Bill as we were discussing a few items and we were having our social Session and talking about the state of affairs throughout Illinois, and he was asking me questions. And you know, you have to very careful when you talk to a member of the media because you have to make sure that what you say is either on the record or off the record and you have to be very clear. And I failed to observe that fact, that it was off the record. And on one of these social Sessions and as we went on and on and on until about three in the morning talking about legislation, I went home that night, or that morning, got up the next day, went to work, picked up the newspaper and proceeded to read everything that happened during the course of that evening. And you know what? It was exactly right, exactly as it had been said. Now, I had a little fuzzy memory of it all. He had no fuzzy memory at all about what was going on. So, it was at that point I learned that this man, maybe small in stature, was very large in his capacity to remember events and report them accurately, which is of course what has carried him over the years. But, few of you know that he does, in fact, believe that as a member of the press corp and the media he has a right to advocate some of his viewpoints. And he does just that. And he's never been silent on the fact that when you cast a vote that he didn't like, he'd let you know. Usually, he wouldn't talk to you, even if you

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wanted to talk to him, but he would let you know, on what his views were. Other times he would make suggestions on how to handle things. Did anyone in this chamber know that he created the RTA, McCormick Place Expansion, Comiskey Park? Yes, there's few people in this state that really know that Bill O'Connell is the guy that really did it for the people of Illinois and his stamp is on numerous pieces of legislation. He may come from Peoria, but he does subscribe to the fact that if it doesn't play in Peoria, it's not good for any other part of this state. And consequently, his viewpoint is followed and watched throughout Illinois on a regular basis. Bill, some of us have been around here for years, watched you operate and watched you handle yourself in a very professional capacity, and I want you to know that we do hold you in very high esteem. You will be missed around here because you are a representative of an institution and you bring the highest professionalism to that institution. As we in the political arena strive to be the best, we observe others that not only strive to be the best in their profession, but have achieved that, and you have done that. And I know that as we speak to you today, and honor you today from the Illinois General Assembly, and this Resolution, that every member of the press corps feels the same as we do today. We wish you the best. We also are aware of the fact, Bill, just in case you think it slipped us, that the employee owned Peoria Journal Star that has sold it's business to Copley, has enriched the pockets of many employees. So, it's not unusual that you retire in a very handsome fashion, as is well deserved. So, to Bill O'Connell, my congratulations, and I hope all Members of the House will join us as Sponsors of this Resolution.



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Congratulations, Bill."

Speaker Johnson, Tim: "Prior to proceeding, the Speaker of the House has asked leave that all Members be joined as Sponsors to this Resolution. Leave is granted and all Members are added as Sponsors to the Resolution. The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. It is a bittersweet moment for many of us to see, not just a reporter, but an institution, leave this Capitol. For, there is in my view, no one in this town who knows more about the history of the State of Illinois and its legislative history in the last 40 years than William J. O'Connell, Junior. This is a Gentleman with whom I had the great honor to work with and spend several Sessions with here as his understudy. A sorcerer's apprentice, I believe is the term that was applied, and I cannot tell you how much I learned and how instantly his wisdom impacted on me as to what friends and clout could do in this place. I've never seen anything like it in my whole life. Many people have asked Bill when he's going to write his book. And Bill has assured everyone that, yes, he'll write the book, but he'll be selling the galley proofs before they come out. And he'll make a whole lot more money because, literally, there is no secret in this town and there is no secret that Bill O'Connell does not know, nor have in that extraordinary memory that he possesses. And indeed, if there is any individual around Springfield for whom the oral history...from whom the oral history should be taken, in my view it is Bill O'Connell. He won this respect. He won the access to power. He won by his integrity, and by the confidence and respect that Members had for him and for the fact that he always respected his word. And that is

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something that is a very important quality to being successful here. And I just want to thank you, Bill, for all you've done for me through the years. It's been an honor to be a friend of yours for 30 years. Thank you."

Speaker Johnson, Tim: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. I also express the thanks that Bill O'Connell, for the things that he has did for me for the past 16 years. He has been riding shotgun with me back and forth from Springfield all 16 years. We used to trade off once in a while with the late Senator Prescott Bloom, who is also a very good friend of ours. And I've seen former Representative, Fred Tuerk over there somewhere, all Peoria people who were very close knitted. I was very fortunate when I came down here as a freshman to have a friend like Bill, who had been here probably 25 years before I was elected, and it was a godsend for me to get the experience of riding back and forth, and him telling me what should happen in the General Assembly and how we should work together. He also made sure that when I came down here, that he let me know that I was going to be working with some of the greatest people in the United States of America, and that has been proved. My 16 years, he told me to honor your people and your word is your bond. And he said if you do that you're going to be around here for a long time. Many times going back and forth from home, he'd say, 'Don, pick up that Bill when you go back. There's a Senate Bill coming over. We could use it in Peoria. There's a Senate Bill coming over, you haven't seen or heard of yet.' He says, 'Pick it up because we could get some of the tail end of what we don't call pork barrel anymore.' But, he seemed to know where it was at.

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The White Sox vote that night is as Speaker Daniels says, I was one of the people that was here until midnight and I was one of the people that changed my vote. And he came by my desk and said, 'That's not going to hurt you back home. Vote for that.' At the time, Representative Tuerk and I were both off the Bill, so we started pointing at each other and Governor Thompson had Fred's arm and he had Zeke Giorgi with my arm. Now, how can you turn those two guys down? He's sitting back here laughing behind the door. And, anyhow, Representative Tuerk and I had, one minute before midnight, I believe it was, we passed the White Sox Bill out of here. And it was truly one of the best votes that we ever did make because it's been an asset to the State of Illinois. It's brought millions of dollars in here and it hasn't cost our state anything, but that was just one of the subjects in the matters that we had. We have lost a tremendous lobbyist, the City of Peoria and the greater Peoria area has. There's many issues that Representative Leitch, Tuerk and I have brought up in the past, that he has went back and printed the issues that were involved that really put pressure on the Governor's staff to work with these programs. And it was just as late as two years ago, why we had a very important issue for East Peoria and Tazewell County, and he is very influential with us getting that Bill out of here. So, everything that I have learned from working with Bill, I'm one of the fortunate ones here. I only live about five minutes away from him, and I got a few watering holes that we still meet with downtown. We hold court and even though we're both going to be retired this year, we're still going to be holding court down there, whether they like it or not. And usually when we hit there, we always seem to have an

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audience. Most of them are lawyers, but these are the ones we can trust. They're good lawyers. If not, they wouldn't be there. And they get a learning experience from Bill and I, and it's going to continue that way. So, again, for him, his wife Helen and his children, I'm going to be able to help him celebrate his retirement much more than you because we're also going to have a retirement party back for him in Peoria. And when that date is there...I know you can all come down and it will be one of our favorite watering holes. So, at that point, why, Bill, congratulations and we'll always be with you. Thank you very much."

Speaker Johnson, Tim: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker."

Speaker Johnson, Tim: "If you can wait just a moment, please. The Speaker of the House, the Gentleman from DuPage, Representative Daniels."

Daniels: "Excuse me for the interruption, but there's a Gentleman on the House floor that we all need to recognize because in my opinion, short of the current President of this State Senate, this is the greatest President of the State Senate that we've ever had in Illinois and that's Phil Rock. And it's very important to say hello to Phil and recognize him. And, Mr. Speaker, Ladies and Gentlemen of the House, I can personally testify that Phil Rock was at many of those social settings that Bill O'Connell would dedicate and hold early into the morning. So, Senator Rock, it's indeed a pleasure to be with you again. And you do belong in the House, by the way."

Speaker Johnson, Tim: "With leave of the House the Chair recognizes the former President of the Senate, Philip Rock,

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at Representative Brunsvold's desk. Sir, proceed."

Philip Rock: "Thank you, Mr. Speaker. The City of Chicago and the County of Cook, as a matter of fact, the County of Will and all the collar counties were fogged in today. So, many who wanted to be here, I'm sure are kind of bereft because they couldn't get here. I made it a definite point to catch the first plane available to come down and pay tribute to a man whose integrity we should all salute. Journalism is a business, not unlike our own. As a politician, or as a statesman, or as an elected official, we take an awful lot of abuse, some unnecessarily. But the fact is, for one who has survived as long as Bill O'Connell has, he deserves every tribute that's paid to him. I appreciate, Mr. Speaker, your courtesy. I understand in the waning days, both the responsibility and the frustration that is visited upon all of us. I wish you nothing but the best. All of you. And you can be sure that wherever I go nothing but kind words are spoken, even about the House of Representatives, certainly, about the Senate. Thank you very much."

Speaker Johnson, Tim: "Thank you, Sir. The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, thank you, Mr. Speaker. I'm sorry, beauty before age, I guess. Mr. Speaker, I do request, first of all, that I would like to have a Roll Call vote. And let me explain why on this important Resolution. There are a lot of Members here in this Body, Bill O'Connell, that don't want to see you go. You might see a lot of 'red' votes up there. But that's not the real reason. All of us have been down there. We voted 'for' in a lot of things. I think all of us would like to cast a vote 'for' Bill O'Connell and all the good work you've done. So, that's

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the reason why I'm asking for the Roll Call. But, let me just tell you a little story. In 1987, when I came here, I was seated by Speaker Madigan right next to that big guy right down there, Don Saltsman, in the front row. And I sort of cut my teeth with Don Saltsman on this political process. But, I learned a lot from Bill O'Connell because, of course, I learned that Bill and Don were good friends and they traveled the highways and byways between Peoria and Springfield and all these other social settings around Springfield, like 'Play it Again Sam's' and 'Norb Andy's' and 'Mr. B's,' and a few of these other places that have sort have drifted off into netherland. But you're part of that legacy, Bill, and we deeply, deeply, respect you. But one night during a late night Session, I think it was in '87, I leaned over to Don. I says, 'Boy, Don, what are you getting for your district this year?' He says. 'Well, I'm working on a few coupons. I got a coupon book.' He says, 'Just stick around, kid. Let me show you what to do down here.' So, one evening, one late evening, Bill O'Connell came walking by the end of the table into the desk down there and Don had this big smile on his face. I said, 'Bill, how's Don doing on his legislative priorities?' 'Novak, just look at him.' He says, 'When he gets that charcoal lighter out, he's firing up that barbecue grill. And you know the only thing that's going on there is pork for his district. So you listen to him and you watch what he does and take it from him, you'll do all right down here.' So I just want to extend my warmth and gratitude for all your good work. You have been an advocate. I mean reporters are required through their job and responsibility to report the news and report the facts. You helped make news down here, Bill, Bill O'Connell. And I am very, very

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happy and I want to cast a vote today for Bill O'Connell.  
Thank you very much."

Speaker Johnson, Tim: "Your request is granted, Sir. The  
Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I appreciate your letting  
Representative Novak speak before me. I couldn't follow  
Phil Rock. Novak, I can follow. First of all, Bill wanted  
me to extend an invitation to all of you and to all the  
people in the gallery and to all the people in listening  
distance, he will buy tonight at 'Norb Andy's' all night,  
for all of you. Bill's that kind of guy, and he doesn't  
mind at all. But I just want to say just a couple words,  
Bill. When I first came here in '87 like Phil, I was good  
friends and I practiced law with Jimmy Donnewald and Bill  
was good friends with Jim and Phil. And one night over at  
the Best Inns, or not the Best Inns. Whatever the Best  
Western was up here, he sat with me for five hours. And I  
knew very little then. Some things don't change. I know  
very little now. And, Bill...I heard that, Stephens. And,  
Bill, he talked to me for five hours. Now, he went out of  
his way. He would not have to do that with anyone, even  
though he made me buy for five hours, cost me all that  
'Jamison' - and he gave me advice. And ever since that  
night, he has befriended me, he has given me a great deal  
of advice. If ever I have any questions on anything or  
what to do, I seek out Bill. And I wish I'd follow his  
advice a lot more. I'd do a lot better. But, he is one of  
the finest Gentleman, certainly a great tribute to this  
institution. And if the media and if we could only work  
half as hard and be half as dedicated and have half the  
integrity, not only would we be better served, but the  
people of this state would be better served. And I...It's

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just a great honor to know somebody like Bill, and we're all going to miss him very, very much. And, Bill, I was going to give this to you tonight, but...and the 'Jamison' comes later."

Speaker Johnson, Tim: "The Gentleman from DuPage, the Speaker of the House, Representative Daniels has moved for the adoption of House Resolution 121. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', 0 voting 'no' or 'present'. The Gentleman from DuPage, the Speaker of the House, Representative Daniels is recognized."

Daniels: "Mr. Speaker and Ladies and Gentlemen of the House, just so everybody understands, the Secretary of the State, George Ryan and Mrs. Ryan, are holding a reception at the State Library for Bill and to honor his years of service to the people of Illinois. And the Secretary asked me to let you all know that you're all invited after you finish your work. Thank you."

Speaker Johnson, Tim: "Thank you, Sir. House Resolution 121 is adopted. On Supplemental Calendar #2, under the Order of Resolutions, appears House Resolution #122. On the Resolution the Gentleman from Cook, Representative O'Connor. Give the Gentlemen your attention, please. Representative O'Connor, proceed."

O'Connor: "Thank you, Mr. Speaker. House Resolution #122 will direct the House Judicial Criminal Law Committee to investigate security within the correctional facilities operated by the Illinois Department of Corrections. And I would be happy to answer any questions."

Speaker Johnson, Tim: "On the Resolution the Gentleman from Cook,



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Representative Dart. Proceed."

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

Speaker Johnson, Tim: "He indicates he will. Give Representative Dart your attention, please."

Dart: "What kind of power or authority is this going to have?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "This Committee shall have all powers granted under the Constitution of the State of Illinois, under the laws of Illinois, and under the rules of the House of Representatives of the 89th General Assembly."

Speaker Johnson, Tim: "Representative Dart."

Dart: "I read the Resolution and it makes references to the Richard Speck case. Are we going to do anything in regards to the problems at Dwight Institution, with the prostitution and the like that has been going on there? I don't see any reference to that."

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "Representative, after this...after this bipartisan committee, as you know, meets and makes determinations based on the testimony that's given before us. Those are the types of decisions we'd have to make at that point."

Speaker Johnson, Tim: "Representative Dart."

Dart: "So, is this just going to investigate aspects of Stateville and Speck or is this going to also go into the problems that they are having at Dwight? Are we going to be looking at all of the problems in the prison system or are we just going to pick and choose one?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "This investigation will take us into any path that we deem to be proper for the safety and the best interests of the citizens of the State of Illinois."

Speaker Johnson, Tim: "Representative Dart."

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Dart: "Is there any intention that you are aware at this point to investigate Larry Hoover, 'Gangster Disciples' and their reign in the prison system now and their control over things?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "If this investigation leads us to any breach in security at the Illinois Department of Corrections and it would involve people of that nature, yes, it would."

Speaker Johnson, Tim: "Representative Dart."

Dart: "What is the time frame on this?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "When this committee will commence with meetings? Is that your question?"

Speaker Johnson, Tim: "Representative Dart."

Dart: "When is it going to complete? What is the date for it to report back with its answers?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "Well, according to Chairman Jackson, we are going to start convening a meeting immediately and throughout the course of the summer and we will get back when information is available to report back. But we are going to be getting on this immediately because of the serious nature of the problem."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Yeah, I just...I'm concerned that we don't have a deadline on this because of the way things have a tendency of dragging on, as I am sure you are aware of we sat throughout the committee the other day. The breaches of security in the prison system were obvious. They were outrageous, to put it lightly. Drugs walking in and out of the prison systems. Porno movies being made on cameras that are being supplied by taxpayers. 'Gangster Disciples'

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running one of the largest dope rings in the country out of the prison system. We have a lot of evidence on this. There are proposals that have been put forward by numerous people, Democratic Task Force and others to address this problem right now. My concern is that we don't have a time frame on this Resolution to come back with some answers because as you said, this is very serious and it demands immediate action. But I think we should start the ball rolling by putting a deadline to have this thing done by. So that we can be sure and we can tell the people back home that this isn't just an election year stunt and a gimmick, that they can be rest assured that this is something we can put a defined date on and something that we are going to come back with some results with. Because who is kidding who? I mean, you'd have to have just fallen off the turnip truck around here to think there is not a problem in the correctional facilities right now. They have, as I said, drugs, prostitution, gangs, the whole nine yards. This demands immediate attention. I was encouraged that the bipartisan nature of this thing is just as I said. I hope this does not get caught up in election year stunts and I really would suggest that we attempt to put together a time frame so that we could come back here with some recommendations that can restore some faith in the corrections system, so that people can really feel that when someone goes away to Stateville, it isn't as if we bought them a ticket to a cruise liner, and feels that these people who are the most serious offenders we have are going to serve time and not go there and have time, and have a 'good ole time'.

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

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Johnson, Tom: "Yes, Mr. Speaker and Members of this chamber. As Chairman of Judiciary and as I stated in committee at our first meeting - reference to Speck issue. It is unbelievable that the resources and money that we spend in taking drugs and gangs off of the streets wherever we find it, where law enforcement works become at least apparently readily available within the Department of Corrections. Now it is the intent of this committee and it is my intent as Chairman that #1 we really establish - does this culture of gang, drugs, sex, work and leisure, exist as we as politicians in public and press perceive it? Secondly, it is going to be the goals and objectives of this committee that once the nature and the extent to which this culture exists, it's going to be our major challenge to turn around and come up with specific recommendations as to changing that culture, to making our prison system that which I believe the taxpayers of the State of Illinois ought to be. Therefore, I rise in very strong support of this Resolution because I believe that the Judiciary Criminal Law Committee is well equipped with people on both sides of this aisle to do the thorough work and the real hard work that needs to be done. And so, therefore, I would urge an 'aye' vote on this. The proof will be in the pudding in the end. If we succeed at reforming these institutions, we will have done our job. If we fail, then I think all of us need to keep our heads low and keep trying again and again and again. But we have serious work ahead of us and I am committed as Chairman to making sure that this is a meaningful investigation with meaningful results. I will leave the politics to whoever wants to play them. So, again, I urge an 'aye' vote on this."

Speaker Johnson, Tim: "The Lady from Cook, Representative Lyons.

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Proceed. Give the Lady your attention."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this Resolution and I think maybe the Representatives here, like myself, have heard from their constituents in one form or another about their outrage about the penal system and how they feel as though the prisoners that are convicted go to a hotel as opposed to a prison. This opens up a whole new darker side of the controversy and I think we have to address it. I am very confident that the House Judiciary Committee, under the leadership of Chairman Tom Johnson, will do a admirable job at addressing this problem. I am very confident of the bipartisan cooperation of that committee. I am very confident of the Chairperson of that committee because I do think that it's an important fact that we have to address. I hear it all the time in my district and I am sure you all hear it as well. I think we have to make sure that our penal system is something that we can be proud of as opposed to something we are ashamed of. And, again, I do want to express my confidence in the committee in doing that. It is going to be a difficult task. It really is. And I think it has to be done in a very professional manner, it can't be a spectacle. And as I said, I'm confident that that will be done and I urge your support of this Resolution."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Durkin. Proceed."

Durkin: "Mr. Speaker, Ladies and Gentlemen of the House, as I grew up, one of the most troubling events conveyed to me by my parents was the...their realization of what the power of television had on society. Specifically, we are talking about them witnessing Jack Ruby execute Lee Harvey Oswald

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in front of their eyes. It left an indelible mark upon them and their generation. And I am not proud to say that what I witnessed yesterday, yesterday morning in Room 114 of this Capitol, one ups them. As much as we try to close our eyes to the acts displayed by our new state monster Richard Speck, we cannot close our eyes to the greater problem existing within our penitentiaries. House Resolution 122 enacts the House Judiciary Committee to exercise it's inherent constitutional rights pursuant to Article IV, Section seven. The power to conduct investigations with subpoenas. This is going to be a difficult process, however, our committee is up to the challenge. And I know many of us are looking forward to being prosecutors again. Yesterday I think our worst suspicions became a reality. Vote 'yes' and support the right thing. Vote 'no' if you wish to legislate with your head in the sand. I support this Resolution."

Speaker Johnson, Tim: "Chair recognizes the Gentleman from Vermilion, Representative Black. Proceed."

Black: "Thank you very much, Mr. Speaker. I move the previous question."

Speaker Johnson, Tim: "The question is, 'Should the main question be put?' Those in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair the 'ayes' have it. Gentleman from Cook, Representative O'Connor to close."

O'Connor: "I would ask for a favorable vote on House Resolution 122."

Speaker Johnson, Tim: "All those in favor of House Resolution 122 signify by voting 'aye'. Those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr. Clerk, take the

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record. On this question there are 115 voting 'yes', 0 voting 'no' and 0 voting 'present' and House Resolution 122 is adopted. On Supplemental Calendar #1, the Order of Concurrence appears House Bill 2250. The Gentleman from Cook, Representative Kubik. Proceed."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 2250. As many of you may recall this Bill has to do with the issue of the reform legislation with respect to a cemetery in Illinois. The Senate added an Amendment which required that one of the funds be..Comptroller's Administrative Fund would be subject to appropriation. I know of no opposition to this Amendment. I would be happy to respond to questions and I would appreciate your support in concurring with this Senate Amendment #1."

Speaker Johnson, Tim: "Representative Kubik has moved that the House do concur with Senate Amendment #1 to House Bill 2250. Those in favor signify by voting 'aye', those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', 0 voting 'no' or 'present', and the House does concur with Senate Amendment #1 to House Bill 2250 and this Bill, having received the requisite Constitutional Majority, is hereby declared passed. Proceeding on the Supplemental Calendar #1 on the Order of Concurrence appears House Bill 2664. And on that Bill the Chair recognizes the Gentleman from Kane, Representative Hoefft."

Hoefft: "Thank you, Mr. Speaker, Members of the House, 2664 started out here as the Waiver Bill. We...and let me review very quickly. We sat down, both House and House

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Democrats and Republicans with all the education community and said, were there waivers that we passed last year that should be removed from state law and we came up with a number of them. Part of the basis of this was that there would be waivers that we all concurred with. And the effort was to try and stop the school districts from having to go through the process of having public hearings and resolutions, passing it to the State Board, trying to breakdown the paperwork trail. We passed six of them over to the Senate. The Senate had problems with two of them. They removed them and they tried to clarify one of them. And in all three of the Amendments I think that they made a reasonable effort to change and enhance this Bill. So I would be interested to go through Amendment 1 through 3. Amendment 1, if you remember correctly, there was some question dealing with the removal of Pulaski's Birthday as a legal holiday. The Senate had a problem with that and they said that they would like for that to be stricken, and I at this time would like to concur. I would ask that we concur with the Senate and the Amendment #1."

Speaker Johnson, Tim: "Representative Dart for what purpose do your rise?"

Dart: "Thank you, Mr. Speaker. I ask that we divide the question and vote on these Amendments individually."

Speaker Johnson, Tim: "Your request is granted and we will proceed with Senate Amendment #1."

Dart: "And if I could ask the Sponsor a real quick question, then?"

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

Dart: "Thank you. Representative Hoeft, the content of Senate Amendment #1 deals with Pulaski Day. Is that correct?"

Speaker Johnson, Tim: "Representative Hoeft."



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Hoeft: "Correct."

Speaker Johnson, Tim: "Representative Dart, further questions?"

Dart: "Representative, just so that when we talk about waivers, quite often things get rather confused as far as we're voting to waive something or we're not voting. What would the passage of Senate Amendment 1 into law, what would that do in layman's terms?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "It would say that if you wanted Pulaski's Birthday waived you would have to then individually fill out a waiver and send it to the State Board and they would then have to consider it before it would be waived. It would not automatically be changed to a day in which you would have curriculum. It would be a day...excuse me you couldn't have a holiday that day. You would have to waive it before you could get that day changed."

Speaker Johnson, Tim: "Representative Dart, further questions?"

Dart: "Just so, I think I have this one clear then. So, then, this would be if you would wish to have Pulaski Day as a holiday you would then have to fill out the paperwork to go through that to do that? Is that correct?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "Correct. We'd go back to the old system."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Representative, the old system being what existed prior to all the waiver laws where Pulaski Day was a state holiday. Is that correct?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "The old system is before we introduced this Bill. And that is you have a school board going through public hearing and school board applying for a waiver of the State Board which the State Board has granted dealing with this

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particular holiday. We're going back to that system."

Speaker Johnson, Tim: "Representative Dart."

Dart: "But we are definitely not going back to the system that existed prior to where Pulaski Day was a school holiday, correct?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "I can't do that on this one."

Speaker Johnson, Tim: "Representative Dart."

Dart: "No further questions."

Speaker Johnson, Tim: "Seeing or hearing no further questions, the Gentleman from Kane, Representative Hoeft, has moved that the House do concur in Senate Amendment #1 to House Bill 2664. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes'; 1 voting 'no' and 0 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 2664. Proceeding to Senate Amendment #2 the Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Amendment #2 puts back into the waiving process the requirement that in a high school who desired to have the health requirement changed to the middle schools would have to go through that process. There was one school district that did this. The state board had granted it last year. The Illinois Federation, the IFT, had a question dealing with this and upon investigation the Senate said that they wanted to concur with their concern that this would eliminate the requirement for health in the middle school. I would like to concur with the Senate on this."

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Speaker Johnson, Tim: "On the Amendment the Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Would the Sponsor yield?"

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

Dart: "Representative, is there any opposition to this Amendment?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "None."

Speaker Johnson, Tim: "Representative Dart."

Dart: "And this is something the IFT was affirmatively proposing?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "This was their desire and we are meeting their desire."

Speaker Johnson, Tim: "Representative Dart."

Dart: "No further questions."

Speaker Johnson, Tim: "Seeing no further discussion or questions, the Gentleman from Kane, Representative Hoeft, has moved that the House do concur in Senate Amendment #2 to House Bill 2664. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes'; 0 voting 'no' and 0 voting 'present' and the House does concur with Senate Amendment #2 to House Bill 2664. On Senate Amendment #3 the Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Amendment #3, the Public Health Department asked if there could be a clarification on changing on the immunization date from October 15th to the beginning of the school year. We had passed a waiver that said that a school district could exclude students who had not fulfilled their examination requirements, moving it

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from October 15th anytime up to the first day of school. Public Health Department was fearful that a student coming into the school after that period might not have to take that physical exam until the following school year, and they asked for a slight clarification so that they could make sure that all students were covered by the October 15th date. I said that we would put this in so that there would be no question and they felt that this would tighten it up considerably and protect the teachers and students from potential disease problems. I will answer any questions."

Speaker Johnson, Tim: "The Chair recognizes Gentleman from Cook, Representative Dart. Proceed."

Dart: "Will the Sponsor yield?"

Speaker Johnson, Tim: "Indicates he will."

Dart: "Representative, is there any opposition to this one?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "Not that I know of."

Speaker Johnson, Tim: "Representative Dart."

Dart: "To summarize what you were saying earlier, this would allow them to tighten the rules so that the immunization laws and the exclusion date would not encourage somebody or allow somebody to extend it an extra year and not have to comply. Is that correct?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "It was their feeling that if someone came into school from outside the state on October 16th, that there might be a legal interpretation that would allow that then to mean that he or she would not have to have a physical until the following opening day of school. And this language was what they asked me to put in to clarify that."

Speaker Johnson, Tim: "Representative Dart."

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Dart: "No further questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Vermilion, Representative Black. Proceed."

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

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

Black: "Representative, this was the request of a district, of a school district in my legislative area, legislative district. I want to make sure I understand this. Most schools want the date for the immunization to be the first day of school. Have your paperwork there or you do not enroll. It never has made any sense to me that we let you go for six weeks and then tell you to leave. Now what are you doing here to guarantee that the school districts that I am familiar with who think you should have proof of immunization on the first day of school. You are not inhibiting their ability to do that? Is that correct? I am not sure I understand this."

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "This Bill says that a school district has the rights to choose between the first day of school and October 15th, an exclusion date. Most school districts are going to choose the first day of school because they do not want unhealthy students coming in to challenge the faculty and the safety of the students. What there...this clarification was designed to do, was to make sure that those students who came in after that date did not take a full year in order to get that physical."

Speaker Johnson, Tim: "Representative Black."

Black: "In other words, I could have that first date but then somehow in here you are keeping that October 15th or some sort of trigger in case somebody transfers in. What if

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they transfer in November 1st?"

Speaker Johnson, Tim: "Representative."

Black: "Excuse me, Mr. Speaker. I...I thought when you transferred in you were to bring your health records et cetera with you because if it was after October 15th, obviously you have got to have your health records and immunization card, et cetera. I'm just having trouble following this. If you could just kind of walk me through it."

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "What happens if a child comes in from out of state, Representative Black? Does not have the physical forms? You can't exclude that child that date. So you have the child... give them a opportunity to get those while they are in school, while when they are in curriculum, but you have a distinct date. Sixty days that has to be in. And they are saying, if it's not in by then, then we can exclude them. This is to clarify and create a safer system for them."

Speaker Johnson, Tim: "Representative Black."

Black: "Okay. I really appreciate that and just to make sure I am on target, on task here, it is still under this, perfectly permissible for a school district to establish with...it looks like notification, an immunization requirement first day of school, correct?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "Absolutely, and that is the intent."

Speaker Johnson, Tim: "Representative Black."

Black: "Thank you very much, Representative. I do appreciate your patience and your forthright answers."

Speaker Johnson, Tim: "On the Amendment the Chair recognizes the Gentleman from DuPage, Representative Persico. Proceed."

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

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

Persico: "Representative, you know, the school mandate waiver laws are still confusing to many of us and I guess I have a few questions. If we concur on Senate Amendment #3, since we have already concurred with Senate Amendment #1 and 2, does that mean any other thing in the School Code can be waived by a school district with out public hearing if it's already been waived in a previous year?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "No."

Speaker Johnson, Tim: "Representative Persico."

Persico: "So in other words, if a school district in some southern Illinois town, lets say, waives the band program of their particular school district, no other school district then can come in and waive their band program without public hearing?"

Speaker Johnson, Tim: "Representative Hoeft."

Hoeft: "Okay. Let me start from base one, Representative Persico. We sat down and we took those areas that were already waived that everyone agreed upon should be removed from the state law. And we took those...this is entirely different than the other Bill that was already passed through. So these are four distinct areas. There is the area of immunization. I can go through the other Amendments we've agreed upon, but this has only to do with the exclusion date for those students who do not have their physicals. That's all it does, in saying that school districts in the State of Illinois don't have to go through the long process in order to get this freedom."

Speaker Johnson, Tim: "Representative Persico, further questions?"

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Persico: "No, Mr. Speaker. Thank you, Representative, for your answers."

Speaker Johnson, Tim: "The Gentleman from DuPage...The Gentleman from Kane, Representative Hoeft, has moved that the House do concur with Senate Amendment #1 to House Bill 2664. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr Clerk, take the record. On this question there are 112 voting 'yes'; 0 voting 'no' or present, and the House does concur with Senate Amendment #3 to House Bill #2664. This Bill, having received the requisite Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2, the Order of Conference Committee Reports, appears Senate Bill 1140. The Gentleman from DuPage, Representative Tom Johnson, is recognized. Proceed, Sir."

Johnson, Tom: "Yes, Mr. Speaker, Members of the House, I would move to approve the Second Conference Committee Report on Senate Bill 1140. This Conference Committee Report and Bill that's before us today would add an effective date of immediately upon passage and signage by the government, or the Governor of the prohibition of the same sex marriages. This is...other than that, the Bill is precisely the same as we passed out of here a week or two ago on a vote of 87 to 17 and it is just the effective date. Would ask for your approval of this. Thank you."

Speaker Johnson, Tim: "On the Bill the Chair recognizes the Lady from Cook, Representative Currie. Proceed."

Currie: "Thank you, Speaker and Members of the House. I speak against the adoption of this Conference Committee Report, as I voted against the earlier measure to restate Illinois



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law in respect to marriages between people of the same gender. We were told when we considered the last Bill that it was very important to establish the principle that people of the same gender may not marry in the State of Illinois in case something were to happen in Hawaii. Well, now we find out that in addition to the fact that the Marriage and Dissolution of Marriage Act already defines marriage as a status between people of opposite genders, we find out that in their rush to judgement the proponents of this ban on same sex marriages failed to add an immediate effective date. That makes me wonder, Speaker and Members of this House, how serious the proponents are with respect to the underlying issue as against having an interest in causing division and anxiety and hatred among our populous. I think this Bill is not about preventing 'Gay marriage', I think this Bill is about bashing people whose lifestyles, whose orientations are different from those of the majority. I think we should consider the question of same sex marriage. I think we ought to do so over a longer time span. I don't see why we are so fearful of people who love one another even if the love they bear for one another happens among those of the same rather than opposite genders. But even if you don't agree with me that this is something that needs consideration and attention and perhaps a change in state law, there is no reason in the world to duplicate the statute that already exists and there certainly isn't any reason to duplicate it twice in the same Session. I would urge your 'no' vote."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Ronen. Proceed."

Ronen: "Thank you, Mr. Speaker, Members of the General Assembly. I also rise in opposition to this Conference Report as I

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rose in opposition to the same issue when it came up as Senate Bill 1773. It was said then that all this was, was about mean-spirited attacks. And I guess all we are learning today is that in addition to being mean-spirited, the proponents of this Bill are also pretty sloppy because they couldn't get it right the first time. I would urge all Members to vote 'no' or vote 'present' against this Bill. There are...this is disingenuous at best. It's hate-filled. The only purpose is to have a political wedge issue to use in November. That's hateful and that's wrong. And I think it's important that we all stand up and speak out against that kind of hate. I would urge Members to do that. There are so many more important issues that we could be discussing that relate to marriage and to families, that it's kind of ironic. I guess it's worse than ironic that we're having to deal with this. What we are doing is trying to erect barriers to people making a commitment to one another, to people loving one another. Why does that sound so wrong? Why does that sound so scary to people? I think that's what people voting for this have to look at and see why they are responding that way. There are many more important issues than this. That's what we're talking about, marriage. Let's talk about the violence that occurs in marriage. Let's try to do something about that. So this Bill is mean-spirited, it's wrong. And I would ask all of my colleagues to vote 'no', to vote 'present' and to vote against this hatred bigotry."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Coles, Representative Weaver."

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

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' Those in favor signify by saying 'aye', those

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opposed by saying 'no'. In the opinion of the Chair the 'ayes' have it. The main question is put. The Gentleman from DuPage, Representative Tom Johnson to close."

Johnson, Tom: "I would just ask for your 'aye' vote on this. Thank you."

Speaker Johnson, Tim: "The question is, 'Shall the Second Conference Committee Report to Senate Bill 1140 be adopted?' Those in favor signify by voting 'aye'; those opposed by voting '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 83 voting 'yes'; 12 voting 'no', 14 voting 'present' and the House does adopt Conference Committee Report #2 to House Bill...Senate Bill 1140; and this Bill, having received the requisite Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Senate Bills Second Reading, page 5 of the Calendar, appears Senate Bill 1664. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1664. The Bill has been read a second time previously. Committee Amendment #1 was adopted. Committee Amendment #2 was referred to Rules. No Floor Amendments. Fiscal Note and State Mandates Note have been requested on the Bill and have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 1664. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1664, a Bill for an Act in relation to the Southwestern Illinois Development Authority. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "On the Bill the Chair recognizes the Gentleman from Madison, Representative Stephens. Proceed."

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Give the Gentleman your attention."

Stephens: "Thank you, Mr. Speaker. As the Bill was introduced in the Senate, it exempted the Southwestern Illinois Development Authority Industrial Revenue Bonds from income tax in the State of Illinois. It also extended the quick-take period for another 24 months for the Southwestern Illinois Development Authority. In the House we amended the Bill in Committee to change the reference from Industrial Bonds and to strike that language so that the Southwestern Illinois Development Authority could issue bonds for a variety of projects including some that I would like to reference. For instance, the not-for-profit hospitals in our region have been benefactors...beneficiaries of Southwestern Illinois Development Authority bonds. The...SWIDA is involved in a number of activities in our area, in the area of economic development. Including, as was referenced earlier in the day, St. Clair County which operates the expansion of Scott Air Force Base to joint use which will soon be known as the Mid America Airport. Metro Link Development, a bi-state effort to extend light rail into Southwestern Illinois. In recent years they've been involved in the creation of 274 jobs, retention of 46...46 hundred jobs, almost \$4 million in income tax paid by the creation of those jobs. And the Bill has been amended and I would like to send it back to the Senate. I move favorable consideration and would be glad to answer any questions."

Speaker Johnson, Tim: "Prior to proceeding on the Bill, on a point of personal privilege, the Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, because of a potential conflict of interest I will be voting 'present'."

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Speaker Johnson, Tim: "Thank you, Sir. The Chair recognizes the Gentleman from Madison, Representative Steve Davis. Proceed."

Davis, S.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this...of this Senate Bill. The Southwestern Illinois Industrial Association provides a greatly needed service for our area and it's an excellent economic development tool for many projects in our area. I think this Bill has very minimal cost to the State of Illinois, something approximately \$26 thousand cost to the citizens of the State of Illinois. And I believe that every single penny of the cost that it will cost the taxpayers in the State of Illinois can be justified and it is certainly something that we need in our area. And I would urge all of my colleagues on both sides of the aisle to join with Representative Stephens and myself and support this piece of legislation. Thank you."

Speaker Johnson, Tim: "On the Bill the Gentleman from St. Clair, Representative Holbrook. Proceed."

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

Speaker Johnson, Tim: "To the Bill."

Holbrook: "This is just another spark plug in the engine of our economic development that drives our community. We need to keep it going. I would urge all parties to vote for it. They have done nothing but excellent work in our area for economic development. Our local officials, everyone endorses this and I urge both sides of the aisle to vote for it. Thank you."

Speaker Johnson, Tim: "The Gentleman from Madison, Representatives Stephens has moved for the passage of Senate Bill 1664. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', 0 voting 'no' and 1 voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Second Reading, page 4 of the Calendar, appears Senate Bill 1363. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1363. The Bill has been read a second time previously. Floor Amendment #1 was referred to Rules. Floor Amendment #2, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Johnson, Tim: "On Floor Amendment #2 The Chair recognizes the Lady from DuPage, Representative Cowlshaw. Proceed."

Cowlshaw: "Thank you very much, Mr. Speaker. This Amendment simply requires the very same things to happen in Cook County that happen in all other counties of the state in regard to the services that are provided for young people including such things as the GED test and so forth, it is consistent with long-standing practices and it corrects some drafting errors. That's all it does. Thank you. I'd be glad to answer any questions."

Speaker Johnson, Tim: "On the Amendment the Chair recognizes the Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. A question of the Sponsor. Will she yield?"

Speaker Johnson, Tim: "She indicates she will yield. Proceed."

Schoenberg: "Representative Cowlshaw, does this relate to the duties of the Office of the Regional Superintendent of Schools for Cook County?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "There is no Regional Superintendent of Schools for

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Speaker Johnson, Tim: "Representative Schoenberg."

Schoenberg: "All right, let me rephrase the question, but before I rephrase the question, Mr. Speaker, I'd like to request a Roll Call vote and a verification on Floor Amendment #2. I am joined in the necessary hands of my colleagues."

Speaker Johnson, Tim: "Your request in both regards are granted. Proceed."

Schoenberg: "Thank you. Representative Cowlshaw, let me rephrase the question. Mr. Lloyd Leman who handles the functions exclusively for suburban areas within Cook County, does this pertain to the duties of that office?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "It pertains to the duties of the Office of Regional Superintendent of Schools exactly the same as it has always been. It makes no changes in those things whatsoever."

Speaker Johnson, Tim: "Representative Schoenberg."

Schoenberg: "As I seem to recall, there has been a concerted effort, first it was initiated by your side of the aisle, then it was a flag that was adopted by our side of the aisle. As far as eliminating this office altogether. This office is just...the functions of this office it's just as superfluous and unnecessary now as it was before, and the irony is that we had sought to abolish this office and put Mr. Leman in there on an interim basis so that he could handle all the administrative tasks and ensure a smooth transition of the abolition of this office. Now we...what we've seen is that the purview of the office is limited to suburban Cook County instead of suburban Cook County and the remainder of Cook County. But the office is just as unnecessary now as it was last year, as it was the year before that, as it was the year before that. The State

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Board of Education has acknowledged that they can handle readily all the functions of this and I would be very surprised to see any of my fellow colleagues from suburban Cook County who...with regardless of what party you're from, if you are from suburban Cook County you really have no business supporting this because we've already ensured, we already know that the State Board of Education can handle these functions. I appreciate what the Lady has done on so many other educational reform initiatives. However this is a step back in time and this is really unnecessary. Those of you who are newer from suburban areas should really vote against this because there's really no compelling reason to be for this. Thank you."

Speaker Johnson, Tim: "On the Amendment the Gentleman from McLean, Representative Brady. Proceed."

Brady: "Will the Sponsor yield?"

Speaker Johnson, Tim: "She indicates she will."

Brady: "Representative, if I am to understand what you are trying to do here, correctly, is you're trying to create equity and parity throughout the State of Illinois. Right now the state is subsidizing the inefficient operation in which GED's are provided for in Cook County. And you are just trying to say if that's going to exist, they ought not have to take downstate taxpayers to pay for it, provide the parity of systems throughout the entire state. Is that correct?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative Brady, there could not be a more accurate description of what this Bill does. Currently, the cost that the State of Illinois, that is all of the state's taxpayers are incurring - in order for GED tests and certain other services to be provided in the County of



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Cook are paid for by the State of Illinois. That does not happen in any other county in the entire state. Consequently, the taxpayers everywhere else in Illinois are subsidizing the costs for these services only in Cook County. That is not fair, it is not equitable. I am certainly pleased that you picked up on it, Representative Brady."

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

Brady: "Thank you, Representative Cowlshaw. To the Bill."

Speaker Johnson, Tim: "To the Bill...to the Amendment, Sir."

Brady: "I would echo Representative Cowlshaw's comments to all my colleagues outside of Cook. I think it is a very important vote. It is very important that you vote 'yes' for this. It will end your constituents subsidizing a system that's inadequate and inefficient in Cook. I would urge you to vote 'aye' for this Bill."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Stroger. Proceed. Representative Stroger."

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

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

Stroger: "Representative, does this create a superintendent for all of Cook County or only for suburban Cook County?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "No, Sir, it does not do either of those things."

Speaker Johnson, Tim: "Representative Stroger."

Stroger: "Then, could you tell me what this does?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "It makes the County of Cook responsible for paying the costs above and beyond those costs that are reimbursable through the fees that are paid for GED tests to be taken. There is an excessive amount of money that is

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required to administer those tests in Cook County because the fees do not come even close to covering the costs. Someone has to pay those costs. Currently, they are being paid by the State of Illinois. Unlike any other county in the state, this requires the County of Cook to pay for those services just like all other counties in Illinois."

Speaker Johnson, Tim: "Representative Stroger, further questions or comments?"

Stroger: "If there is not going to be a regional superintendent, where will that money go through?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "I'm sorry, I don't think I understood your question. Could you repeat it, please?"

Speaker Johnson, Tim: "Representative Stroger, do you want to repeat the question?"

Stroger: "I believe for the other counties, the monies allocated goes...the Regional Superintendent's Office gets it and they actually pay the bills. So, in Cook County, who will the money go to and how will they decide who will run the GED Program and how will they get paid?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative, it is the purpose of this legislation to result in there being no state appropriation for covering the costs of those services that the state does not pay for anywhere else. Consequently, it is not a question of where the appropriated money would be directed. There would be none."

Speaker Johnson, Tim: "Representative Stroger, any further questions?"

Stroger: "So, in essence, then the Cook County Board would decide who runs the GED Program and they will take the money from their general fund and pay for it."

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Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative, as in all other counties where there is an elected regional superintendent of schools it is that individual's responsibility to see to it that GED testing is available to those students who seek it and those costs are paid for by the county. It is entirely the discretion of the county as to how it wants to direct any funding in order that GED testing can be provided for students who live in the City of Chicago which does not have a regional superintendent of schools. There is no reason that the County of Cook could not arrange for those services to be provided through the Chicago Reform Board, if that is the county and the board's choice. But it is essential that the county, which I know is a very responsible entity, it is essential that the county ascertain that there is some process by which any student living in Cook County has the opportunity to take a GED test if he or she wishes to do so."

Speaker Johnson, Tim: "Representative Stroger."

Stroger: "To the Amendment."

Speaker Johnson, Tim: "To the Amendment."

Stroger: "I believe that the Representative is correct, that GED services need to be done in Cook County, but I also believe that the Regional Superintendent needs to be in Cook County. It was a mistake when we removed him. If a person isn't doing his job, then he should be voted out by his constituents. The office should not be abolished. So we have found out that the services that every...the other 101 counties need, Cook County needs. So before this Amendment pass, we ought to pass a Bill that puts the Regional Superintendent in charge of all of Cook County. Not two of them, just one for the whole county. Thank you."

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Speaker Daniels: "Speaker Daniels in the Chair. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Representative's Amendment. And I hesitate to bring up regional differences, but I think the thing those of us who live downstate need to focus on, is that all this Amendment is doing is to say the County of Cook shall be treated as every other county in the State of Illinois is treated when it comes to the GED examination and fees. The Regional Superintendent can charge a \$15.00 application fee and \$10.00 fee to print and distribute the diploma for those who pass the GED. That then goes to offset the costs. In every other county of the state the difference between the fees generated and the dollars required to run the GED Program the county makes up the difference. But in the County of Cook all taxpayers throughout the State of Illinois make up the difference. Now that is not equitable. There is no reason why the citizenry of the entire State of Illinois should subsidize this year, to the tune of an excess of \$250 thousand, the GED Program in Cook County. Now I can't go home and explain why my taxpayers are subsidizing the GED Program in Cook county. I dare say not one downstate Legislator, regardless of affiliation of party, can go home and explain that. I realize that there are things that we have to take into consideration about how big the County of Cook is and other items, but this is not one of those. A GED exam is a GED exam, whether it is administered in Cook County or Vermilion County. And it is not fair to ask the citizens of Vermilion County to make up whatever difference there might be in the administration of the GED Program and then to further make up the shortfall

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of the GED Program in Cook County. This is a very clear-cut case of some counties not being treated the same as others. I would urge, particularly my colleagues on either side of the aisle who live in any county other than Cook, to vote in favor of the Amendment."

Speaker Daniels: "Representative Winkel."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Cowlshaw to close."

Cowlshaw: "It is important for the students in Cook County, whether they live in the suburban area or the City of Chicago, to be provided with the same services as students throughout the rest of the state, and in fairness to all taxpayers, those services should be funded the same way they are in all of the other 101 counties. The state should not be subsidizing these costs. If you would like to believe that we have a system of funding services to children that is fair, vote 'yes'. Thank you."

Speaker Daniels: "The Lady moves for the adoption of Amendment #2. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all downstated voted as wish? Take the record. On this question there are 51 'ayes' and 60 'no'. The Lady...Representative Cowlshaw."

Cowlshaw: "May I ask for Postponed Consideration, please?"

Speaker Daniels: "The Lady asks for Postponed Consideration and according to House Rule 712, she is entitled to it on any legislative measure. And, Representative Cowlshaw, the Chair would rule that you are entitled to that, but what is

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your pleasure?"

Cowlshaw: "Mr. Speaker, I want to make sure I understand this.

If I do not put this on Postponed Consideration then we have a record of this vote. Is that correct."

Speaker Daniels: "That is correct."

Cowlshaw: "Forget the request about a Postponed Consideration."

Speaker Daniels: "The Lady withdraws her request for Postponed Consideration. There are 51 'ayes', 60 'noes', 2 voting 'present', and the Lady's Motion to adopt Amendment #2 fails. Further Amendments?"

Clerk Rossi: "No further Amendments have been approved for consideration. Notes that have been requested on the Bill have been filed."

Speaker Daniels: "Representative Cowlshaw, do you wish to move this Bill to Third Reading or leave it on Second?"

Cowlshaw: "Second, please."

Speaker Daniels: "Leave the Bill on Second Reading. Senate Bill 1390. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1390. This Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Ryder, has been approved for consideration."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Floor Amendment #3 reinstates the environmental impact fee for cleanup reimbursement for underground storage tanks. This Bill is in exactly the same form as when 88 of us voted in favor of it last fall. And..."

Speaker Daniels: "Representative Granberg."

Ryder: "...Be happy to answer any questions."

Granberg: "Thank you, Mr. Speaker. First of all, I am joined by the requisite number of my colleagues to request a Roll

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Call vote on the Amendment. And secondly, to the Amendment, Mr. Speaker. I want to thank Representative Ryder for his cooperation. I rise in support of the Amendment. This is what we should have done last spring. We should have voted this issue straight up or down on the merits. We should not have tied it to child sexual offenders. We should not have tried to pass a gas tax, which this is, on the backs of sexually abused children. Representative Klingler refused to take it out of the record last spring, thereby jeopardizing these people, these small business people. This is an important measure. It helps our small business people from across the state. I think it is a small gas tax increase and is worth the effort for what we are trying to accomplish. And I want to thank the Sponsor of the Amendment and the Sponsor of the Bill for their help."

Speaker Daniels: "The Majority Leader, Representative Churchill."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Ryder now moves for the adoption of Amendment #3 to Senate Bill 1390. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 77 'aye', 15 'no', 3 voting 'present'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. Notes requested have been filed."

Speaker Daniels: "Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1390, a Bill for an Act that

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amends the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Ryder now moves the passage of Senate Bill 1390. All in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. This is final action on the Bill. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? This is final action - environmental cleanup, underground storage tanks. Everybody recorded the way they want to be recorded? Representative Davis, you're recorded as 'no'. Is that how you want to be recorded? Have all voted who wish? Take the record. On this question there are 86 'aye', 27 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Churchill now moves that the House stand adjourned until Friday, May 17th, 1996 at the hour of 10:00 a.m. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and allowing perfunctory time for the Clerk, the House now stands adjourned until Friday, May 17th, 1996 at the hour of 10 o'clock a.m."

Clerk McLennand: "House Perfunctory Session will be in order. Introduction of Resolutions. House Joint Resolution #123, offered by Representative Meyer, was referred to the Rules Committee. Introduction and First Reading of House Bills. House Bill #3734, offered by Representative Stephens, a Bill for an Act to amend the Counties Code. First Reading of this House Bill. Messages from the Senate. Messages from the Senate. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendment to Senate Bill 454, House Amendment #1 to...House Amendment #1



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to Senate Bill 542 and Senate Bill #1440, 1414, House Amendment #1 and Senate Bill #1465, House Amendments #1 and 2, action taken by the Senate May 16th. These were referred to the Rules Committee on the Order of Nonconcurrency. Under the Order of Concurrence, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of Bills of the following title; House Bill #431, together with Senate Amendments #1, 2, 4, 5, and 6. House Bill #545, together with Senate Amendments #1, 2 and 5. House Bill #1014, together with Senate Amendments #1 and 2. House Bill #2206, together with Senate Amendments #1, 2 and 3. House Bill #3128, together with Senate Amendments #2 and 3. House Bill #3204, together with Senate Amendment #1. House Bill #3309, together with Senate Amendments #1, 2, 3 and 4. House Bill #3349, together with Senate Amendment #1. House Bill #3520, together with Senate Amendment #1 and House Bill #3694, together with Senate Amendment #1, the adoption of which I'm instructed to ask concurrence of the House. Passed the Senate, as amended, May 16th. Introduction of Resolutions. Senate Joint Resolution #107, offered by Representative Churchill. The Adjournment Resolution is referred to the Rules Committee. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in full Session Friday, May 17th, at the hour of 10:00 a.m."

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