

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

139th Legislative Day

January 12, 1999

Speaker Madigan: "The House shall come to order. The House shall come to order. We shall be led in prayer today by Representative Coy Pugh, the Assistant Pastor of the Fernwood United Methodist Church in Chicago. The guests in the gallery may wish to rise and join us in the invocation."

Pugh: "Let us bow our hearts and humble our spirit. Eternal God, Father of our ancestors, Abraham, Isaac, and Jacob, we come before You this afternoon with our own set of complex idiosyncrasies. Have mercy, oh Lord and hear our prayer. Forgive us for our weak and feeble attempts to do what is right. We would be more caring than we are, but we just don't know how. We want to do what is right for we just don't know how. Do to our hearts, touch our spirits, not that we may be better than we are, but that we may deeply desire to be better than we are. You have been our shelter in a time of storm, our comfort in the time of trouble, our hope in times of despair. We seize upon this opportunity as if it were our last to merely say, thank You. Amen."

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

Fantin - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Dart is excused because of traffic delays. He will be with us later in the afternoon, and as far as I know, all the rest of us are here."

Speaker Madigan: "Mr. Cross."

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Cross: "I think, apparently Mr. Speaker, we are all here on the Republican side. Thank you."

Speaker Madigan: "The Clerk shall take the record. On this question, there are 116 people present. There is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports Representative Skip Saviano, Chairman for the Committee on Registration and Regulation, to which the following item was referred, action taken on January 11, 1999, reported the same back with the following recommendation: 'be approved for consideration', Conference Committee Report #1, to Senate Bill 859. Representative Shirley Jones, Chairman from the Committee on Public Utilities, to which the following measures were referred, action taken on January 12, 1999, reported the same back with the following recommendations: 'be approved for consideration', Floor Amendment #1, to Senate Bill 930. Representative Calvin Giles, Chairman from the Committee on State Government and Election Reform to which the following measure was referred, action taken on January 12, 1999, reported the same back with the following recommendation: 'be approved for consideration'. Floor Amendment #4, to Senate Bill 200. Supplemental Calendar #1 is being distributed."

Speaker Madigan: "Mr. Clerk, on Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions, House Resolution 709, offered by Representative Daniels; House Resolution 710, offered by Representative Daniels; House Resolution 711, offered by Speaker Madigan; House Resolution 713, offered by Representative Granberg; House Resolution 714, offered by Representative Gash; House Resolution 715, offered by Representative Connie Howard; House Resolution 716, offered by Representative Brady; House Resolution 717, offered by

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Representative Granberg; and House Resolution 718, offered by Representative Parke."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Has the Parliamentarian read the Agreed Resolutions? Mr. Parliamentarian? Mr. Parliamentarian. Have you read the Agreed Resolutions?"

Speaker Madigan: "Mr. Hartke in the Chair."

Speaker Hartke: "Representative Black moves the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'no', in the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. Introduction of Resolutions."

Clerk Rossi: "House Resolution 708, offered by Representative Mulligan; House Resolution 719; offered by Representative Daniels; House Resolution 720, offered by Representative Daniels; House Resolution 721, offered by Representative Daniels; House Resolution 722, offered by Representative Daniels and House Resolution 723, offered by Representative Daniels are assigned to the Rules Committee."

Speaker Hartke: "Representative Saviano, are you in the chamber? On Order of the Regular Calendar, on page 2 appears Senate Bill 930. Representative Black. Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 930 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Black, has been approved for consideration."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1, simply moves the effective date back for the 911 locator. It has an impact on those businesses that use a, what we use to call a

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private base exchange, or a PBX. It has nothing to do with wireless. I know of no opposition to the Amendment. It moves the effective date of the 911 locator, which I think, is being, the intent of that Bill is being misconstrued by a long shot. I know of no opposition to the Bill. Moves it back to June 30, of the year 2000. Be glad to answer any questions that you have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, Representative Black moves for the adoption of Amendment #1, Floor Amendment #1... to Senate Bill 930. All those in favor signify by saying 'aye', those opposed 'no'. Opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Is there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, call the Bill."

Clerk Rossi: "Senate Bill 930, a Bill for an Act amending the Public Utilities Act, Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. Floor Amendment #1 becomes the Bill, you heard earlier. All it does is to change the compliance date for businesses from June 30, 1999 to June 30, 2000. This language does not have any fee increase. It has nothing to do with 911 wireless issue. That's a separate issue. Basically, what this Bill now does, is to say that the compliance date is pushed back, because the intent of the law was to a 911 locator. If you were in a building, such as the Sears Tower or the John Hancock Center, and you called 911, and then all they have is the address of the building and it may take them considerable time to find out what extension or what telephone, indeed,

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dialed 911. But that's now being construed to say that even if you are a business the size of this chamber, where all of us are in view of each other, you still have to have that locator. And that locator for a small business could cost upwards of 10 to \$20,000. I think this Bill, this Bill makes immanent good sense. It moves the compliance date back a year and gives us a chance to fine-tune the 911 Locator Law. I would ask your favorable consideration of Senate Bill 930 as Amended."

Speaker Hartke: "You have heard the Gentleman's Motion. The Chair recognizes the individual from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hartke: "He indicates he will."

Brunsvold: "Bill, you and I have worked 911 legislation for quite a few years, now, and we have postponed this deadline, I think, what, once or twice maybe?"

Black: "I believe we have, yes."

Brunsvold: "And what is, what's your thought on this? I have talked to some of the individuals and they feel that this will be the last, the last that we can postpone this, is that your feeling?"

Black: "I... I share your concern. And I think it will be the last delay and I think, quite frankly, Representative, what we need to do is to work on the intent of the Locator Law. I don't think it was ever intended for a small business, where all of the telephones are either within eye view of each other or certainly within your hearing distance, that, that be mandated. Obviously, on a 90 story building, that's, that's a completely different issue and I don't think those people are fighting this. But, it is a, the way that it's being interpreted is a very expensive mandate

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on a small business that may be located on one floor. I know, back home, it's a newspaper in my district, where all the employees basically, are within seeing distance of each other and this mandate would cost them about \$25,000 for this technological equipment on their PBX or on their switchboard. So, I think in the time we're given now to delay, we really need to, if at all possible, to change this law, so that we are more clearly indicating who needs a 911 locator and who doesn't."

Brunsvold: "I would totally agree with Representative Black, in his position that we ought to look carefully at how the PBX's are to be mandated so that real, real small areas, where they're visible to one another might be addressed in a different type of situation, and I would stand in support of Senate Bill 930 and ask for its passage."

Speaker Hartke: "Further discussion? Ladies and Gentlemen, yesterday Representative Black asked that this chamber have some order. So please, if you will, so Representative Black can hear the discussion, so he knows what he's voting on and he would like to see this Bill passed. So, let's give the Gentleman some attention. Further discussion, the Chair recognizes the Gentleman from Cook, Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I rise in support of this Amendment. I've had the opportunity in my district to attend several meetings with the Chicagoland Chamber of Commerce and Small Business Owners. And as Representative Black has indicated, there's some serious implementation problems in terms of small businesses, and for that matter, large businesses, with the underlying 911 Telecommunications Act that we need to address in the next General Assembly and I will gladly work with the

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Representative on that. One of the problems that we've had, is that there's been a failure in communications in large part, from the State of Illinois, to small business owners about the requirements and the deadlines. This is not an unreasonable delay and at the same time, it gives us a window of opportunity to look at some of the implementation issues that were not anticipated in the underlying Act. I urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Winnebago, Representative Scott."

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

Speaker Hartke: "He indicates he will."

Scott: "Representative Black, in your opening, you talked about it... delaying it for businesses, and that was the term that you used. But there also school districts and other people to whom this would apply. Would the delay also apply to those people, as well?"

Black: "Mr. Speaker, I'm sorry, I heard the word delay, but I really could not hear the Gentleman's question."

Speaker Hartke: "Ladies and Gentlemen, would we please have a little order in this House? If you have conversation, move it to the back and lower your tone of voice, please. Representative Black, would you like for Representative Scott to repeat that question?"

Speaker Hartke: "Representative Scott."

Scott: "I'd be glad to. Bill, when you were doing your presentation, you made the reference to the word 'businesses'. You said that this will delay it for businesses who have to implement this by June 30, of '99. I assume, you meant everybody. Because there are also school districts and some other people that wouldn't be classified as a business. So I assume, whoever this

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implementation date would have applied to, it would be delayed another year, under this Bill."

Black: "Yes, that's certainly my understanding and I'm looking at the language of the Amendment, that says, clearly, 'all entities providing or operating a private business switched service', I would think that would include a school, even if they were on a centrex system. I don't want to misstate. I've asked the staff come up, but I'm sure that it applies to everyone who's having difficulty figuring out how to put that 911 locator on their private exchange."

Scott: "Right, and the reason I ask is because of the school district in Rockford, for example, the price tag for this is not \$25,000, but it's about a million bucks. And so, I wanted to make sure that schools and the other not-for-profits, who we're trying to watch out for too, are also covered by this."

Black: "That's a very good question, and I'm fairly comfortable in telling you that I think it applies to everyone and I can testify, yesterday in my home town of Danville, a grade school caught on fire and was seriously, seriously damaged, if not in fact, destroyed by the fire. It's a testimony to the quick action of the Danville Fire Department, the Danville Police Department and the teachers and staff, that all 300 children were evacuated safely. But, I haven't had an opportunity to talk to the superintendent about whether or not the locator would have helped or made no difference, because they're on a centrex system. But, I think your point is well-taken. Anybody faced with this very expensive technological requirement, I think, would be able to get relief under this delay. Until, we can, as an earlier Representative said, perhaps fine-tune this law and make certain that we make, obviously, 100 story buildings

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in compliance, but not schools and not people located on one floor, et cetera."

Scott: "Right, and I think that's important and I'd be glad to help you work on that as well. In talking to the fire people in Rockford, they're very interested. Obviously, they want to be able to locate it and pinpoint it as quickly as they can, and all of us do also. But we're just trying to make sure that that people, that what we implement is something that makes sense. So that we're not... a one room or two room office, we're not making them spend \$20,000 so they can tell whether it's in this room, or across the way, where Representative Persico is sitting..."

Black: "... And I, I think that's the point that we need to look at and I know I am anxious to talk to the officials back in Danville, because the school does have a switchboard. I'm not sure how the outlying schools are connected. But my guess is, that there was no confusion as to what school was on fire yesterday, because of the quick evacuation and the quick response. But you bring up a good point, and we obviously have a lot of work to do between now and June 30, 2000."

Scott: "And the other thing, that I would... to people who are... trying to say well, this may mitigate against safety and whatnot. The other point of this is, that not only is it expensive for the businesses, but most of these same businesses are also going through some other technological problems as are we, with the whole computer issue, as we get to the year 2000. And so, by delaying this, it not only gives us time to make a better Bill, but also gives them a chance to, perhaps... so we don't put some businesses out of business by forcing two different

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technological changes on them at once."

Black: "An excellent point. Thank you."

Scott: "Thank you very much, Mr. Speaker."

Speaker Hartke: "Further discussion, the Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

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

Speaker Hartke: "He indicates he will."

Mitchell: "Representative Black, it's my understanding there are some exemptions in this Bill. Are there certain offices that are exempted from the 911 PBX?"

Black: "Would you be referring to the underlying Bill?"

Mitchell: "Well, my understanding is that all State offices do not have to comply with this. Is that... is that a rumor or is that a fact?"

Black: "Bear with me just a second, if you would Representative. Representative, I don't see an exemption in the Amendment. I can't swear to you that there might be a public governmental entity exemption in the underlying Bill. And we've asked that the staffer find his way to the floor. I'd hate to give you a definitive answer, because it would not surprise me, if in fact, there would be governmental exemption. That's not something unusual, right or wrong, that we often do. But I don't see that exemption in the Amendment that becomes the Bill, but I can't speak to the underlying of the enacting legislation that we passed three or four years ago. I really don't know the answer to your question."

Mitchell: "All right... I think, and I can't quote it directly, but, but what was reported to me that there was a statement made by business people, that it's ironic that it is only going to affect businesses, but not state institutions, not state offices and I don't think that was the intent of the

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legislation. Seems to me at this point, there's an awful lot of work that could be done, that needs to be done to make sure that the bureaucracies that are implementing this piece of legislation, understand what the original intent was. It seems as many, many times in this chamber, the intent, which was good, has been totally changed when the rules themselves are being implied. I think it's a good position to be in. I think the delay is important and I think we ought to go back to work on this whole issue to make sure that we don't put some small businesses out of business by trying to save them. You know, you can't destroy business and try to save them at the same time. So, you have to reach a compromise. I certainly support your efforts and I support the chamber's action in helping with this delay. But let's hope that we get this whole issue straightened out in the next General Assembly, so that we don't face this kind of crisis again. Thank you."

Black: "Mr. Speaker."

Speaker Hartke: "Yes."

Black: "If I might respond to Representative Mitchell's question, a staffer, who worked on this Bill for a considerable period of time in the past, has told me that there is not an exemption in the underlying Bill for governmental offices, which I know that all of us are glad to know. Because, I know, Mr. Speaker, that you're often here in this Capitol Complex working at 2, 3, 4 o'clock in the morning. I often stop by your office and see you working, and I worry about you. I worry about you because of your advanced age and the stress, that if you were to call 911, we would want to get help to you immediately, because very few people know where your office is. And so, we're not exempt. And I know that that will make you rest easier

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because you're often here, literally, around the clock working and we would want to get help to you very quickly, in case of an emergency."

Speaker Hartke: "Mr. Black, would you repeat that so that I can run the tape?"

Black: "You had your opportunity, if you'd had order, everybody would've heard it."

Speaker Hartke: "Representative Mitchell, do you have a comment? I thought that you were completed."

Mitchell: "Thank you, Mr. Speaker. I... and Representative Black's comments are well-taken and I certainly share in his concern for the... but my concern was more for Representative Black himself. He has that penthouse office, which is very difficult to find, even when you know the way up there. Certainly, we would not want anything to happen. Although, you know, the way Representative Black is able to clear this chamber, to quiet this chamber, I have a feeling if this Chamber if his office were on fire, we'd probably hear him without 911. Thank you."

Speaker Hartke: "Further discussion, the Chair recognizes the Gentleman from Cook, Representative McArthur (sic-McCarthy)."

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

Speaker Hartke: "He indicates he will."

McCarthy: "Representative Black, first of all, thank you for your concern for our Speaker today..."

Black: "Yes."

McCarthy: "Secondly though, since we're having all these questions about legislative intent of the original legislation. Would you say that your intent today is to extend the deadline, so that businesses can comply by the year... July 1, 2000? Or is your intent to change the

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legislation to take some businesses out of the purview of this legislation?"

Black: "That's a very good question and I think, excuse me, we'll make it very clear that the only intent of this Bill as amended in Floor Amendment 1, is to extend that deadline. Any action to clarify the intent or to change the underlying enacting 911 locator legislation would have to be put in Bill form and brought to this Body, and that is not my intent at this time. I do think that there will be forces asking us to clarify the enacting legislation and I'm not in opposition to that, but I'd like to see it. But all this does is to move the compliance date back to June 30 of the year 2000. Anything that would follow would have to be done by this Body in Bill form, debated, acted on, and perhaps passed."

McCarthy: "I understand that. Now, under a current question by Representative Brunsvold, you had said that this at least been delayed one time already, and now this would be a second delay. Now many of the proponents of this have given us all letters, telling us about the fact that this has snuck up on business. And would you agree with me that it seems like many of the business groups in our state, like the chamber and the Federation of Independent Businesses, maybe should have been able to inform the Members a little more quickly. So that, I mean, this legislation was not passed in the last General Assembly. It wasn't passed in the one before that. It was passed in 1994. They were given 5 years already, and now we're going to give them a sixth year. Do you think that that sixth year is justified?"

Black: "Well, I... I do. And your point is well-taken, Representative. I'm not sure that I would characterize this

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as having, you know, being sneaky about it, or having it snuck up on somebody who wasn't aware. There has been some problems in getting the technology to do this. Up until about 2 years ago, I know some small businesses in my district were simply not able to find a vendor who could do this, in a system as small as they were operating. And that was a concern. Obviously, the technology's there to do a much larger facility. And I think your point is well-taken. This, I'm sure, will be the last delay that this Body will agree to and it might, it may be incumbent upon our small business community and this Body to revisit the enacting legislation to see that it is fair, equitable, and workable. But I don't think it's something that the business community has ignored. I... I know in my own district, it was a case of finding a vendor who would be interested in a, what we call a relatively small, private base exchange. They were certainly casting their bets with the John Hancock Centers, the Sears Towers, et cetera. But obviously, somebody may have hoped that this would happen and decided not to do anything about it. And I do think some people that I've talked to, thought all along that we would correct this, because they could not imagine that they would have to comply when their business was all on one floor and everybody was within eyesight of each other. So, I can't speak to the motives of everyone, but it does make some immanent sense to me, having dealt with some small businesses in my district."

McCarthy: "Well, I value your tenure here on the floor, which is much longer on my own. So, maybe you're correct in saying this will be the last delay. But, from what I've seen in my two years, I think there's lots of delays and it seems like those delays are voted on quite readily. So, I am a

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little afraid that this might be just one in a series, and it could be the second of three, or the second of four. It seems to me that a... we do have some problems here with legislative intent being implemented by the rules, as Representative Mitchell alluded to earlier, and I agree with him then. But, I think that if the intent of this legislation is what needs to be changed, we are better served by leaving the deadline July 1, 1999 and putting the impetus on us to say we better do something about very quickly and change the intent, instead of having, you know, putting another year on it, give people an extra year not to do anything. And then, God forbid, we have a tragedy in the state between that 12 months that we have now allowed by this Amendment, and then we look back at the General Assembly and say, if they hadn't done that, maybe the centrex systems would have been in place, or the PBX. I mean, I'm not even sure of all the different systems that are necessary there. But, I think that it's a dangerous precedent to say, if the intent was wrong, we should change the legislation. I'd say leave it at July 1, 1999. We can easily do it in the next General Assembly. It seems that Bills that want to be done around here, can be done in the matter of a day, as you and I have discussed the last time we were here. But yet, these things, if it is that necessary, we have six months to do this. I am sure we can take care of it, and if the intent is wrong, and that's what it seems to me, by the letters that I receive from the proponents by some of your answers here today. So I would say we should vote 'no' on this. Do not extend the deadline and then if we need to change it, let's change it in the next General Assembly. Thank you."

Speaker Hartke: "Further discussion, the Chair recognizes the

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Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "He indicates he will."

Mulligan: "Representative Black, do you think this will have any impact on 911 for cellular that the police and fire department are interested in working on?"

Black: "I certainly hope that that not become the case. As Representative Brunsvold said earlier, we've been working on 9...excuse me 911 cellular since the Tammy Zywicki case back in 1992, when she was abducted on her way back to college and murdered and thousands of cell phones were sold on the basis of safety. And then we began to discover that you can call 911 on a cellular, and unless you know where you are, it may be impossible to get help to you. There is another Bill floating around that will address the issue of 911 cellular that I think is a good Bill. Obviously it... not everyone is in agreement. And I wouldn't think that moving this land line Bill, this is only hard wire land line telephones that we're impacting on 930 (sic-Senate Bill), and I would certainly hope that it have no negative impact on a situation of cellular emergency that we must address. And I think, I hope we will in the next Session."

Mulligan: "I would like some reassurance 'cause I think that's important, too. It's really hard, if you're the person that needs 911, of course, you might not notice exactly where you are. If I pass an accident on the road and I want to report it, I try and find the next mile marker. But it's very difficult and I think that it's really important. I'd also would like to know if the business community has given you some assurance if we postpone this for a year if they're are going to make a good effort, a good faith effort to actually accomplish this, because they have had a

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lot of time. And in many instances, people put off things because they figure the date, six years from now is not that big of date and then all of a sudden it's on top of us and so they cry, 'we need help with this'. Have they given you some reasonable assurance that they will make their best efforts to comply with this? I think it's very important, particularly in a large building, if someone has a heart attack or they're being held hostage, something to that effect. I think you definitely need to know where they are and in the City of Chicago and some of the suburbs now, some of those building are humongous. It's very hard to find the location of the person that's in need."

Black: "I think your point is well-taken and I can't, I cannot reasonably promise you, or give you an unqualified assurance that that will happen. I do think many small businesses are hopeful that during the delay we'll revisit this Bill. For example, I have had realtors call me and they have ten sales people in a one floor office, of say, 1800 square feet, and you're all within earshot, or eyesight of each other, in any emergency, obviously you would know it. And they are saying, 'Surely you don't mean that an office like mine would be covered under this?' and I can see their point. I... I gather from what the debate has been, that the sense of this Body is that there will be no further delays. So, I think that would be a message to our business community that we need to work in good faith. If we need to change or alter the enacting legislation of some 5 years ago, let's do that. But I don't think you'll find support here for another delay come 2000."

Mulligan: "Also, Representative, is there any ability to urge both manufacturers of telephone equipment or telephone companies to try and improve their technology so this will

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not cost businesses the amount of money they think it's going to cost now? I would think that they would be able to do that, if they put forth a reasonable effort."

Black: "And I... would think that... that you're probably closer on target there than anybody that we've... including myself, in this whole debate. I think technology is evolving rather rapidly and I would hope that those businesses that are asked to comply, under the law by 2000, that that cost certainly will come down. It may not be a minor cost to a huge, multistory building. But if, in fact, we decide later on that a one floor or a small business with a 20 telephone extensions must, in fact, be covered and that be... that'll be up to this Body, that that technology will certainly not be \$20,000 for that small business, because that is, that is somewhat cost prohibitive. And I really think that this simply gives business some time to check vendors, look at the technology, and I would would come back in, sometime during the next Session, to make some changes in the law that was enacted in 1994."

Mulligan: "To the Bill. I think the Sponsor has answered my questions adequately. I would certainly like to support him on this with the caveat that business should understand that there will be no further extension after this. And I would also like to urge companies that we support, particularly those that are based here in Illinois to work on this technology (sic-technology) in order to make it a cheaper cost for business and not be at the expense of the public's safety. I think this is very important Bill, but I also think that in some instances we have to really take account as to how business has to spend its money and what kind of accountability they have to the public, who are

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supporting them and their efforts to stay in business, particularly small businessmen. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one else is seeking recognition, Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think this had a very full and fair debate. I think all of us are aware of the issue. I don't think this delay will put anyone in jeopardy and I do believe that the business community has asked for... particularly the small business community, has asked for this in good faith and that we can get this worked out in advance of the June 30, 2000 delay. I appreciate everyone's indulgence. I appreciate the tenor of the debate and I would ask for a favorable vote on Senate Bill 930 as amended."

Speaker Hartke: "You've heard the Gentleman's Motion. Those in favor of the Bill will vote 'yes', those opposed will 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 Senate Bill 930, there are 114 Members voting 'yes', 1 person voting 'no', 0 voting 'present' and this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, do you have messages from the Senate?"

Clerk Bolin: "Messages from the Senate by Mr. Harry, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills: House Bill 448, a Bill for an Act to Amend the School Code, together with Senate Amendment #2, 3, and 4. House Bill 2688, a Bill for an Act concerning the Regulation of Professions, together with the attached

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Amendments, Senate Amendment #1 and House Bill 2805, a Bill for an Act relating to Public University Programs #1 appears Senate Bill together with Senate Amendments 1 and 2."

Speaker Hartke: "On Supplemental Calendar #1, appears Senate Bill 859. Representative Saviano, are you ready? Mr. Clerk, read the Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Conference Committee Report to Senate Bill 859 contains two major provisions. Number one, the first provision is some cleanup language what was... which was, as a result of the APRN Bill, which we passed pursuant to the agreement between the Illinois Medical Society and the Illinois Nurse Association. That provision simply cleans up the language, so we're in sync with the Federal Drug Enforcement Administration's requirements on the prescriptive authority of Advanced Practice Registered Nurses. The second provision is a provision that was brought to us by the University of Chicago Hospital and University of Illinois Hospital, which clarifies the procedure in allowing a foreign doctor to come and perform specific procedures in our state, pursuant to a waiver from the Director of Department Professional Regulation. This Bill... er... This Conference Committee Report passed out of committee yesterday, unanimously, and I would ask for a favorable vote. On top of that, I have some legislative intent which I need to read into the record. For purposes of legislative intent, let me state into the record, that under the provisions of Senate Bill 859, there is no intent that either physician's assistants or advanced practice nurses would have the authority to operate independent

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pharmacies. This proposed language is intended to reflect current practice and be consistent with the good faith as defined under Section 102 of the Illinois Controlled Substance Act. All proposed language was developed in conjunction with the Federal Drug Enforcement Agency and reflects federal regulations. And I would ask for your favorable vote. Thank you."

Speaker Hartke: "You heard the Gentleman's Motion, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. Gentlemen let's... Ladies and Gentlemen, let's lower the volume in the House, again, please."

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

Speaker Hartke: "He indicates he will."

Black: "Representative Saviano, I'm pretty sure I know the answer to this, but I've had some calls and I've learned that you never take anything for granted, APRN, Advanced Practice Nursing, but I've had calls from physician assistants who want me to make sure that this cleanup language gives them prescriptive authority and I said, 'I think you're covered under the APRN Law'. They said, 'Well, we want to make certain'. So I see the guru, Dr. McClellan, there next to you, and if we can get a clear answer that this also would let a physician assistant have prescriptive authority, then I can go home with a clear conscience."

Saviano: "Yes, that's already in the law and for purpose of clarification, yes, they do have prescriptive authority."

Black: "Good, thank you very much, I appreciate it."

Speaker Hartke: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative Parke."

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

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Speaker Hartke: "He indicates he will."

Parke: "Representative Saviano, with the noise, I only heard the part of the legislation that affects physicians and nurses. What was the other part of the legislation, and is there only these two provisions that are being addressed by your Amendment or your Conference Committee?"

Saviano: "Well, besides the provision that applies to the Advanced Practice Registered Nurses, the other provision is again some cleanup from the original Illinois Medical Practice Act, a rewrite which we did a couple of years ago, which clarifies the procedure in which a foreign doctor would come into our state to provide a certain service consistent with a procedure that he's specialized in. And what we're doing is, previously there was a rule, we put in the Statute, when we did the rewrite on the Illinois Practice Act, Illinois Medical Practice Act. This clarifies that provision to allow that procedure to be consistent with the original rule, which would allow the director to waive the licensing requirements to allow a foreign doctor to provide that specific service for a patient in the state. And again that is being brought to us by the University of Chicago Hospitals and the University of Illinois Hospitals."

Parke: "And those are the only two provisions that are included in this Conference Committee Report?"

Saviano: "That's correct."

Parke: "Is there anybody opposed to either position in the Conference Committee Report?"

Saviano: "There are no known opponents to this Bill. Yesterday in Committee, it was shown that the Illinois State Medical Society, the University of Illinois, the Illinois Nurses Association, amongst a litany of other groups, Physician's

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Assistants, all were in favor of this legislation, with no opponents filing any record."

Parke: "Now, the University of Illinois is one of those large institutions of higher learning and medical practice and teaching that we have in the state, and they are supportive of this?"

Saviano: "This provision was brought to us by them and University of Chicago Hospitals. That's where the catalyst was behind cleaning up this procedure."

Parke: "And the Hospital Association is in agreement with this..."

Saviano: "...That's correct."

Parke: "...provision also. Thank you Representative."

Saviano: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Lake, Representative Beaubien."

Beaubien: "I forgot my notes."

Speaker Hartke: "Further discussion. Seeing that no one is seeking recognition, Representative Saviano to close."

Saviano: "Thank you very much Mr. Speaker, Members of the House. I would ask for a favorable vote on this Conference Committee Report with the Senate Bill 859. Thank you."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor of Conference Committee Report #1, on Senate Bill 859, indicate by voting 'yes', 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. ... take the record."

Parke: "Mr. Speaker."

Speaker Hartke: "On Conference Committee Report... Yes? Mr. Parke, for what reason do you rise?"

Parke: "Thank you Mr. Speaker. I've hit my button twice. It

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goes on and then the light goes off. Could an electrician please come and see my switch? And I would like to be recorded as 'yes'."

Speaker Hartke: "The record will so indicate. On Conference Committee Report #1, Senate Bill 859, there are 112 Members voting 'yes', 0 voting 'no', and this Bill having received a Constitutional Majority is hereby declared passed. Representative Giles.

Giles: "Yes, Mr. Speaker, my button also is having problems. I want to be recorded as 'yes'."

Speaker Hartke: "The record will so reflect. Representative Lopez, for what reason do you rise?"

Lopez: "Thank you, Mr. Speaker. I also was trying to vote, and I would like to be recorded as voting 'yes' on this last Bill."

Speaker Hartke: "The record will reflect that. I think we do need maybe an electrician here on the floor. The Chair recognizes the Gentleman from Cook. Representative Lang, for what purpose do you rise?"

Lang: "Thank you, Mr. Speaker. On the Order of Motions, I move to adopt the Journal Review Committee Report approving House Journal's Legislative Day 1 through 136."

Speaker Hartke: "Is there any discussion? Seeing none, all those in favor of the Gentleman's Motion, signify by saying 'aye'; those opposed, 'no'. In the opinion of the Chair, the 'ayes' have it and his Motion is adopted. Ladies and Gentlemen, we have a special announcement. Will we clear the floor and staff retire to the back of the chamber? Representative Lopez in the Chair."

Speaker Lopez: "Thank you, Mr. Speaker. May I have everyone's attention for just a couple of minutes? Last year, Representative Dan Rutherford and I sponsored a Resolution

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which received unanimous support in this House. This Resolution brought to our awareness the injustice of the 40 year-old embargo against the Island Nation of Cuba, preventing food and medicine and medical supplies from reaching those in most need. Your leadership set the tone across the nation. Our Resolution has been copied and passed in many states and cities. Here in Illinois, we were the first and in this country. Today we have Johanna Tablada from the Cuban Interest Section in Washington, D.C., and it is my honor and pleasure to introduce her for you, so she can say a few words. Thank you."

Johanna Tablada: "Thank you, Mr. Lopez, thank you Mr. Speaker. It is an honor to me to be visiting the Land of Lincoln and it is a privilege to have two minutes of your time. Thank you again, Mr. Speaker. As Mr. Lopez said, I am a Second Secretary of the Cuban Interest Section in Washington, D.C., which is a diplomatic office of the people on the Government of Cuba in the United States. I'm delighted to have the opportunity to personally convey to you a message of gratitude on behalf of the Cuban people and especially, on behalf of our children. Last year, the General Assembly of Illinois became the first state Legislature to support a bipartisan effort in the U.S. Senate and in the U.S. House, in the United State House and Congress to lift the embargo for food and medicine. I would like to especially recognize some of the people that have been noticed that were involved in this Resolution. Mr. Rutherford, Mr. Erwin (sic-Ms. Erwin), Ms. Currie, Ms. Connie Howard, Mr. Tom Johnson, and Mr. Lopez. And I would like to thank each and everyone of you for support that. In the last few months, it has been very rewarding to see that it has been grown dramatically, the number of people religious, humanitarian

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groups, Cuban-Americans, and members of the business community of the United States that are requesting a significant change in the U.S. policy toward Cuba by lifting the unfair 40 year-old embargo, and normalize relations with the neighbor island of Cuba. Today my country has diplomatic relation with 165 nations of the world and is conducting trade and economic relations with 125. As the world prepares to the 21st century, the difference that separates us became less and less significant and it is time to move on. Cuba and Illinois share similar priorities. We also share the same number of population, is about 11,000,000 inhabitants in Cuba and is about 11,000,000 inhabitants in Illinois. We both are looking not for aid, but for having the opportunity to develop our economic, our economy and our human capacities. At the same time that we are looking for efficiency, competitiveness and integration to the world economy. We want to preserve, and this is very important, and not very well understand sometime here in U.S., that we wanted to preserve just as in Illinois, our social gains. And that is that we are so very proud of. Cuba today has 98% of literacy rate, which is the highest in Latin America. We have 7.1 infant mortality rate, which is the lowest infant mortality rate of our continent, I mean, not the United States, and the highest number of physician and teacher per capita. Not to mention our baseball team and at last, but not least, our cigars. I'll thank you very, very much for supporting that very fair Resolution last year, and we hope that sooner than later, we can see each other in a much, much better relation that definitely will came out of this effort. Thank you very much, and it has been, again, an honor to talk in front of you on behalf of my people.

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Thank you."

Speaker Hartke: "Representative Hartke back in the Chair. Ladies and Gentlemen, we have several Bills to do today and we all want to get out of here as soon as possible to spend time with our family and loved ones, that are coming down tonight, maybe. And so, if we want to get out of here at a reasonable hour, let's... let's try to be here on time. Keep the noise level down, so we don't have to repeat everything for Representative Black. We'd appreciate it. Thank you. The House will come to order. Ladies and Gentlemen, it's my pleasure to introduce for a first time, I guess, serving as a Temporary Speaker will be Sue Deuchler, who today is concluding her 18 years in the Illinois House. Sue Deuchler in the Chair."

Speaker Deuchler: "Mr. Clerk, do you have any announcements?"

Clerk Bolin: "The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Deuchler: "For what reason does Representative Black arise?"

Black: "Yes, thank you very much Ma'am Speaker. It's long overdue. It's good to see you in the Chair. It's about time we had someone who was fair and equitable and because I know your inherent fairness and your desire to always see us do the right thing, and knowing that the longer we stay, the more mischief we could get in, I was wondering if the Chair might be amenable to a Motion to adjourn?"

Speaker Deuchler: "I'm sorry, you're not recognized for that purpose."

Black: "See you... Ma'am Speaker, you've been corrupted by that Gentleman to your right. And to have him to the right of you is a travesty. You should move him to the left of

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you."

Speaker Deuchler: "In the spirit of today's bipartisanship, I stand proudly before this House today. The Chair recognizes Representative Davis, from Cook County."

Davis, M.: "Thank you, Ma'am Speaker and welcome to the party of the people, the Democratic Party. Representative Deuchler, I have known you here for a very long time. And with great respect, admiration, and support for you, I do believe that one day you will be a fine Speaker, maybe not in this House, but in some other House. Representative Deuchler, are there... I'm sorry, Speaker Deuchler, are there any education Bills coming up today? Is that on today's Calendar?"

Speaker Deuchler: "We'll look into that, Representative Davis."

Davis, M.: "Representative, do you know what time, or Ma'am Speaker, how long will we be in Session today?"

Speaker Deuchler: "Yes, there's quite a bit of business. So, until we get finished, everyone should stand ready to work."

Davis, M.: "Well, Representative (sic-Speaker), pursuant to House... what is it where we have... and Rule 32(e-f), we're asking that you make a ruling."

Speaker Deuchler: "We'll look into that. We'll refer that to the Parliamentarian, thank you."

Davis, M.: "Thank you, Ma'am Speaker."

Speaker Deuchler: "The Chair recognizes Representative Flowers."

Flowers: "Thank you, Ma'am Speaker, and I must say to you Ma'am Speaker, you look wonderful in the Chair. And I'm just so sorry that you won't be able to stay with us any longer. But I wanted to take this opportunity to say to you, Sue Deuchler, Representative Deuchler, now Speaker Deuchler, that it was truly my pleasure to serve with you as

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co-chairperson for the Conference of Women Legislators. And I must say that you will truly be missed. I'm going to miss sneaking in the bathroom with you, talking about the different secrets and the different plans that we had talked about over the years. But it has been a pleasure and your wisdom and your foresight and your insight, will truly be missed on this floor and truly be missed by this Legislator. And I want to thank you for the opportunity that I've had to serve and work with you. And by the way, Ma'am Speaker, will you be calling for another picture of the Conference of Women Legislators that we should come to the front of the well for one last picture?"

Speaker Deuchler: "Yes, Representative Flowers, if you so request a picture. I would certainly endorse that as well. And will all Members, past and present, including former Representative Virginia Frederick, who is here with us today and should be recognized on the floor. Would you all come to the well please, for one last COWL picture?"

Davis, M.: "Yes, thank you very much."

Speaker Deuchler: "The Chair recognizes Representative Mulligan."

Mulligan: "Thank you, Ma'am Speaker, and I certainly like the word Ma'am Speaker before that. You have been my office-mate for the last six years since I've been here and much longer and I certainly enjoy seeing you in the Chair. My only disappointment is that you won't be with us tomorrow so that we could actually vote on you for Speaker. It would be an enlightening thing to have, a woman put up for a change and we certainly appreciate the fact that you're in the Chair today and tomorrow we will miss you greatly. But I think this is a real honor for you and it certainly is an honor for us. And I really, truly, do wish we'd have that opportunity to vote for you. Thank you."

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Speaker Deuchler: "The Chair recognizes Representative Biggins, the Gentleman from Du Page."

Biggins: "Thank you very much, Gentle Lady, House Speaker and I have in my hands the Daily Calendar, which I presumed was printed at your authority, under your authority, and I don't notice any gathering of the male Legislators, the Council of Men Legislators, schedule, or any Bills sponsored by the COML group. I wondered if you have it on your Calendar that I don't happen to have on mine, any of the agenda for the male Legislators that are here today."

Speaker Deuchler: "Representative Biggins, you should watch for a Supplemental Calendar to come out, perhaps later today."

Biggins: "Supplemental means help and we do need a lot of help here, I know. Representative Turner normally speaks for our group. I don't see Representative Art Turner here at the moment, but I'm sure he'd have some good words to maybe organize us a little more effectively, so we can be on the Primary Calendar and not the Supplemental Calendar next Session. Thank you Ma'am Speaker."

Speaker Deuchler: "Will the Members of the Conference of Women Legislators please come to the well for a picture? Thank you. Representative Hartke back in the Chair."

Speaker Hartke: "For what reason does the Gentleman from Madison County, Representative Stephens, rise?"

Stephens: "Well, I was distracted earlier. Did Leader Turner from the Democratic side, did he, did he suggest that we call a meeting of the brotherhood or not?"

Speaker Hartke: "I'm not sure. I think that was Representative Biggins' idea, but Representative Turner is in Rules. Maybe you can check with him, just as soon as he gets back from the Rules Committee."

Stephens: "You'll get back to us today, then?"

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Speaker Hartke: "Well, I'm sure you'll have an opportunity to talk to Representative Turner."

Stephens: "You're being evasive."

Speaker Hartke: "The Members of the COWL would please come down to the front, to the well, to have a picture taken. All Members of COWL. Conference of Women Legislators, in case you didn't understand that. I think there's a steer in the bunch. Mr. Clerk, Committee Reports."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures, were referred, action taken on January 12, 1999, reported the same back with the following recommendations: 'direct for consideration' for House Amendment #5 to Senate Bill 200."

Speaker Hartke: "I want to make an announcement. Members we are not at ease and lobbyists and other individuals not authorized to be on the floor should please make their way to the sides, or the news media, where they should be. Appreciate it. And the lobbyists should be off of the floor. Thank you. For what reason does the Gentleman from Vermilion rise?"

Black: "Yes, thank you very much, Mr. Speaker. While we're waiting, there was a Gentleman sitting next to you on the podium and rumor has it that he will attempt to fill the shoes of the late, great, and lamented Mike Kasper. Is there any truth to that rumor? Is that going to be the new parliamentarian?"

Speaker Hartke: "Yes, that is true. His name is Mr. Rob Uhe."

Black: "Tom Ewing... I thought he went to Congress."

Speaker Hartke: "No, Rob Uhe. U-h-e."

Black: "U-h-e, or E-w-e."

Speaker Hartke: "U-h-e."

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Black: "Oh, like Huey Lewis and the News? I see. Could he, could he perhaps give us some edification on behalf of the Speaker?"

Speaker Hartke: "Would you repeat that, I couldn't hear you?"

Black: "Yes. Perhaps he could, tell us why we're sitting here, when many of us have a family coming in, braving the elements, we're sitting here not doing a great deal of anything. Perhaps he could enlighten us on behalf of the Speaker, as to why we're sitting here."

Speaker Hartke: "Mr. Black, in due time, he will enlighten us with his wisdom of the system."

Black: "Well, why would we expect him to enlighten us in due time, when his predecessor never enlightened us over these many, many years, as you'll recall. And by the way, where is his predecessor? Is he already gone. There he is. Well, who's in charge, if I might ask? Mr. Uhe, or Mr. Lewie, or excuse me, Mr. Kasper?"

Speaker Hartke: "Right now, I am. I'm the Speaker of the..."

Black: "There's no question about who's in charge. But who will be giving the parliamentary responses as we get into the great matters of the day?"

Speaker Hartke: "It will be Mr. Uhe."

Black: "So in effect, you've deposed Mr. Kasper before we've adjou... before the 90th General Assembly has adjourned?"

Speaker Hartke: "No, it will be Mr. Kasper until that time, but new Session, Mr. Uhe will be the parliamentarian."

Black: "So tomorrow, if we have a parliamentary inquiry, we address it to Mr. Uhe."

Speaker Hartke: "No, to the Speaker."

Black: "To the Speaker and you will address it to Mr. Uhe."

Speaker Hartke: "Yes."

Black: "Thank you very much, Mr. Speaker. I feel much better

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that the transition is going smoothly and there seems to be some orderliness in what you're doing. And by the way Mr. Speaker, could you tell me what are you doing? You're are getting your instructions from the Chief of Staff, I see. This should be good. Oh, an election nonpartisan Bill."

Speaker Hartke: "On page 2 of the Calendar, appears Senate Bill 200. Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 200 has been read a second time previously. Amendment 1 was adopted in Committee. No Motions have been filed. Floor Amendment #4, offered by Representative Barbara Currie, has been 'approved for consideration'."

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

Currie: "Thank you Speaker, and Members of the House. This Amendment was adopted unanimously in the State Government Committee this morning. There were problems in Lake Winnebago and one other county this November, in respect to the notice that went out about referendums to increase bonding authority in several school districts, library districts, and municipalities. These were technical errors on the part of the county clerks and these are, of course, referendums that were overwhelmingly adopted by the electorate on November 3. The legislation before you in Amendment 2, would clarify that these errors, for example, a notice went out in one case earlier than the current statutes provide, would enable these local governments to go out to the bond market and do exactly what the voters wanted them to do. Barring this legislation, they will not be able to sell the bonds that the voters approved November 3. I'd be happy to answer your questions and would appreciate your support for the measure."

Speaker Hartke: "You've heard the Lady's Amendment. Is there any

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discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Mr. Speaker, Ladies and Gentlemen of the House, if the Sponsor would yield, and I, we could have it quiet. Because quite frankly, Representative Currie, I could not hear what... this is only Amendment 4 to this Bill? Well, Representative Currie, as this is Amendment 4, is this the only Amendment you're going to put on to this Bill?"

Currie: "There is one other Amendment to follow, because there is an error in Amendment 4. Amendment 5 corrects that technical error."

Parke: "Does this become the Bill?"

Currie: "This becomes the Bill."

Parke: "All right. Now, this has to do with waivers?"

Currie: "No. This has to do with successful bond referenda offered by school districts and some municipalities and at least one library district in Lake, McHenry, and Winnebago Counties, in the November 3, 1998 election. The referendum succeeded, but legal counsel has told them, the relative governments, that they can't sell the bonds because there was a technical problem in the notice. In some cases, the clerk referenced the wrong statute. In one case, the notice went out earlier than is statutorily prescribed. So, in an effort to make sure that these successful referenda, approved by the voters, have the force that the voters intended them to, we would make these technical changes in the underlying statute."

Parke: "So, the voters voted for something, and passed it, and now we've found out that it's technically flawed..."

Currie: "No, not that the vote was technically flawed, Representative, that there were questions about the notice provision. So one county clerk, for example, in the

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notice, referenced the wrong part of the statute. I can't imagine that that made a difference in the mind of a single voter, who voted on the question November 3rd, but it makes a difference to the law firm that is explaining whether these bonds have validity."

Parke: "Okay. It says here, 'Provides that a school district may give notice to voters of a proposed referendum for the issuance of bonds for school construction, either Section 12-1 current law, or Section 12-5 for an election held on or after November 1, 1998.' This was... the election was held November 3rd. So we're... we're going back."

Currie: "That's exactly right, because the flaw preceded the election. The point here, however, is that the voters approved these referenda. Those voters said they want to raise money in order to maintain and repair and construct their schools. If we do not pass this Amendment, they will not have the opportunity to do so."

Parke: "So, if we don't vote for this today, or sometime in the near future, their election will be null and void because..."

Currie: "Yes, because they will not be able to sell the bonds."

Parke: "Was there... do these... maybe the provisions... help me on this. Maybe the provisions on this were such that that's why it was voted down. Could that be possible?"

Currie: "Well, in fact, of course, these... these referenda were all successful."

Parke: "Some people voted against it, thank you."

Currie: "The issue would not arise, had they been unsuccessful, because there would be no bonds to go to market with."

Parke: "So, we're... even though it's a technical matter, what we're saying is that without this legislation, the taxes would not be raised to... for the issuance of school bonds

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or the repayment of those bonds. So, in essence, what we're saying, and the Members again need to pay attention to this, thank you Representative. To the Bill. It seems to me that what we're doing on this, and you should be prepared to watch this, is saying that even though they voted to pass these referendum, without us taking action right now, these won't pass. So, those people who voted against the referendum, in essence, you're saying we're going to raise your taxes even though this is not in compliance with the spirit of it, which passed. But technically, it didn't pass because it was flawed. So, now you're saying, regardless, whether it's technical or not, we're going to make the corrections and retro-fac ...go back and say that we're going to do it for 'em. So, those of you that are going to vote for this, you should be prepared to know that, in essence, you're voting to allow those school districts to raise the taxes of those people in those districts, even though it passed. So, you're sort of, even though it's flawed legislation, in terms of the referendum, you better be careful. Because now you're saying that you're, in essence, by this vote, you're saying you can raise their taxes because you're ultimately are going to have to do that for the repayment of these bonds. So, be careful with this legislation."

Speaker Hartke: "Further discussion. The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, my good friend Kathy Schultz, who is the county clerk in McHenry County, made a mistake before the last election. She read the Election Code instead of the Municipal Code and followed the Election Code... or, the Education Code instead the Municipal Code. Goodness knows why we have two or three different places in the statutes

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that say how far ahead of an election, that you're supposed to publish something in the local newspaper, officially notifying voters that there's going to be a referendum. There are four referendums at stake in my County of McHenry. All four of them passed by about 2 to 1. I guess what happens, if we don't pass this Bill, it means that the will of the people cannot fulfilled in my county, and in Lake County, and in Winnebago County. So, I would solicit a 'yes' vote, despite the fact, or despite the arguments of my colleague from Schaumburg, who has now disappeared. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "She indicates she will."

Black: "Representative, I think Representative Parke made some interesting, gave some interesting comments on this. Let me follow up on that, if I might. It appears that we're being asked to indemnify at least three taxing bodies for, perhaps, not following constructive notice on a bond issue. Now, would that be a fair statement?"

Currie: "I think what we're indemnifying is the will of the electorate. I think Representative Skinner hit the nail on the head. There were, there were technical imperfections in the notice given. In one case, the notice was given too early. In another case, the wrong statute was referenced. The notice went to the electorate and the voters decided on November 3, in these school districts, library districts, and municipalities, that they wanted to support the increased bonding in order to accomplish particular purposes. They will not be able to sell those bonds, those

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local governments, unless we correct the imperfections in the notice. I think the issue is, do we want to make sure that the will of the electorate is given early efficacy or do we want to make sure that that will is not given an opportunity to exercise itself."

Black: "So, by indicating the will of the people, then I'm assuming that all three of these questions passed with a significant Majority, when put before the public as a referenda question. Correct?"

Currie: "It was more than three individual referenda. I can't give you the exact number, but it happened in these three different counties that the clerk's notice, the county clerk's notices did not meet the statutory... because of referencing the Municipal Code instead of the Election Code. All of the referenda that are at stake here, are referenda that were successful or we wouldn't have to be dealing with this problem."

Black: "All right. Just a couple of questions if I might, and I appreciate your indulgence. What if a taxpayer group would make the argument, 'Even though the referenda passed, you made a mistake, and I shouldn't have to pay the increased taxes because you made a mistake?' Would... could a taxpayer group still file a suit challenging the results of the referenda if we passed this legislation or does this legislation preclude any taxpayer suit as to whether or not the election was held in accordance with accepted law, et cetera?"

Currie: "I believe that this does keep the taxpayer suit from going forward. I'm not certain that that is the right answer. I can tell you this, without passage of this legislation, there's nothing for that angry taxpayer group to sue about. Because no one can go to market, none of the

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bonds that were approved by the Majority of the voters at the November 3rd election, none of those can be sold as long as this legal cloud hangs over."

Black: "Now could I extrapolate from your Amendment then, that this law will protect, in the future any such error or the legislation specific to the question at hand? That is those three counties that you mentioned having failed to give the notice, adequate notice, in accordance to the various sections of law. Does this go forward and protect all districts? Are we changing the notice requirements, or are we just changing what has taken place in three counties?"

Currie: "I believe that, if the same mistake is made in the future, under this, under this statute, if they instead of using Section 12.-5 of the Election Code and instead reference the other Section, I think that will apply in the future."

Black: "Okay, fine. I appreciate your answers."

Currie: "These are limited, limited exceptions to the current notice provision."

Black: "And has no... no applicability going back say, two or three years, where somebody could come forward and say, 'well gee, we had to abrogate a levy because we did this. And now we want to be indemnified and why should we have to have another election?' It doesn't reach back."

Currie: "No. No."

Black: "Thank you very much, Representative."

Speaker Hartke: "Further discussion. The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "She indicates she will."

Mulligan: "Representative Currie, I'm not sure if Representative

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Black just didn't ask the same questions that I had in mind. I was distracted at the last minute. But could you just explain one more time? Is this retroactive for just these particular circumstances that happened and it's not going cover someone that makes a mistake or intentionally makes a mistake in the future?"

Currie: "It would not cover all instances of mistakes. All it covers is from November 1, 1998 forward. These specific mistakes that were made by the county clerks in Lake, McHenry, and Winnebago. Now, you know, someone raised the question, 'Does this keep a taxpayer's suit from going forward?' If we don't pass this law, conceivably the people on the other side will sue the County Clerks of Lake, McHenry, and Winnebago, for having messed up the notice that was supposed to precede the referenda."

Mulligan: "All right, but if it goes back to 1998, is there a date certain where it goes forward, where it stops?"

Currie: "November 1, 1998 forward. So it covers the November 3rd election. And should some other clerk in some other county make the identical mistake, my understanding is that that would, that would be covered by this Bill, as well."

Mulligan: "So, does it only cover a clerk who, unintentionally, puts something on the ballot that was not done correctly?"

Currie: "It was now... they didn't put anything unintentionally on the ballot. The problem is that the notice provisions did not track the Election Code but they'd cited a different section. Which I would argue, made no difference to the people who voted on the question on November 3rd..."

Mulligan: "...but it's just to cover a clerk's error..."

Currie: "...The question approved referendum. ...Clerk's error and... hey, I'm not from Lake. I'm not from McHenry. I'm not from Winnebago, but I stand behind those clerks and I

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want to make sure that the voters in those counties do not have their will abrogated because we are not taking care of the problem here."

Mulligan: "Neither am I, and I, I think you're quite honorable to do this. But what I'm trying to determine is, now, if a clerk notices that a school district and their bond counsel, whoever has given them the advice, has published a notice incorrectly in the future, the clerk still has the right to question it. But they're the only ones that are covered by the mistake. If a clerk does not question... or does not notice that there's been an error made in the way it was published or the notice was given and they still place it on the ballot, will it now cover them forward?"

Currie: "As I understand the Bill, it would only cover the specific instances where the mistakes were made this time."

Mulligan: "This particular time, it does not cover...?"

Currie: "...Right, but it was the ballot question, the ballot..."

Mulligan: "...next year or the following year?"

Currie: "...question was fine. The only question was whether notice was given too early, or given under the wrong reference to the statute."

Mulligan: "Thank you."

Speaker Hartke: "No further discussion, seeing that no one is seeking recognition, Representative Currie, to close."

Currie: "I think we all understand the issue. I hope you'll vote 'aye'."

Speaker Hartke: "You've all heard the Lady's Motion. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #4 is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #4... Floor Amendment #5, offered by Representative Currie, has been 'approved for

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consideration'."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This is a technical Amendment, the word 'bond', b-o-n-d, appeared on page 7, line 12, it shouldn't have had. This Amendment deletes that word."

Speaker Hartke: "You've heard the Lady's Amendment. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "She indicates she will."

Black: "Representative, I thought I was clear on this, in Amendment 4. Now, by deleting the word 'bond', evidently we're correcting a tax levy, as well as a bond issue?"

Currie: "No, if you look at the other sections of the Bill, the word 'bond' does not appear. What we're trying to do is correct a referendum, so the word 'bond' need not appear and should not. If you look for example, at page 8, you will see it's identical language to that on page 7 of Amendment #4, but that the word 'bond' does not appear on page 8. It doesn't appear in the other sections either and my understanding is, that there is no reason for it to and therefore, that, that word is deleted on page 7."

Black: "Well, by eliminating the word 'bond', and I see it now on page 7, and I appreciate your help, could..."

Currie: "...and on page 8."

Black: "...could this then not be construed, as saying if you failed to give adequate notice on the issue of just a straight increase in your property tax rate, that notice of the referenda, 'if heretofore, and hereafter held', and it doesn't give any date, which concerns me. But anyway, and the referenda passed, but very narrowly. Then it would

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seem like we might be indemnifying even, even the controversial..."

Currie: "...I think you're misreading, Representative. Here we are talking about a referendum to increase the extension limitation. On page 8, we're talking about establishing a new levy. Ordinarily, an increase in the extension limitation has nothing to do with bond referenda. Neither has a decision to establish a new levy. So... the inserted word 'bond', in respect to a referendum to increase the extension limitation, is meaningless. It is either meaningless or it is a misconstruction of what the referendum is about. So, it's for that reason that the word 'bond' is being deleted in that provision, because that isn't a bond referendum."

Black: "I still have a little concern about the 'heretofore or hereafter held', because it appears to be open-ended, but I think you addressed that..."

Currie: "...that was on Amendment #4..."

Black: "...Amendment 4 and I... you know, in all honesty Representative, this appears to be a little more complicated than I first thought."

Currie: "You might wish to speak to Representative Winters for example, there are people that are more familiar with the local need to do this than I, as I say..."

Black: "All right. Fine."

Currie: "...as I say, it's not my county."

Black: "Thank you very much."

Speaker Hartke: "Further discussion. Seeing that no one else is seeking recognition, Representative Currie to close."

Currie: "It's a technical Amendment, appreciate your support."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor signify by saying 'aye'; those opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it and Amendment #5 is adopted. Further Amendments."

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk read the Bill."

Clerk Bolin: "Senate Bill 200, a Bill for an Act in relation to elections, third reading of this Senate Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, in the immortal words of the great Zeke Georgi, 'This is a great Bill, let's pass it.'"

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the Gentleman's Motion is to adopt Senate Bill, to pass Senate Bill 200. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wished? Have all voted who wish? This is final action. Have all voted who wish? Mr. Clerk, take the record. Senate Bill 200, having receiving 101 'yes'; votes and 12 'no' votes, is hereby declared and having received the Constitutional Majority is hereby declared passed. For what reason does the Gentleman from Winnebago, Representative Scott, rise?"

Scott: "Thank you, Mr. Speaker, light went on, light went off, I would've liked to have been recorded as a 'yes' on that vote."

Speaker Hartke: "The record will so reflect your wishes. For what reason does the Gentleman from Cook, Representative Acevedo, rise?"

Acevedo: "Mr. Speaker, on the last Amendment I wasn't able to record my vote. I would like to go down on record as a 'yes' vote."

Speaker Hartke: "The record will so reflect. If Representative Gene Moore is within the... Representative Moore, would you

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come to the podium?"

Speaker Hartke: "Mr. Clerk, an announcement."

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

Speaker Hartke: "On Supplemental Calendar #2 appears Senate Bill 1598. Representative Ryder for a Motion."

Ryder: "Thank you, Mr. Speaker. The Senate has refused to except our Amendments and asked us to recede from House Amendments 1, 2, 4, and 5. I would move that we refuse to recede on and appoint a Conference Committee."

Speaker Hartke: "The gentleman has moved to refuse to recede from House Amendments 1, 2, 4, and 5, on Senate Bill 1598. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion prevails."

Speaker Hartke: "Clerk for an announcement."

Clerk Rossi: "The following committees will meet immediately: Elementary and Secondary Education on the House Floor, Higher Education in 122 B, Insurance in 118."

Speaker Hartke: "The House will stand in recess until the hour of 2:15. Let's try to go to our committees and do that promptly and 2:15, we will be reconvening the House, 2:15."

Speaker Hartke: "Attention Members. Any Member in the complex or Stratton Office Building please return to the floor. We are about to reconvene."

Speaker Hartke: "Mr. Clerk for announcements."

Clerk Rossi: "Committee Reports. Representative Erwin, Chairman from the Committee on Higher Education, to which the following amendments was/were referred, action taken on January 12, 1999, reported the same back with the following recommendation: 'be approved for consideration' Senate Amendments #1, and 2, to House Bill 2805. Representative Hartke, Chairman from the Committee on Elementary and

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Secondary Education, to which the following measures referred, action taken on January 12, 1999, reported the same back with the following recommendation: 'be approved for consideration, Senate Amendments 2, 3, and 4, to House Bill 448, and Conference Committee Report #1 to Senate Bill 560. Representative Mautino Chairman from the Committee on Insurance to which the following measures were referred, action takes on January 12, 1999, reported the same back with the following recommendation: 'be approved for consideration', Conference Committee Report #1 to Senate Bill 417."

Clerk Rossi: "Supplemental Calendar #3 is being distributed."

Speaker Hartke: "Ladies and Gentlemen, would Members please be in their chairs. Staff retire to the back of the chamber and any unauthorized persons not entitled to the floor, would they please leave? On Supplemental Calendar #3 appears House Bill 2805. Representative Wirsing. Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I would move to concur with the Senate Amendments #1 and #2."

Speaker Hartke: "Representative Wirsing, would you explain Senate Amendment #1 and #2 that you are asking this House to concur with?"

Wirsing: "All right. Senate Amendment #1 deals with the issues of members of the board of trustees of our public universities. Back when we passed the legislation for the new governance system, at that point in time, the legislation which is now law, says that as each appointed trustee reaches the end of their term, they are removed from that seat if the seated Governor has not either reassigned or you know reappointed or appointed someone new to take that place. The problem with that is, that is

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and it came to light with the new Governor coming on board. And now some of those seats are being, those terms are coming to the end. We simply wanted to add the... make the change that would say that that trustee member serves in that seat, until the governor appoints or reappoints someone to that seat. That's simply all it's doing. It's just saying, that... taking away the time line for removing a person as trustee and that gives the Governor more of an opportunity then to do that. That is what... very simple but what Senate Amendment #1 does. Mr. Speaker, do you want me do Senate Amendment #2 or do you want to do one at a time?"

Speaker Hartke: "Let's do Amendment (sic-Senate) #2 and then go from there."

Wirsing: "Okay. Senate Amendment #2 deals with the Community College Board of Trustees. When we eliminated just recently, the November Election, the off election what happened with the Community College Boards is that they will now be elected in November. But those members elected in November, now, cannot take their seat until November. They are elected in April. I 'm sorry, elected in April, cannot take their seat until November. The statute says that the board, Community College Board, has to reorganize right after, within so many days after the election. This would mean that in April, after election the board've reorganized, elect their officers et cetera... but any new members that were elected in that April, election would not be seated until November. I hope that's understandable. So, it simply clarifies that, changes that scenario, so that it puts it more in place. The problem is in changing it, though, it has to run out for a series of years, because we cannot pass something here that removes an

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elected member prior to their full term of time. So, it runs out... end of 2000, once that gets everything in the right cycle for the April election period."

Speaker Hartke: "The Gentleman has explained the Amendments. Is there any questions? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I, too, rise in support of both of these Senate Amendments and I would just note that it was with unanimous consent that the committee adopted both of them. And I think that they've have been well-explained. So I would urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, on the Amendment #1, are all of the universities in agreement on this?"

Wirsing: "Yes, they are. That's really where the energy has come from in order to... to push forward to do this."

Parke: "Does this only apply to state universities... or all universities?"

Wirsing: "Just the state universities."

Parke: "And now Amendment #2, this comes from the Community College Association and they're supportive of this?"

Wirsing: "Yes. The Community College Board of Trustees has really taken this issue in the forefront."

Parke: "Do you know of any opposition to either one of these Amendments?"

Wirsing: "I know of no opposition at all."

Parke: "Thank you, Representative."

Speaker Hartke: "Seeing that no one else is seeking recognition, Representative Wirsing, to close."

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Wirsing: "Well these are both pretty straightforward and, just kind of correcting a couple of legislative issues that we did here in the past and I would ask for your full support.

Speaker Hartke: "Sponsor has asked for a favorable Roll Call. The question is, 'Shall the House concur in Senate Amendments #1 and 2, to House Bill 2805? This is final action. All those in favor signify by voting, 'yes'; those opposed signify by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes' and 0 voting 'no' and 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2805. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Hartke: " On Supplemental Calendar #3, appears Senate Bill 417. Representative Cross."

Cross: "Thank you, Mr. Speaker. There are two Amendments to this Bill that become the Bill. The earlier portion of Senate Bill 417 has been deleted. I am not aware of any opposition to these two Amendments. One of the Amendments deals with the issue of monitoring private alarm and private security system companies. Currently, there are two state agencies that regulate private alarm companies, both the Department of Professional Regulation and Department of Insurance. There is the belief that the two agencies duplicate services and it has been unduly... burdensome on the small private alarm and security companies. Under this Bill, only the department... after this Bill, assuming it becomes law, is passed, the Department of Professional Regulations would be the only state agency monitoring alarm companies. As I said, there's no opposition to it. The second portion of this Bill deals with government reciprocals which provide

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insurance coverage to many counties, cities, and other entities of local government. What this Bill does, would give statutory authority to those reciprocals to declare dividends to their subscribers or members. This would only happen after the approval of the Director in the Department of Insurance and an advisory committee set up by the reciprocal agency. I am not aware as I said, of any opposition to this. It passed out of committee with an Attendance Roll Call and I would appreciate everyone's support. Thank you."

Speaker Hartke: "The Gentleman has explained his Conference Committee Report. Are there any discussion? The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Chairman (sic-Speaker). I simply rise in support of the Gentleman's Conference Committee Report and as he said, all the terms have been agreed on and this has been worked throughout last year and the Veto Session. Just simply appreciate an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Would... if the Sponsor yield, could I just go over and ask him a question and maybe not bother the chamber? If you just give us a few minutes? I didn't want you to move the Bill until I can ask him a question. I'll do it however you wish, Mr. Speaker. I hold you in such respect and esteem."

Speaker Hartke: "We will hold 'til you finish your discussion. The timer is on."

Speaker Hartke: "Representative Black, are you satisfied?"

Black: "Yes. Thank you very much, Mr. Speaker."

Speaker Hartke: "Further discussion. Seeing that no one is

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seeking recognition, Representative Cross to close."

Cross: "I'd appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The Sponsor has asked for a favorable Roll Call. The question is, 'Shall the House concur in Senate Bill... Conference Committee Report on Senate Bill 417? All those in favor... This is final action. All 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. And this Bill having received... On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. The House does concur in the Conference Committee Report on Senate Bill 417. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Hartke: "On Supplemental Calendar #3, appears Senate Bill 560. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move adoption of the First Conference Committee Report on Senate Bill 560. This includes a number of items that have to do with the operation of schools in the state, among them is a delay requested by the State Board of Education, the Illinois Education Association, and the Illinois Federation of Teachers. A delay in the date by which the new State Teachers' Certification System will go into place, from January 1, of this year until July 1, of 1999. In addition, it creates an advisory committee on the Health Life Safety Code; establishes a one-year period for schools to correct urgent problems; a three-year per... a five-year period for correction of those that are required; make sure that the State Board of Education requests enough money to adequately train school bus drivers; correct some of the

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problems of the November 3rd election for five school districts across the state that was also contained in Senate Bill 200; corrects a problem in which 25 school districts would otherwise not receive their reimbursement for driver training, as the date for establishing those claims has changed from September 1st... from October 1st to September 1st. Some of them missed the new deadline. So for the current year, this legislation would make sure that those 25 districts get their reimbursement, removes the provision that requires the Chicago Board of Education to elect a secretary from among its members, so that they would then be able to appoint a secretary, an employee of the Chicago Board. And finally, make sure that before a school system destroys a student record, the parent has notice. I have no indications of opposition to the report. I'd appreciate your support. The Senate passed the measure a few minutes ago without a dissenting vote."

Speaker Hartke: "The Lady has explained her Conference Committee Report. Are there any questions? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "She indicates she will."

Parke: "Representative, from my staff analysis this looks like a lot of money that is going to be allocated. Is it my understanding correctly, that this money's already been appropriated?"

Currie: "Yes, I believe it has been. The State Board expected these claims, but they were not submitted in a timely fashion because of an underlying change in the date for submission. So we're just giving those school districts, those 25 school districts, an extra month this year, in order for their claims to be collectable."

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Parke: "Now, were they late in filing these claims?"

Currie: "They were late because the State Board changed the date for submission, from October 1st to September 1st. These 25 districts didn't catch the news, so they filed their claims after September 1st. Under this legislation, this year, if they were after September 1st, but before October 1st, this legislation would make them eligible for the reimbursement they expected and that the State Board anticipated the State Board would pay."

Parke: "Now... So it's already been appropriated. There is a date change and these school districts did not... were not aware of that, and they're only now one month out of compliance, and so we're going to pass this legislation to make sure they're enabled to get the money they should have gotten anyway?"

Currie: "That's right."

Parke: "This is not an increase in cost?"

Currie: "No."

Parke: "Thank you, Representative. It looks like a good Conference Committee Report."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "She indicates she will."

Black: "Representative, I'm going to ask you a question with your indulgence. It doesn't have anything to do with the First Conference Committee Report, but it's a question of having left something out that I thought we were going to address, and with apologies to you. Under the old early retirement option and then the new 2.2 formula, there is... it has been brought to my attention and I think others, that some

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people in school districts will meet that early retirement, with I believe, 34 years of service at the age of 55, and then that... there won't be many, but that puts a 100% of that pension cost on the school district. And I thought we were going to try and address that, and perhaps Mr. Payton could enlighten us as to whether that's going to be in a trailer or whether we'll do something in January or February?"

Currie: "Representative, I'm aware of the issue, but I'm the new Sponsor of this Bill. It had been Representative Phelp's Bill, before he went to become a U.S. Rep (sic-Representative) and no one had suggested including that language..."

Black: "... Yeah, all right..."

Currie: "... in this Conference Committee Report."

Black: "I... and that may be something that I've overlooked and I apologize for that. But I... I'm glad that Mr. Payton is here because there is a problem I hope we can address in the near future, and I do appreciate your indulgence."

Currie: "We look forward to working with you to solve it."

Black: "And I look forward to working with you. And I know we both look forward to working with Mr. Payton and neither of us particularly look forward to working with Representative Hartke, but that's the way it goes."

Currie: "I look forward to working with Representative..."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I'm looking forward to unintended consequences. Is there anything in this legislation that will affect the waiver that was given to District 300 with regard to life safety bonds... life safety improvements, life safety mandates? You can answer 'no' and I'll..."

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Currie: "No. No, there are three provisions in this measure, however, that directly address life safety issues. One, is the creation of a committee that will assess life safety issues and report in April of this year. The other is the establishment of a time deadline for schools to respond to findings of urgent problems, that's one year, and an expansion from three to five years of the school... "

Skinner: "... But there's nothing. But there's nothing in here to change anything... "

Currie: "... No

Skinner: "... any of that mandate waiver that District 300 received?"

Currie: "No."

Skinner: "Okay. Number two. What is the penalty for not meeting these one and five-year deadlines?"

Currie: "The statute is not altogether clear. It does say that these time periods are not to be extended. So it's conceivable the State Board of Education could withhold state aid from a school district that is out of compliance. I don't know that we have faced that situation in the past."

Skinner: "Well, I don't think I'll live to see that happen."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Currie to close."

Currie: "Thank you, Speaker. Just to reiterate, this has to do with extending the time period for the state board to establish rules for teacher certification and clarifying some issues with respect to the life safety codes. I'd appreciate your support. The Senate passed this Bill without dissent."

Speaker Hartke: "The Sponsor's asked for a favorable Roll Call. The question is, 'Shall the House adopt Conference

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Committee Report #1 to Senate Bill 560?' All those in favor will vote 'yes'; those opposed vote '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? On this question, there are 113 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 560 (sic-Senate Bill 560), and this Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Hartke: "Representative Hannig in the Chair."

Hannig: "On Supplemental Calendar #3, House Bill 448, Representative Hartke."

Hartke: "Thank you very much Mr. Speaker, Members of the House. House Bill 4480 (sic-448) is a piece of legislation that dealt with the school social worker's. It passed this chamber earlier this year by a comfortable margin, went over to the Senate and it sat there til, of course, here recently where they adopted a couple of Amendments. There was some concern in this chamber dealing with the type of work that the social workers were allowed to do, and required to do under the Act. That was clarified in the Senate with Amendment #2, which gives the description of the services that constitute a school social worker's services and provides that parents' permission must be obtained in writing, in writing, before a student participates in a group counseling session. Then of course, they added a Senate Amendment #3, which provides that the School Boards of Education shall select its secretaries, currently appointed from among board members and the secretary shall serve as an employee of the board. There's also a fourth Amendment on this piece of legislation which is identical to House Bill 3055, which was sponsored by

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Representative Novak and passed this chamber 100 votes to 16 in opposition. And right now, I would like to refer to a little more explanation of that piece of legislation to Representative Novak."

Speaker Hannig: "And on that question, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #4 was essentially House Bill 3055, that this Body passed this past spring. It passed overwhelmingly. It was over 100 votes on a bipartisan basis. And what it did was this, it corrected a calculation or a miscalculation for state aid for an impoverished African-American high school district in Kankakee County, the Saint Ann High School District. There were two elementary feeder districts that create the high school district. One was almost all white. The other one was almost all black. The African-American school district was predominantly Chapter One. When those two school districts, when the minority children went to the high school, somehow by some miscalculation somewhere, the state aid numbers or the Chapter One numbers of students dramatically dropped precipitating a large decrease in state aid. In the last five years since the new census figures went into place in 1993, the Saint Ann High School District lost over \$2,000,000. This Bill is not retroactive. It is prospective. What this does, is creates a remedy for the high school district to receive the state aid, what they normally should have. And this essentially is a correction matter. You were very gracious in helping me help a school district, in my district. This Bill passes it will be one of the first bills Governor George Ryan will have to consider from a school district in his home county. And I would ask you to adopt or concur on

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Senate Amendment's #4 to House Bill 448."

Speaker Hannig: "Okay and on that question, Representative Black is recognized."

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

Speaker Hannig: "Yes, state your inquiry."

Black: "Yes, many Members on our side of the aisle, pursuant to Rule 54, I believe, Sub. 4, would like to divide this question. We have no problems in taking Senate Amendments #2 and #3 on one vote, but there are Members on my side who would like Senate Amendment #4 to be divided and voted on separately, and we would make that request of the Chair."

Speaker Hannig: "And you're within your rights, Representative Black. And so, Mr. Clerk, would the board reflect that we're going to vote on Senate Amendments 2 and 3 and then after that we will vote on Senate Amendment 4 separately. Do you have any other questions, Representative Black?"

Black: "No."

Speaker Hannig: "Representative Monique Davis is recognized, on Senate Amendments 2 and 3."

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield? He indicates he will. I would like to know why we're changing the provision that requires the board of education after its members are appointed to elect its number, to elect from its number, a secretary. Why are they now changing it to have a secretary of the board to be an employee? Is there a reason? "

Speaker Hannig: "Representative Hartke"

Hartke: "Thank you, Mr. Speaker. I do not know, Representative Davis. I do know that the Senate put this provision on this piece of legislation. It appeared to me that the Chicago Board of Education has requested this change,

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simply because they are one of the proponents of this piece of legislation, along with the Illinois Federation of Teachers, Illinois Education Association, Illinois Association of School Social Workers, Administrators of the Association of Special Education, plus the Illinois Social Workers, and the Chicago Board of Education. I do believe that, I guess, the whole board wanted to have a say on who there secretary would be. I guess it was normal practice that that individual was paid. And so, to pay that individual, he was then elected and they probably are paying all kinds of those things that'll go along with it. Rather than that individual as serving as secretary, be appointed by maybe the chairman of the board, it was now they requested that that individual be elected from a Member... from among the Members of the board and so..."

Davis, M.: "Well, it appears Representative, they're removing that provision and they're replacing it with the secretary of board being an employee of the board. If they replace it with that, then the board would not have authority over that secretary. That secretary would be under the auspices of the chief education officer. And I'm really... I am not complaining. I just need to know why. There must be some valuable explanation for this. So, while you discuss it, maybe someone can tell us the reason? Currently... Thank you, Mr. Speaker and Representative. I do believe it's a very valid change. I just wanted to know the reason and I think it's important that we know that. So I now know, thank you."

Hartke: "Thank you. Thank you. I appreciate it very much your concern in bringing that to light. However, like I said, the Senate Sponsor has indicated, and in talking with the Lady over there who sponsored this piece of legislation,

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there were 30 individual groups that had signed on in support of this legislation. So, they saw no problem with it at all. I did not discuss it with the Senate Sponsor, but I've taken her word that it was a good piece of... addition to this piece of legislation."

Speaker Hannig: "Is there any other discussion? There being none, Representative Hartke to close, on Senate Amendments 2 and 3."

Hartke: "I would just ask for your favorable consideration of Senate Amendments 2, and 3, to House Conference Committee Report on House Bill 448. Thank you very much."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendments 2 and 3 to House Bill 448?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 1 voting 'no', and this Bill having received a Constitutional Majority is hereby declared passed. And the House does concur in Senate Amendments 2 and 3 on House Bill 448. Now, Mr. Clerk, we're going to go to Amendment #4. Representative Lopez, for what reason do you rise, Lopez?"

Lopez: "Thank you, Mr. Speaker. For the second time today my switch doesn't seem to be... want to work. If we can have the electrician come and check it out. And I would like for the record to reelect that I would've voted 'yes' on the last Bill."

Speaker Hannig: "Thank you, and the record will so reflect. And on Amendment #4, Representative Novak."

Novak: "Are we on? Yes, we're on. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #4, once again

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in its original Bill was House Bill 3055, that we passed out of this Body last spring. It received an overwhelmingly bipartisan vote of over 100 votes. It deals specifically with an impoverished African-American high school district in Eastern Kankakee County, in a community called Saint Ann. There are two elementary school districts that feed into this high school district. One is predominantly white, the other one is predominantly African-American. All of the African-American children in the elementary school district are Chapter One kids. Somehow, through some miscalculation, when those Chapter One students went to Saint Ann High School, a tremendous discrepancy occurred with respect to the counting for general state aid for Chapter One children. So, subsequently, their state aid dramatically dropped. Since the 1990 census figures went into effect for school districts in Illinois, in 1993, Saint Ann High School District lost over \$2,000,000 in general state aid, because of an egregious error, somewhere, that was committed. This school district went to court locally to try to correct it. The local judge was very sympathetic. They went to the appellate court because the state appealed. There at the appellate level, the justices said, 'Look we realize there's a problem. We recognize there's a problem we cannot fix it. You have to go to your Legislature to fix it.' So, as the last resort, the school officials came to my office and Senator Walsh offices and said, 'This is our last resort. We've spent thousands of dollars on legal fees to try to correct an egregious error.' These kids come from one of the poorest school districts in the United States of America, with some of the lowest socioeconomic incomes in this country Ladies and Gentlemen. So, I'm

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asking you, this is not special legislation. This is not a handout. This is a school district that needs these dollars. They don't even have a full-time principal. They've eliminated all their sports. They've eliminated... extra curricular activities. They don't even have a guidance counselor. They don't even have a full-time librarian. We're talking about schools up north that build \$62,000,000 mausoleums. We've talked about school districts in this state that can't even repair their windows and their roofs, let alone have their heating and air-conditioning working for their kids. These are dollars that have been lost. We're not trying to go back and recoup these dollars. They've lost them for good. All we're trying to do is set things straight until the next census occurs, in the year 2000, so they can have an accurate accounting of Chapter One children in the Saint Ann High School District. That's all this Bill does. And once again, I want to ask you for your bipartisan support. Thank you."

Speaker Hannig: "And on that question, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I want to make one thing clear. While I made a Motion to divide the question, as some Members asked me to do. I want to make it very clear that I support and intend to vote for Senate Amendment #4. And let me just reiterate what Representative Novak said. Representative Novak and I have a common boundary in our House Districts. And I have been in Saint Ann and I am familiar with this school district. And I know how hard Representative Novak has worked to remedy, what in fact was, an error that needs to be corrected. And I know that some of our colleagues on

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Representative Novak's side of the aisle and on my side of the aisle, as well, think that if we're going to help one district, well, we should help another. That we all have districts that are in trouble, and that is true. But having a district that adjoins Representative Novak's district, I can tell you everything he said about this district is absolutely true. If not the poorest district in the state, it certainly is in the top three. He has worked very hard to correct an error not of the Saint Ann District's making. And when all is said and done and while I wish we could help every school district, that's an issue that we'll have to take up in the next General Assembly. The fact remains, is that this district has been harmed through no action of its own and we all can't come down to Springfield and do on occasion what is right, whether or not directly it impacts our district or not, then I question whether we should be here at all. I rise in strong support of Representative Novak's Amendment. I voted for the underlying Bill and I wanted to make it very clear to the Members of this Body that my Motion to divide the question was brought to me in my capacity by Members who asked me as floor leader to do that. And I appreciate and respect their desire to have that done. But I do stand in strong support of Senate Amendment #4 by Representative Novak."

Speaker Hannig: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, when the request to divide the question was first made I was really concerned about this because I was uncertain about whether Amendment #4 can pass on its own, independent of other the materials in that Bill. But, I think that it will. And I think that every

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person elected to serve here needs to recognize that throughout this state there are places where there are small children whose needs are far greater than some others. I have driven through the area that serves the children who go to Saint Ann's School. I have never been in the school itself. But I will tell you that is an area of abject poverty. Those children need help. They need more money per child, not less. And one of our obligations here is to help those who cannot help themselves. Ladies and Gentlemen, any Member of this chamber who understands what he or she was sent here to do, will feel an obligation, a moral obligation to vote 'yes' on this Amendment. Please do so."

Speaker Hannig: "Representative Novak, to close."

Novak: "Yes, Mr Speaker, thank you once again. I want to thank Representative Black. I want to thank Representative Cowlshaw. I want to thank individuals like Representative Winkel, and Representative Persico, and Representative Hassert, who've helped me in the past. I know I... names to numerous to mention on the Republican side of the aisle. I want to ask my Republican colleagues once again to help a school district. I know if you got up on this floor and said 'Representative Novak or Representative Schoenberg', or any of us colleagues on this side 'could you help me with this school district?' I would be more than happy to oblige you, Ladies and Gentlemen. So once again, I ask for your support to adopt Senate Amendment #4 to House Bill 448."

Speaker Hannig: "And the question is, 'Shall the House concur on Senate Amendment #4 to House Bill 448?' All in favor vote 'aye'; opposed 'nay'. The voting is open. And this is final passage. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes' and 9 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. And the House does concur on Senate Amendment #4 to House Bill #448. We would like to welcome a former Member of the House and now the Secretary of State, Mr. Jesse White, to the chambers. He's over on the Democratic side."

Clerk Rossi: "The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet in the Speaker's Conference Room immediately."

Speaker Hannig: "Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairman from the Committee on Rules, to which the following measure was/were referred, action taken on January 12, 1998 (sic-1999), reported the same back with the following recommendation: 'be approved for consideration' Senate Amendments 1 and 2 to House Resolution 871."

Speaker Hannig: "Calendar."

Clerk Rossi: "Calendar #4 is being distributed."

Speaker Hannig: "On Supplemental Calendar #4, on the Order of Concurrence, is House Bill 871. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I wish to concur on Senate Amendment #1 and 2 to House Bill 871. This does not appropriate any new money but it does make some corrections in the language that dealt with special initiatives in the last budget. I repeat, it does not make any new appropriations, but rather corrects words... technical corrections in the special initiatives in the last budget. I repeat, I move that we concur."

Speaker Hannig: "The Gentleman has moved that we concur in Senate Amendments # 1 and 2 to House Bill 871. Is there any

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discussion? There being none, then the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 871?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', and the House does concur in Senate Amendment 1 and 2, 2, to House Bill 871. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Hannig: "Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. I have an inquiry of the Chair that I'm making on behalf of Representative Duane Noland."

Speaker Hannig: "Please state your inquiry."

Black: "Yes, as all of you know in the chamber, Representative Duane Noland will soon retire from the House and move to the Senate where most of them have been retired for some time. Representative Noland, soon to be Senator Noland, so you know he's a farmer, one of the few farmers in the Illinois House and we hate to lose him to the Senate. But anyway, he liquidated. He's a hog farmer. He liquidated 100 hogs last week. He sold 100 hogs, got \$10.87 for those 100 hogs and he has put down \$10.87 on a reception that begins at 4:30 at the Hilton. Now, he's concerned that if he's not there at 4:30, \$10.87, he will not even get a glass of water. And he'd like to know, Mr. Speaker, if he can plan on adjourning in the next few minutes?"

Speaker Hannig: "If I could have your attention please? The House is going to stand at ease now for a few minutes, while the Energy and Environment Committee meets here on

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the House floor. So, we're going to be at ease for just a few minutes, while the committee will consider a Bill here on the House floor. So, Representative Novak, if you would come to the podium? We need for your committee to get under way shortly. The House will be in order. The Members will please be in their seats. Mr. Clerk, do you have any Committee Reports?

Clerk Rossi: "Committee Reports. Representative Novak, Chairman from the Committee on Environment and Energy, to which the following measure was referred, action taken on January 12, 1999, reported the same back with the following recommendation: 'be approved for consideration' Conference Report #1 to Senate Bill 299. Supplemental Calendar #5 is being distributed."

Speaker Hannig: "On Supplemental Calendar #5, on the Order of Conference Committee Reports, is Senate Bill 299. Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The First Conference Committee Report on Senate Bill 299, deals with a situation concerning the gas methane generators, that generate electricity at landfills. Let me just take a minute for Body here to... put things in perspective. A few years ago we eliminated the Retail Rate Law, as it pertained to incinerators. And at that time it applied to, specifically, the Robbin's incinerator and another incinerator that was planned in Ford Heights, and I think maybe one or two more that were on the drawing boards in other parts of the state. But, when we eliminated the retail rate incentive for incinerators, we left the retail rate incentive for gas to methane generators that create electricity at landfills, we left that provision intact in the Retail Rate Law. In 1997, the General Assembly and the

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Governor signed the Electric Utility Restructuring or Deregulation Act. And within that Act we changed some tax structures. We eliminated the Gross Receipts Tax that's applied to utilities and we change... and supplanted it with an Exise Tax. So, what had happened as an inadvertent consequence, the utilities no longer thought they had to honor these contracts, with the gas to methane generators. So, what this Bill does is two things. Number one, it codifies a rule that the Department of Revenue put in effect to keep the rate incentive, retail rate incentive, for gas methane generators. It codifies that to make it permanent, and number two, it establishes an Economic Development Fund paid out of the proceeds from the owners and operators of the gas methane generators that are located at many landfills, at the rate of six tenths of one mil per kilowatt hour, which totals \$500,000 a year for a maximum of ten years. Those are the two major things this legislation does. This Bill has major economic impact on businesses that build, operate, or lease and maintain these facilities statewide. They are in many of our landfills and our legislative districts, from Chicago, all the way to Southern Illinois, from Western Illinois, all the way to Eastern Illinois. Many, such as the DuPage Forest Reserve District, they earn 1 or \$2,000,000 a year. The landfill in Peoria gets a royalty from the owners and operators of the unit that produces electricity in that area. Waste Management owns a facility in my legislative district. And so, there are many of them in the state. If we don't pass this legislation there is going to be a severe, negative economic impact on the ability of these businesses to continue. And on the environmentally beneficent side, beneficial side, methane gas that is

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created by the decomposition of waste, is a greenhouse gas, and greenhouse gases, as you know, through statistical evidence, they have a severe impact on our ozone layer. This is a very, environmentally prudent way to handle the waste matter from the methane. Burn it and generate electricity, so we can power our homes and power our businesses. So, I ask my colleagues, I will be more than happy to answer any questions. I ask my committee to adopt the First Conference Committee Report on Senate Bill 299."

Speaker Hannig: "And on that question, Representative Persico is recognized."

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

Speaker Hannig: "He indicates he will."

Persico: "Representative, I did ask these questions in committee but there were some people that were not here and just to go over it. Four or five years ago, when we repealed the Retail Rate Law, we excluded methane gas. Is that correct?"

Novak: "Mr. Speaker. Mr. Speaker, I cannot hear."

Speaker Hannig: "Let's give the Gentleman a little order in the chamber."

Novak: "To answer your question Representative Persico, I think it was 1994 or 1995, we repealed the Retail Rate Law as it implied to incinerators, but left intact the Retail Rate Law as it applied to these gas methane generators."

Persico: "Right and so we explicitly excluded them at that time, methane gas that were generated by landfills."

Novak: "Yes Sir."

Persico: "...and when we passed the Electric Deregulation Bill and a consequence that we would not... did not intend, was by changing the Gross Receipt Tax to a Consumption Tax, was a consequence that we weren't looking at and utilities are

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saying since they have to buy... by PURPA they have to buy this gas from the landfills, they no longer have to buy it at that higher cost. Is that correct?"

Novak: "Correct, correct Representative."

Persico: "Is there a law suit to that effect now?"

Novak: "Pardon me, Sir?"

Persico: "Is there a law suit to that effect right now?"

Novak: "A law suit?"

Persico: "Yes."

Novak: "There might be."

Persico: "... utilities, that's just their contention?"

Novak: "Yes."

Persico: "...and by passing this piece of legislation... and if we didn't pass this piece of legislation then the landfills would no longer be economically feasible to generate this methane gas?"

Novak: "It would be no longer economically feasible to build, operate, or lease these units without that subsidy."

Persico: "And so it's important to the landfills around the state that we do pass this piece of legislation, correct?"

Novak: "Yes, sir."

Persico: "And in terms of the Municipal Economic Development Fund, this is a tax on the landfills that generate methane gas which would raise about \$500,000 a year. Is that what you said?"

Novak: "Yes, it is."

Persico: "And for how many years again?"

Novak: "It is for ten years, Representative."

Persico: "Thank you, Mr. or Representative. I just stand in strong support of this piece of legislation. I think it's a piece of legislation that is much needed, 'specially for those districts or counties that have landfills that are

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generating this methane gas. Thank you."

Speaker Hannig: "Representative Morrow"

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise reluctantly in support of Senate Bill 299. It takes care of the concerns of a very good friend of mine, Representative Harold Murphy, in the City of Robbins. But I think a little history about this issue of the Retail Rate Law needs to be brought up for the sake of the Members of the General Assembly. You know, four years ago when the Minority Party was in the Majority, they made the Robbins incinerator a political issue in the South Suburban Districts. And I remember getting many phone calls from people that live in the South Suburbs saying that we need to get rid of the Retail Rate Law because we do not need to subsidize waste incinerators. And I remember that was the 'pitch' from the party of the other side of the aisle, until the day that the Bill was supposed to be called, and then very conveniently the Rules Committee met, out came an Amendment that exempted methane gas landfills. When the belief by many constituents were, we were eliminating the entire Retail Rate Law. Well, it was a bunch of hypocrisy, and I think that needs to be brought up. I am in favor of Senate Bill 299. But let's be forward and straight as to the business that we're going to conduct in the General Assembly. We don't need to tell our constituents one thing and then conveniently pull the wool over our eyes. So, I am going to put a green vote on Senate Bill 299, because fortunately, the real party is in the Majority. Thank you."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, the previous speaker, I want to remind him where

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this Bill originated in. It happened to be the Republican Senate. So you know, let's try and start the new year in a sense of support for what is good and right, regardless of political persuasion. Would the Sponsor of this Amendment yield? Mr Speaker, will the Sponsor yield?"

Speaker Hannig: "Yes, he indicates he will."

Parke: "Thank you. Representative Novak, I understand there is a provision in here that affects only Robbins that as the only community eligible for funds under the conditions outlined in the Bill. Is that true?"

Novak: "Mr. Parke, I can hardly hear you. Mr. Speaker, could you put a little bit more weight on that gavel?"

Parke: "It says in our analysis that the Robbins community is the only community eligible for the funds under the conditions outlined in the Bill. It has been determined by the methane gas and incinerator owners that paying the amount of .0006 would generate approximately \$500,000 each year. Does that go to the community of Robbins?"

Novak: "Yes, just one community of Robbins."

Parke: "Okay so this is going to be helpful to them."

Novak: "Yes. It's an Economic Development Fund."

Parke: "Right, so what we are trying to do is help them through this time of trying to readjust to what we changed last year?"

Novak: "Yes."

Parke: "Okay, so this is a sort of a matter of fairness that we're trying to do."

Novak: "Well it's... I think it's a reasonable approach. But I would agree with that."

Parke: "Will this cost the State of Illinois any additional funds?"

Novak: "No."

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Parke: "So, this fund only comes to the landfills."

Novak: "Correct."

Parke: "And if we don't do this, what happens?"

Novak: "Pardon me, Representative?"

Parke: "If we don't do this, if we don't pass this, what will happen?"

Novak: "Well, if we don't do this, here's what happens. From the environmental perspective, again, if you do not have a economically feasible mechanism to dispose of methane gas that comes up from landfills, then it has a wider impact on our ozone layer. And number two, you have many of these units around the state right now that are operating. And if this economic incentive ceases, you will have to shut them down. The people that invest money and there's... I received a lot of correspondence from everyday citizens that invest dollars in these gas methane generators. And so, if you don't do that the investors have to be paid off. And if the rate of electricity is much higher than what they do pay, they're going to operate at a loss, and subsequently, they'll close. They'll layoff workers and it'll be a sort of double pronged negative effect, bad for the environment and bad for these businesses."

Parke: "Well, if it's bad for the environment, do we have any of the environmental groups in support of this legislation?"

Novak: "The... my understanding, the Illinois Environmental Council is neutral on the Bill."

Parke: "Is there any opposition to this that you're aware of?"

Novak: "During our committee meeting, Representative Parke, I think there was one witness slip filed and it was filed by one of our colleagues."

Parke: "So, as far as you know, nobody is in opposition."

Novak: "No sir."

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Parke: "...but this is good public policy for us?"

Novak: "I believe it's reasonable."

Parke: "Thank you, Representative."

Speaker Hannig: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. Ladies and Gentlemen, don't let anybody kid you, this is, in fact, a new tax. We are instituting a new tax with this Bill. That's number one. Number two, we heard a lot about what the Bill does. It does this for the landfills. It does that for landfills. Well, isn't this great? A nice big fat plum for the landfills, on the last day, at the last hour of this 90th General Assembly. I thought I saw the last day and the last hour before the budget, back in May, but this is truly, the last day and the last hour. And this is flat out wrong, a lame duck Legislature sending this far reaching legislation to a new governor, and the Members that were elected this past November don't have a chance to vote on this issue. It's wrong and it's wrong because the citizens of the Village of Ford Heights are not being taken into account. The incinerator in the City of Ford Heights was up and running for a full week before this General Assembly took away that subsidy. And when we did, we took away the jobs, they shut the doors on the plant, and they shut the water off to the building and said, 'See ya in court.' And that's where we are now. And the state has spent tens of thousands of dollars fighting that court case and they continue to fight it. And it's wrong. I am not against the Village of Robbins receiving the economic development money, not by any means. But I am against this Bill, because the City of Ford Heights has been left out. They have received the same economic damage and then some,

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that the Village of Robbins has received because that plant has been closed. And they tell me, 'Giglio, calm down, in the fall or in the spring we're going to take care of Ford Heights. We're going to cut a deal for Ford Heights.' Well, that's wrong. We're reinstating the subsidy to the landfills, a big fat plum for all of them and it's wrong and I would urge you to vote 'no!' Thank you."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I am going to be voting 'present' to avoid a potential conflict. Thank you."

Speaker Hannig: "Thank you, Representative Cross. Representative Harold Murphy."

Murphy: "Thank you, Mr. Speaker. To the Bill. To the Bill (sic-Senate) 299 all we're saying is, 'We made an error and got rid of the Retail Rate Law.' I would like to be standing here saying that, Robbins and Ford Heights is included into that the Retail Rate Law and that's a great thing.' But since I don't have the opportunity to do that and because Robbins, they're losing around a million and a half dollars, as we speak, per year. Now, we're talking about here today, is half a million dollars for the period of ten years. And I must tell you, it's not taxpayers' money and it's not coming from the government, but it's coming from the Mettome Landfills. And so, they saw it in their hearts to share, to share some of their earnings with a center that need it very desperately. Now, if we include everybody, then I guess it would be okay. We talk about environmental this, is not an environmental, this is economics, and that is a situation here and we would plead with you. As you remember, I stood on the floor to repeal the Retail Rate Law and it failed. I stood on this same floor and asked to include Robbins and that failed. So,

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this is the only fair thing that I know we could do to be of some assistance. Obvious, it's not enough, but some assistance. So, I would urge you to vote 'aye'."

Speaker Hannig: "Representative Novak, to close."

Novak: "Thank you, Mr. Speaker. To the previous, previous speaker, I would just like to reply that number one, this is not a tax. This is a... this is a... you can call it a tax you could call it a fee, but what it is, is the owners of these units have agreed to tax themselves. The state is not taxing them. They've agreed in this piece of legislation to tax themselves. The money goes into a fund and then the fund will be remitted over to the Village of Robbins. So, there are no state tax dollars involved in this legislation, with this respect to this Economic Development Fund, I think I've explained it halfway decent here. And I'd like to ask my colleagues, so we can move this along and so we can keep this incentive going. Do things to protect our environment and do the right thing to maintain the incentive for these businesses, because many more are on the planning boards right now to be built in Illinois. And as we deregulate electric power into the 21st century, there will be... these will be fine examples of alternative sources of energy. I ask my colleagues to adopt the First Conference Committee Report of Senate Bill 299."

Speaker Hannig: "The question is, 'Will the House accept the First Conference Committee Report on Senate Bill 299?' All in favor vote 'aye'; opposed 'nay.' The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Representative Daniels, is recognized."

Daniels: "I have a potential conflict of interest, therefore I'm voting 'present'."

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Speaker Hannig: "Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 80 voting 'yes', and 33 voting 'no'. And the House does accept Conference Committee Report #1 to Senate Bill 299 and this Bill having received a Constitutional Majority is hereby declared passed. We'd like to welcome a former Member, now Lieutenant Governor Wood, is with us today, and we'd like to acknowledge her presence. Corrine Wood. Agreed Resolutions."

Clerk Rossi: "House Resolution 725 offered by Representative Daniels, House Resolution 726 offered by Representative Daniels, House Resolution 727 offered by Representative Daniels, House Resolution 728 offered by Representative Daniels, House Resolution 729 offered by Representative Daniels, House Resolution 730 offered by Representative Daniels, House Resolution 731 offered by Representative Daniels, House Resolution 732 offered by Representative Daniels, House Resolution 733 offered by Representative Lang, and House Resolution 734 offered by representative Hannig."

Speaker Hannig: "And on these Resolutions, Representative Daniels is recognized."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I'll be as brief as I can, but in the process I want each and everyone in this chamber to know the heartfelt esteem and high gratitude we have for the Members that'll be departing the General Assembly when we adjourn sine die. To start off the list, Bob Churchill has been the Majority Leader of the Illinois House and is the Deputy Minority Leader at the present time. Nobody could ask for a better friend and a better public servant than Bob Churchill. He does represent the best of everything in government today. And

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I wish Bob Churchill the absolute best, wherever he may be right now. He's probably reading a Conference Committee Report or doing something on behalf of his Republican colleagues. But I hope that Bob Churchill knows that each and everyone of us hold him in the highest esteem, as he comes through the door right now. Bob Churchill. He actually, Mr. Speaker, was still reading Conference Committee Reports, thinking you might try to slip one through before you adjourn sine die. So Bob, thank you very much, on behalf of all of us, in the General Assembly for all the years of service you've given to us and we certainly wish you the best of everything. Jay Ackerman has been a soft-spoken friend in the back of the chamber. Jay is a good man who always speaks the truth and with certain common sense. Jay can't wait to go back home to get back to what really counts, fishing with his grandchildren. So, we wish Jay and Joanne well. And Jay, thank you for all the years of service you have given to all of us. And you know, Jay has what you call a borrow pit. Those of you up north may not know what a borrow pit is, but if you go see Jay he'll tell you all about it, because it's important to your road construction that you know what a borrow pit is. But you could find Jay in the summertime around his borrow pit, fishing with his grandchildren. Jay, God bless you and thank you for everything you've done. Suzanne Deuchler has been the voice of Aurora and the 42nd district for years now. Suzanne has numerous accomplishments and a distinguished career to look back on. She... one of her proudest achievements was being cofounder of the Illinois Math and Science Academy. And for that all of Illinois and for that matter, all of the United States, owes you a great debt of

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gratitude for the efforts you put forth to train young minds to serve us in the future. Good luck, Suzanne to you and Wally, we wish you the best. We'll always be a part of your family. Come back and see us many times. Suzanne Deuchler. Verna Clayton has been one of the strongest advocates for local government that this General Assembly could ask for. She distinguished herself as Mayor of Buffalo Grove. As a matter of fact, we've now set the pattern, if you're Mayor of Buffalo Grove, you come to the General Assembly. Is that right, Verna? Because your replacement, in fact, is the Mayor of Buffalo Grove. It's a good starting point. She's been a national leader in transportation and municipal government issues. Verna, to you and Frank, we give you our warm regards. As I understand, you'll be headed to sunnier climates, and send us postcards every once in awhile. Let us know how it is in post retirement period. But remember this Verna, you always have friends and family here in this General Assembly. Verna Clayton. Where Verna's going to warmer climates, Suzanne's going to another career. Jay Ackerman's going fishing with his grandchildren. Bob Churchill's going to do whatever Bob Churchill will do, which will be perfect I know. You watch and see. You're going to hear a lot more from Bob Churchill. Duane Noland, unfortunately, is going to another place. Now, you understand, of course, we have an outreach system. Every once in awhile we have to make sure that the Senate understands how the House operates. So Duane is an operative on all of our parts. You could call Duane anytime you want. He has been a man of high standing, if not tall stature, in the Illinois House. So, we want to thank Bill Mitchell for appointing Duane, almost ten years

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ago, interesting as it may be. And it may have been the best phone call he ever made. Duane's a proven ally of the Illinois farmer, know what it means to feed the masses throughout the country today. We look forward to working with him. We know that Duane is an exception to the rule. He'll go to the Senate and he'll remember his roots, and constantly speak on behalf of the Illinois House. Duane Noland, Senator Duane Noland. Peter Roskam has been one of the most thoughtful Members in the Illinois General Assembly. Everyone listens when Peter Roskam debates an issue because it's usually right on, and brings a great deal of common sense to all of us. Peter was always a strong voice for welfare reform, criminal justice system, and traditional values. He will enjoy success well into the future and we'll hear a lot more from Peter Roskam. We wish him and his wife Elizabeth and family, God speed and the best of everything. And thank you Peter, for all you've done for us. We wish you the best in the future. Mary Beatie, Mary Beatie, we thank you for your hours of service. Mary has a perfect attendance record. A perfect voting record and has no complaints from her constituents. Mary Beatie. Bob Bergman. Bob is a man who has many friends in this House, on both sides of the aisle, and should always remember that. Bob's been... and his mentor was Bernie Peterson and we all remember Bernie, about taxes and other things. No more Illinois taxes. That's what Bernie always told us, Bob. And Bernie would have been proud of everything that Bob has done to fill his shoes in this chamber. Representative Bergman, you will be missed by all who know you and have been a contributor to your future, and by your friends, and your fellow citizens. We thank you for the service you've given to Illinois, and we

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wish you and your four children the very best in the future. Our friend, Bob Bergman. Mike Brown has always put public service first, assisting Ron Wait, Jack Schaffer, and John Friedland for years. Mike brought a strong record of local government service to the House. He will still be a welcome voice in state and local politics. He's been a major contributor to good government issues in McHenry County and we wish Mike and Carolyn and his family, extremely good things in the future, and Mike Brown, thank you for all you have done for us. Mike Brown. That's it. I would move for adoption of the Resolutions."

Speaker Hannig: "And on the Resolution, Speaker Madigan is recognized."

Speaker Hannig: "Excuse me, we have a Committee Announcement by the Clerk."

Clerk Rossi: "The Rules Committee will meet immediately in the Speaker's Conference Room."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House. There are four departing House Members, they're not mentioned in Resolutions, but I would like to say something about their departure at this time. Two of them have already left and they're discharging their duties as Members of the United States Congress. One would be David Phelps who represented his district for seven terms, and is now representing a much larger district in Southern Illinois, and I'm sure will do an outstanding job as a Member of the Congress. The other is Jan Schakowsky who served here for five terms, and is now representing a district in the northern part of Chicago, and up to into the northern suburbs. In addition, Representative Elba Rodriguez served an abbreviated term and did an astounding job during that short tenure. And then lastly, is Representative Arline Fantin, who served

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here for two years, will not be returning. Arline, as many of you know, is an expert on local government taxation, served admirably as a Member of the Revenue Committee and prior to that as a local township assessor in Cook County. In addition, we are losing three key staff people. One would be Terri Coombes, who has served as the Director of our Research and Appropriation Staff for several years, has done a wonderful job and she's standing right up here in the front of the chamber. The other, to the person who has asked the question, Terri is going to work for the Secretary of State's Office under Jesse White. The next director that we're losing, is the Director of our Issues Unit, Jerry Clark's best friend, Tom Cullen. The last key staffer that we are losing, is Bill Black's best friend, our Chief Counsel and Parliamentarian, Michael Kasper. Michael. I want to join with Representative Daniels in wishing best of luck to all the Republican Members that he mentioned in his remarks, and I would do the same to the Democrats and to our Democratic Staffers, and move to join Representative Daniels" in the Motion to adopt the Resolutions."

Speaker Hannig: "Representative Daniels."

Daniels: "Mr. Speaker, I think we had a Resolution for Representative Biggert, as well, that was not called before she adjourned. I don't remember the number of that, but could we include that in the Resolution?"

Speaker Hannig: "Yes."

Daniels: "As you are doing that, let me just tell you that I was as pleased, as I was yesterday, to be in Washington when Congressman Hastert was elected Speaker of the House, on behalf of all of us. And also witnessed Representative Biggert being sworn in in Congress. It was an exciting

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moment and of course, watching Representative Schakowsky and Representative Phelps. You know kind, of brought a sense of honor to this chamber, that people would go to Washington on our behalf and represent this state. It was really fun, and if you haven't had the opportunity to see that in Washington, you might want to go and witness that, or at least go see your friends over there, cause in deed, they are. And Representative Biggert is somebody that we're extremely proud of on this side of the aisle and we want to wish her well, and I asked that that Resolution be included. But also, we recognized 'Gimpy' over here, Representative Lieutenant Governor Wood, and you'll always be Representative Lieutenant Governor Wood to us. The only difference now is you can't get close to her because she has bodyguards around her. So, I do not know what that means, but anyhow Corrine, we wish you the best. We know we're going to see a lot of you. Feel free to come and visit us and when the boss is doing something that we need to know, I am sure you'll let us know about it. And don't feel too bad about being sent out all over the State of Illinois to do all these many things, but we'll be here to help you. So, good luck to you, Representative Lieutenant Governor Wood.

Speaker Hannig: "Adopted"

Speaker Hannig: "You've heard the Gentleman's Motions on the Agreed Resolutions. All in favor, say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolutions are adopted. And now, Speaker Madigan for a Motion.

Madigan: "Mr. Speaker, my purpose is to make the final Motion, and before I do that, I want to thank all of the Members of the House, Democrats and Republicans and Representative Daniels, for your cooperation and help during this Session

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of the General Assembly. This Session is a little different than others. There were many accomplishments. There were many issues which were considered, but not resolved successfully. They'll be reconsidered in the next Session of the General Assembly. But I think the one thing we can agree upon, is that we all come here elected by the people in our district, serious about our obligation to represent those people and at the same time to bring to our deliberations a statewide perspective in terms of decision making and to all of you I wish to congratulate you for successfully discharging that obligation to the people of your district who sent you to this august Body. Mr. Speaker, I move that we adjourn, sine die."

Speaker Hannig: "Representative Daniels."

Daniels: "Thank you, Speaker Madigan. I would join in that Motion as well. But let me add to that, my thanks to you and to all the Members of the House, and certainly the staffs on both sides of the House. There's no question in the fact that we have the best staff in the United States today, and we're very fortunate to have people that serve us as well as they do. But let me also pledge to you, my thoughts over the past few weeks, in terms of what we're hearing coming out of Washington, in fact, about working together in a bipartisan fashion, or even on a nonpartisan fashion at times. Make no mistake about it, we're going to do everything we can in the year 2000 to win control of the House. You know that and I know that. I know you will too and I know Mary Flowers will be out campaigning too to do that. And that's as it is, that is the political nature of this process. But in the interim, we can do an awful lot of good on behalf of the people of Illinois, whether it's in education or other programs in human services and what

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we need to do. So, Speaker Madigan, I agree with what you just said. Some issues were unresolved. We need to deal with those issues and we'll get right to work with our new governor, and our new administration. God Bless you all, and thank you very much for all your help."

Speaker Hannig: "You've heard the Speaker's Motion that the House stand adjourned, sine die. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House stands adjourned."