

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

80th Legislative Day

November 14, 1997

Speaker Brunsvold: "The House is prepared to go into Session.

All unauthorized personnel shall leave the Floor. We will be led in prayer today by Father Marc W. Reszel with Our Lady of the Perpetual Help in Glenview, Illinois. Father Reszel is a guest of Representative Elizabeth Coulson. The people in the balcony may wish to rise and join us in prayer. Father."

Father Reszel: "Praise to You, God of all creation. In love, You have formed us in your own likeness, and You have taught us that every time and season, obey Your laws. During November, we prayerfully ask You to grant eternal rest and to let perpetual light shine on those dear to us who have died. This Body especially remembers Representatives Roger McAuliffe, Bernie Pedersen, and Terry Deering and Senator 'Babe' Woodyard. Today, we also remember Your servant, Joseph Cardinal Bernardin on the first anniversary of his death. As this Legislative Veto Session nears completion, we pray that You look kindly upon Your people in Illinois and we ask You to bless the work of our elective Representatives. Like Cardinal Bernardin, may they wear a seamless garment of integrity and truth. May they return honor to the ideals of public service and common good. May they debate as those who seek harmony, may they act with respect for those whom You have created. Open the ears of all here present, to the prophets of our respective religious traditions and also, to those who speak in a prophetic voice today. Let us sow peace that we may harvest justice, and let our work serve You, our Creator, who is one God, forever and ever. Amen."

Speaker Brunsvold: "Thank you, Father. We'll be led in the pledge today by Representative Jack Kubik."

Kubik - et al: "I pledge allegiance to the flag of the United

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

80th Legislative Day

November 14, 1997

States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Brunsvold: "Roll Call for Attendance. Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. Just to say that I think the new guidelines are working. That was a wonderful, uplifting prayer. Thank you."

Speaker Brunsvold: "Father did a nice job. Clerk, take the Roll. One hundred and eighteen answering the Roll Call, we do have a quorum, and the House shall come to order. Committee Reports... Excuse me, Mr. Clerk. Mr. Black, for what reason do you rise?"

Black: "Point of Personal Privilege, Mr. Speaker. Just to respond to remarks on the other side of the aisle. I want the record to reflect that I think guidelines on the use of any invocation in this Chamber are inherently wrong and violate the Constitution of the United States, and I can't understand why we even need them when there's generally 12 or fewer Legislators on the Floor when we give the prayer on any given morning. This is much ado about nothing and no guidelines should exist on any member of the clergy being asked to pray before this Body. It's wrong and it should be done away with."

Speaker Brunsvold: "Thank you, Mr. Black. Mr. Clerk, Committee Reports."

Clerk Bolin: "Representative Stroger, Chairman from the Committee on Local Government, which the following Amendments were referred, action taken on November 14, 1997, reported the same back with the following recommendations: 'Be approved for consideration' Floor Amendment #1 to Senate Bill 382. Representative Eugene Moore, Chairman from the Committee on

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

80th Legislative Day

November 14, 1997

Revenue, to which the following Amendments were referred, action taken on November 14, 1997, reported the same back with the following recommendations: 'Be approved for consideration' Floor Amendment #1 to Senate Bill 436 and Floor Amendment #2 to Senate Bill 436. Representative Currie, Chairman... Chairperson from the Committee on Rules to which the following legislative measures were referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'Direct Floor consideration', Senate Bill 600 referred to Second Reading, standard debate. House Bill 2359, Amendment #2 'approved for consideration'. House Joint Resolution 32, recommend 'be adopted'. Senate Joint Resolution 28, recommend 'be adopted'. Concurrence House Bill 362, Senate Amendment #1, concur Motion #3 'approved for consideration'."

Speaker Brunsvold: "Messages from the Senate."

Clerk Bolin: "Messages from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills: House Bill 887, a Bill for an Act to amend the Solicitation for Charity Act by changing Section 3, together with Senate Amendments 1, 2, and 3. House Bill 932, a Bill for an Act to amend the Workers' Compensation Act, together with Senate Amendment #1. House Bill 1158, a Bill for an Act to amend certain Acts in relation to animals, together with Senate Amendments 1, 2, and 3. House Bill 1214, a Bill for an Act to create the Real Estate Appraiser Licensing Act, together with Senate Amendment #1. House Bill 1547, a Bill for an Act regarding diseased animals, together with Senate Amendment #1. House Bill 1633, a Bill for an Act to amend the Illinois Public

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

80th Legislative Day

November 14, 1997

Aid Code, together with Senate Amendments 1, 2, and 3. House Bill 1627, a Bill for an Act in relation to economic development, together with Senate Amendment #2."

Speaker Brunsvold: "The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Point of Order. Pursuant to Rule 49, I'm joined by five of my colleagues on this side of the aisle to request a recorded vote on any Motion or Resolution to adjourn, and should that Motion get the requisite number, we will seek a verification. Thank you."

Speaker Brunsvold: "I think, Mr. Black, we have a long time before Adjournment Motion would be in order today."

Clerk Bolin: "Introduction of Resolutions. House Resolution #263, offered by Representative Madigan. House Resolution 264, offered by Representative Gash. House Resolution 265, offered by Representative Lou Jones. House Resolution 266, offered by Representative Kosel. House Resolution 267, offered by Representative Kosel. House Resolution 268, offered by Representative Madigan. House Resolution 275, offered by Representative Biggert. House Resolution 276, offered by Representative Dart. House Resolution 277, offered by Representative Dart. House Resolution 278, offered by Speaker Madigan. House Resolution 279, offered by Representative Daniels. Introduction of Joint Resolutions. House Joint Resolution #40, offered by Representative Granberg. First Reading and Introduction of House Bills. House Bill 2401, offered by Representative Capparelli, a Bill for an Act to amend the Metropolitan Water Reclamation District Act, and House Bill 2402,

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

80th Legislative Day

November 14, 1997

offered by Representative Scully, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of these House Bills."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on November 14, 1997, reported the same back with the following recommendations. To the Order of Concurrence, House Bill 932, Motion #1 with regard to Senate Amendment #1, Resolutions. Rules recommends 'be adopted' the following Resolutions. House Resolution 203, 204, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, and 262, House Joint Resolution #33."

Speaker Brunsvold: "Ladies and Gentlemen, the House is still in Session. Unauthorized personnel should not be on the Floor. Unauthorized personnel shall not be on the Floor. The House is in Session."

Speaker Lang: "The House will be in order. Representative Lang in the Chair. House Bill 2359, Representative Currie."

Clerk Rossi: "House Bill 2359, a Bill for an Act concerning child support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Barbara Currie has been 'approved for consideration'."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker. The Amendment that I offer is an Amendment that does two things. It incorporates an agreement between the Attorney General's office and the collective bargaining unit representing current child support enforcement workers, and it changes the effective date to July 1, 1998, so as to give the Attorney General's

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

80th Legislative Day

November 14, 1997

office and the Department of Public Aid time to organize the shift in child support collections from the department to the Attorney General's office. With adoption of this Amendment, I know of no opposition to the Bill."

Speaker Lang: "Is there discussion? Seeing none, Representative Currie moves to adopt Floor Amendment #2. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #2 is adopted. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Lang: "Motions? Third Reading. House Bill 2359."

Clerk Rossi: "House Bill 2359, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill would transfer child support enforcement and collection responsibilities from the Department of Public Aid to the Attorney General's office. We know that child support is a difficult, time consuming, costly activity, and while we know that there have been improvements in Illinois child support collection in the recent past, we think it's exciting that a statewide elected officeholder, in this case the Attorney General, is anxious and willing to take on responsibility for coordinating and organizing this very important activity for Illinois children. With adoption of Amendment 2, the laboring groups have come on board this Bill, that is to say they are not opposed to it, and the Bill does have support from state's attorneys and from clerks of the Circuit Court across the state. There is no opposition from the Governor's office, nor any other opposition that I'm familiar with. Our child support advocacy groups also support this change. I'd be happy to

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

80th Legislative Day

November 14, 1997

answer your questions and would appreciate your support for the Bill."

Speaker Lang: "The Lady moves for the passage of House Bill 2359.

On that question, Representative Skinner."

Skinner: "Mr. Speaker, it was in December of 1994 that Representative Bernie Pedersen and I approached Attorney General Ryan, Attorney General-elect Ryan, and asked him if he was really serious about taking over child support. I am delighted that he is. I am delighted that an agreement has been... has been reached. I would point out that last year we had House Bill 2050, which was a Shell Bill when it passed the Illinois House. I described it as a Shell Bill with attitude. Well, this is the result and I'm happy to be in support of it."

Speaker Lang: "Further discussion? Representative Woolard."

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

Speaker Lang: "The Lady will yield."

Woolard: "Representative, behind you. There's a couple of concerns that I might have that probably, you can address and... there's dual responsibilities there now and employees from two different jurisdictions. Are those employees all going to be incorporated into the system under the new approach, are some of them going to be left in limbo?"

Currie: "It is my understanding that they will all be incorporated."

Woolard: "So, those who are now employed by the Department of Public Aid would become employees of the Attorney General's office?"

Currie: "And they would retain all of the collectively bargained rights they now enjoy as public aid employees, through the remainder of this contract. In a side letter of agreement,

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

80th Legislative Day

November 14, 1997

the Department of Central Management Services has agreed to give them rights beyond that contract should the Attorney General sign a collective bargaining agreement with them, rights that would extend to current employees of the Department of Public Aid."

Woolard: "Those employees that are there now... is there any discussion that you're aware of that any of these services are going to be sublet to a contractor in any fashion?"

Currie: "Not to my understanding."

Woolard: "Thank you."

Speaker Lang: "Further discussion? Representative Shirley Jones."

Jones, S.: "Yes, will the Sponsor yield?"

Speaker Lang: "The Sponsor will yield."

Jones, S.: "Representative, now, he was asking about Public Aid, they are a part of the State of Illinois. You also have Aurelia Pucinski with the county that collects, would they also be... will they also be... the employees, will they also still keep their job as far as this Bill is concerned?"

Currie: "Yes. The Clerks of the Circuit Court and the state's attorneys would not become employees of the Attorney General. But it is my understanding that the Attorney General would continue to work through the offices of the Clerks of the Circuit Court and work with the state's attorneys in carrying out his new responsibilities under this Bill."

Jones, S.: "So, you're saying that the employees still will keep their job under the Circuit Courts."

Currie: "Absolutely."

Jones, S.: "And that... where would their pay come from? Will it still come from the Circuit Court, the employees' pay

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

80th Legislative Day

November 14, 1997

checks?"

Currie: "Could we have a little quiet, Speaker? I'm having trouble understanding the questions."

Speaker Lang: "The Lady makes a good point. Could we have a little order in the Chamber for Representative Currie and Representative Jones?"

Jones, S.: "Right. Will the employees, even though the State's Attorney is taking over this and Aurelia Pucinski Circuit Court will still be handling the child support, their paychecks will still come from the Circuit Court?"

Currie: "Yes, they will. This will have nothing... will make no change in the employment status of people who currently work for State's Attorneys or Clerks of the Circuit Court across the state."

Jones, S.: "Okay. Thank you."

Speaker Lang: "Representative Mulligan, who is swallowing."

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

Speaker Lang: "The Sponsor will yield."

Mulligan: "Representative Currie, is this going to make any difference in the child support provisions that we implemented to go along with the Federal Welfare Reform?"

Currie: "Well, one would hope that the enthusiasm with which the Attorney General takes on these responsibilities would only mean that they are more useful than ever."

Mulligan: "At one point, I know, AFSCME was against this change. Did you say early on when you presented this that they were on board?"

Currie: "AFSCME is no longer opposed to the Bill."

Mulligan: "And that no employees are going to lose their job currently there?"

Currie: "The entire group will move over to the Attorney General's office."

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

80th Legislative Day

November 14, 1997

Mulligan: "Thank you."

Speaker Lang: "Representative Black."

Black: "Thank you very much, Mr. Speaker. To the Bill. Thank you. Ladies and Gentlemen of the House, this Bill, as Amended... I have on my desk, a memorandum of agreement between Central Management Services and AFSCME. I don't know that it would be entirely accurate to say that AFSCME favors the Bill, but I think it would be accurate to say that they are neutral or they are not opposing the Bill because of the agreements that have been worked out protecting those collective bargaining rights. Given that fact, and even beyond that fact, I commend the Sponsor and I urge you to vote 'aye' for this Bill. I don't know how your district office stacks up in constituents' service on the kinds of complaints you get. I daresay 40% of the constituents service work in my district offices deal with child support. It is obscene the amount of money that is owed to people in the State of Illinois on unpaid child support. It's in the hundreds of millions of dollars. I'm not rising to denigrate the efforts of public aid. I'm simply saying that I think it's time that the complexity of this task, the enormity of the amount of dollars involved, it is time to move it to a law enforcement cabinet level position and make a concerted effort to get those deadbeats who don't pay or won't pay, paying what is rightfully belonging to those children, that they brought into this world. The current system in Illinois, by any outside observer, has been adjudicated as one of the worst in the country. We rank last or near last in collection of child support payments. So, if there is no other reason, that's reason enough to make a change. I commend the Sponsor, I congratulate the Attorney General for his willingness to

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

80th Legislative Day

November 14, 1997

take this task on, and I would hope that in two or three years, we will see significant improvement on the amount of child support passed through to those children who need that money to be able to live a reasonable life, go to school, and have some of the things that our children may have been able to take for granted some years ago. So, I urge you to vote 'aye' for this Bill and I hope it becomes law in the very, very near future."

Speaker Lang: "Representative John Turner."

Turner, J.: "Thank you. Will the Sponsor yield?"

Speaker Lang: "The Lady yields?"

Turner, J.: "Representative, how much child support is collected in the State of Illinois today?"

Currie: "Many millions. I'm thinking in the... from the Department of Public Aid, I'm thinking in the \$14 millions, some 72 million, something like that. We'll see if we have those figures. It's got to be more than that. I'm sorry, I can't give you that information."

Turner, J.: "You had mentioned the role of the State's Attorney in collecting child support and I wasn't clear whether that role changes if this Bill is passed."

Currie: "Sorry. Could you repeat the question?"

Turner, J.: "Does the role of the State's Attorney in collecting child support change if this Bill becomes law?"

Currie: "We've met with the State's Attorneys' Association and it's my understanding that the agreements between the state's attorneys, the individual state's attorneys and the Attorney General will continue the same role for state's attorneys that they currently play in the child support system. The hope is that the coordinating role will be better served by a constitutional elected officer who wants to make this one of his top priorities."

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

80th Legislative Day

November 14, 1997

Turner, J.: "So, there's a separate agreement process between the state's attorneys' offices and the Attorney General that's not part of the legislation?"

Currie: "It is not part of the legislation but it resulted from many conversations and discussions with the state's attorneys and it is my understanding that the State's Attorneys' Association favors this Bill. We had meetings in my office that included the representatives of the statewide State's Attorneys' Association as well, I believe, as representatives of a State's Attorney's office or two as well as the state's attorney's office from Cook County."

Turner, J.: "Does it have any impact on the private collection of child support?"

Currie: "No. No."

Turner, J.: "And why is that? Is there some kind of specific language in the statute or in your proposed Bill?"

Currie: "This is basically going to be the 4-D System and that is the state system, and the idea here is to transfer responsibility rather than to make substantive changes in child support responsibility or in the who does the actual collecting."

Turner, J.: "Will non-public aid recipients be able to seek the assistance of the Attorney General in collection of child support if we pass this legislation?"

Currie: "Yes, as they do today."

Turner, J.: "Is there any process... is there any change in the process with regard to the non-public aid recipients seeking out the assistance of the Attorney General?"

Currie: "No."

Turner, J.: "All right. I recall in committee that AFSCME had some concerns and, in fact, the most recent analysis that I

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

80th Legislative Day

November 14, 1997

have still indicates that AFSCME is opposed to the Bill. I thought I heard earlier, however, that you indicated they had lifted their opposition or, perhaps, that was Representative Black. If so, why? As I understand it, we've not changed this Bill since it came through committee."

Currie: "Yeah, actually, we just adopted an Amendment to the Bill and that Amendment reflected an agreement between AFSCME and the Attorney General's office. What that Amendment provides is that... and with the Governor's office, that Amendment provides that the collectively bargained rights these employees now enjoy, will continue through the remainder of the contract. Rights, for example, to move from one agency to another, rights of bumping. What finally made AFSCME completely comfortable with the Bill was a letter of agreement between the Attorney General's office, the Department of Central Management Services, and AFSCME that will provide for current employees of the Department of Public Aid, who moved to the Attorney General's office. They will likely continue those specific rights after the current contract expires. So, at this time, AFSCME is not opposed to this Bill."

Turner, J.: "Well, is there, therefore, a requirement on the Attorney General's office to hire the Public Aid Employees?"

Currie: "That's not part of the legislation, but there was an agreement between the Attorney General and the representatives of that particular group of workers that the Attorney General would, in fact, move them lock, stock, and barrel to the AG's Office."

Turner, J.: "So, we'll have the same personnel collecting child support under the Attorney General's authority as we do

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

80th Legislative Day

November 14, 1997

now?"

Currie: "Initially, that's right. Obviously, the Attorney General, if the standards that are set for a worker activity are different, then there may well be changes in the specific nature of the employee work force."

Turner, J.: "I guess that raises the follow-up question. I know there's been so much criticism that child support is not being collected in a timely fashion. We're going to, because of the Amendment now, be using the same personnel. How would you respond to an argument from a naysayer, who might suggest that if we're going to simply use the same personnel, and they are not collecting it, adequately, which seems to be what everyone agrees upon, how do you respond to that, if there is that criticism?"

Currie: "First of all, I'm not sure the criticism is appropriately directed at the workforce, it may well be, but the management style does not encourage as active and energetic an approach as is appropriate. And second, there are complications in the collection of child support that do not necessarily reflect a lack of ability or will, on the part of the worker, to do the job. In our child support system, it's my view that many of the obstacles come about from a lack of good coordination between the current Department of Public Aid, the state's attorneys, and the Clerks of the Circuit Court. And as I said in the beginning, it is my hope that when a statewide constitutional elected officeholder says, 'This is going to be one of my high priorities,' and the voters are going to have the chance to clearly identify that officeholder with results in the program, I think we have reason to believe that we can do a better job in Illinois."

Turner, J.: "Representative, thank you for answering my

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

80th Legislative Day

November 14, 1997

questions. I do appreciate it. I can't support your measure."

Speaker Lang: "Representative Currie to close."

Currie: "I think we've discussed this Bill, thoroughly. I hope we will have your support to make this important transfer, to make sure Illinois children get the kind of financial support from their parents that they not only need, but absolutely deserve."

Speaker Lang: "The question is, 'Shall House Bill 2359 pass?' This is final action. All in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish. The Clerk will take the record. On this question, there are 113 voting 'yes'; 2 voting 'no'; 0 voting 'present', and the House passes House Bill 2359, having received the appropriate Constitutional Majority. House Bill 932. Supplemental Calendar announcement, Mr. Clerk."

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

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

Black: "Yes, Point of Order, Mr. Speaker, if I might."

Speaker Lang: "State your point, Sir."

Black: "Pursuant to Rule 49, I am joined by five of my colleagues in requesting a Roll Call Vote on any Motion or Resolution to adjourn, and should that Motion get a requisite number of votes on that record vote, I will seek a verification. Thank you."

Speaker Lang: "Your request is acknowledged, Sir. House Bill 932, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we concur in Senate Amendment #1 to

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

80th Legislative Day

November 14, 1997

House Bill 932, but let me tell you what this is about. This is the well-known 'speed bump' legislation. We built into the Unemployment Insurance Act what we call a speed bump, something guaranteed to bring labor and business back to the table to discuss unemployment insurance, premiums, benefits, how much employers pay, how much employees get in workers... in unemployment insurance. At the beginning of this Session, I convened meetings of the business and labor community to discuss this very important issue here in the House and was contacted shortly after that by Senator Chris Lauzen, who is my counterpart as Chair of the Commerce Committee... Commerce and Labor Committee in the Senate, to sit down, he said he wanted to join in those discussions of what we were calling an 'agreed Bill process'. Well, we came to a consensus that was embodied in House Bill 310, which was sponsored by Terry Parke, who is the Vice-chair of the Labor and Commerce Committee. Business and labor had all agreed on this legislation which included two components. One is, moving, simply moving the speed bump to the year 2002 and a number of changes that the department wanted, which we all agreed to. Everyone was in agreement on that Bill and it passed, I believe, unanimously out of the House, comes to the Senate and what do we find? That, in fact, though business and labor have agreed, there was one individual who did not agree, for whatever reason I don't know, and that happened to be Senator Chris Lauzen. And so, instead, he introduced... he amended House Bill 932, which says, 'No, the speed bumps won't be moved until the year 2002, they'll have to be reconsidered in the year 2000.' Now, some might say this is not a big deal and, in fact, I am moving to concur, But the big deal about this is, is that

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

80th Legislative Day

November 14, 1997

we really did have a process. That business and labor, in good faith, sat down at the table and came up with an agreement that one individual, not of business and labor, decided was not an agreement, that he was going to come up with his own plan. Well, being... most of us being mature adults, we looked at the substance and we said, 'Okay. You know, there's no major difference in substance, only that it interfered with the integrity of a process.' I think it is hard to ask people to come to the table in good faith to negotiate, to come with agreements when the view is that no matter what they agree to, that one Senator or one Rep. may say, 'Forget it, I don't agree after all and I change the whole plan.' That is not a good way to bring the interested parties to the table and so, while I do say let's... let's endorse this, I think what we really should have been looking at was House Bill 310 that passed out of here. In lieu of that, I move that we do concur in the Senate Amendments."

Speaker Lang: "The Lady moves to concur in Senate Amendments to Senate Bill 932. On that question, the Chair recognizes Representative Black."

Black: "I'm sorry, Mr. Speaker, I had my light on just in case I needed to delay until Representative Parke got here. So, I yield the balance of my time to Representative Parke."

Speaker Lang: "Well, we'll give Mr. Parke his own time. His light is on next. Representative Parke."

Parke: "Thank you, Representative Black. That was really kind of you. Thank you, I appreciate it. And, Representative Schakowsky, thank you for making me Vice-chair of the committee. Perhaps someday when you present a Bill, I'd like to run the committee again. It was kind of nice when I had the opportunity. Ladies and Gentlemen,

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

80th Legislative Day

November 14, 1997

Representative Schakowsky, except for the political rhetoric, is correct on her evaluation of the Bill. The concept of the speed bumps for those Members that are relatively new, is to force labor and business to negotiate in good faith to meet, and that there is a hammer called the speed bump in which if they don't, would come in place. Now, on January 1 of '98, that will cost, on the unemployment insurance tax for the workers of Illinois, \$85 million in reduced benefits, and for the... excuse me, \$57 million and for the businesses of Illinois, it will be \$85 million. It's not necessary, we've come to an agreement. For the next two years, we will continue to negotiate. As long as Representative Schakowsky is around, she and I will work with the business and labor community to try and find ways of making the unemployment system better, fairer to all people in Illinois. So, I rise in support of this legislation and ask both sides to support it."

Speaker Lang: "Thank you. Representative Schakowsky to close."

Schakowsky: "I urge an 'aye' vote."

Speaker Lang: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 932?' This is final action. All those in favor shall signify by voting 'aye'; those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 118 voting 'yes', 0 voting 'no', and 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 932, and this Bill, having received the Constitutional Majority, is hereby declared passed. The House will be at ease. Do not leave. The Order of Non-concurrence, Senate Bill 1031, Representative John Turner."

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

80th Legislative Day

November 14, 1997

Turner, J.: "Thank you, Mr. Chairman... Mr. Speaker. I move to refuse to recede."

Speaker Lang: "Do you care to tell us why, Representative?"

Turner, J.: "Requesting a Conference Committee."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1031?' All those in favor shall vote 'aye'; those opposed shall vote 'no'... shall say 'aye'; those opposed shall say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 1031, and request that a Conference Committee be appointed. The Order of House Bills - Third Reading, appears House Bill 704. Representative Steve Davis. Is Representative Steve Davis in the Chamber? Out of the record. On the Order of Senate Bills - Second Reading, there appears Senate Bill 382, Representative Cross."

Clerk Rossi: "Senate Bill 382, a Bill for an Act amending the Illinois Municipal Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment... Floor Amendment #1, offered by Representative Stroger."

Speaker Lang: "Representative Stroger."

Stroger: "Thank you, Mr. Speaker. Floor Amendment 1... let's see. Hold on, please. Can we... can you take this out of the record for a minute?"

Speaker Lang: "Sure. Representative Saviano, for what reason do you rise?"

Saviano: "Thank you, Mr. Speaker. I would just like everybody to know we have our Honorable Attorney General, Jim Ryan, on the Floor. Want to give him a big round of applause and welcome him today."

Speaker Lang: "Thank you. Welcome, Mr. Attorney General. Mr. Cross."

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

80th Legislative Day

November 14, 1997

Cross: "No verification on this Bill, Mr. Speaker, please."

Speaker Lang: "Anything could happen, Sir."

Cross: "I don't think I'm going to request one."

Speaker Lang: "Okay. The House will be in order. Floor Amendment #1, Representative Stroger."

Stroger: "Thank you, Mr. Speaker. Floor Amendment #1 makes a change in the 9-0-1... 9-1-1. It adds a piece of equipment that assistant Lake County State's Attorney says is needed for Lake County and it also helps the City of Freeport. It is a coal terminus with the township for Freeport and it would make a Resolution that would be passed by the City Council that would give the municipality the ability to... ability to cease to exercise the powers of the township board. So, it would take the, right now, Freeport... the township board, and the City Council's the same. This would divide the boards. Are there any questions? I'll answer."

Speaker Lang: "Representative Stroger moves that the House adopt Floor Amendment #1 to Senate Bill 382. Representative Black, on that question."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor of the Amendment yield? Thank you. Representative, the Amendment becomes the Bill, is that correct?"

Stroger: "Yes."

Black: "So, it would be fair then to call this really a 'Stroger Bill' rather than a 'Cross Bill', is that correct? That's liable to get you about an extra twenty votes the reason I bring that up."

Stroger: "I think we'll do much better if Representative Cross is the Sponsor."

Black: "I don't know, I was talking to your Parliamentarian, he's not sure that Representative Cross should be on this Bill. But be that as it may..."

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

80th Legislative Day

November 14, 1997

Stroger: "I love Representative Cross and I'm certain that the rest of the Members do, too."

Black: "All right. I need to ask you a question about the 9-1-1 language in the Bill. I'm not sure I understand if that's extraneous language. It's my understanding that if a county passes a 9-1-1 ordinance or referenda, then the monies collected under that can be used for any reasonable expenditure to enhance 9-1-1 service. Now, why... why then, is this language necessary? Has there been a court ruling that you can't buy computer aided dispatcher equipment to enhance your 9-1-1 system?"

Stroger: "There was a question by the Lake County State's Attorney whether this was a proper expenditure and they asked that this language be added to make sure that they could buy the equipment that they wanted."

Black: "But there's been no court decision. There has just been an inquiry or... by a very cautious state's attorney that perhaps they did not have the statutory authority to spend money for what the item was created for."

Stroger: "They wanted to avoid litigation."

Black: "Well, some of these attorneys are just getting overly cautious but, is there anything in your Amendment that could be construed as a fee increase for 9-1-1 service? Because that... that fee is set by the ordinance or the referenda and I want to make sure there is nothing in here that would authorize a 25 cent a month, or a 50 cent a month, or even a penny a month increase in your 9-1-1 service charge on your phone bill."

Stroger: "No, this does not authorize any increase."

Black: "All right, and it doesn't... it is not authorized in any separate charge for 9-1-1 cellular?"

Stroger: "No, it doesn't."

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

80th Legislative Day

November 14, 1997

Black: "Okay. Staff tells me that the township officials aren't exactly enthralled with the language on the Freeport situation. Should we go back and redo it, or have they removed their opposition or..."

Stroger: "There was no opposition that I know of. The Township Officials of Illinois signed off on it and this is the language that the Freeport Township saw and they signed off, also."

Black: "The question that's been raised in the Freeport situation. It appears that we are creating another layer of government. You have a city council, now we're going to appoint a town board. Are they two separate entities or are they one in the same? Is the city council also going to be the town board?"

Stroger: "Right now, they are one in the same, but as most do, they want to have a separate city council and a separate township board."

Black: "So, actually, we are then creating another layer of government. What is now being done by one board will, if this Bill becomes law, be done by two separate boards, correct?"

Stroger: "Right now, there are two levels of government. Now we're just splitting the job where it wouldn't be the same people who are holding those offices."

Black: "And that's... that's my concern. In other words, we are creating a town board that I assume will be elected at the next regularly scheduled election, or are they going to be appointed by the current city board?"

Stroger: "No, there would be an election for the new township board."

Black: "Okay, so..."

Stroger: "And there already is a township board, they just happen

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

80th Legislative Day

November 14, 1997

to be the same people as the city council."

Black: "But the city council and the town board currently are one in the same, are they not?"

Stroger: "Yes."

Black: "Now, are they compensated differently? I mean, do they get a check from the City of Freeport for being a city alderperson and a check for being a town board member?"

Stroger: "I can not answer that question."

Black: "Well, I think that's rather important because if you're establishing a separate town board, then I would assume that the town board at some point, would have a separate compensation schedule. So, if in fact, we're adding not only another layer of government, but another layer of expense, then I have some concerns about that. I... I think you can understand my concern. It appears that we're setting up another level of government that would then have to be compensated, and I don't know how the office space would work. I assume they'd have to go out and lease a town hall or a place for that separate board, hire, perhaps, a separate administrative staff, and I could go on and on. Maybe even buying separate equipment to carry out the functions and duties of a township board or town board, vis-a-vis a city council. So, I won't belabor the point, but that is a concern that I have. I guess my question is, where did this come from? Is this a Township Officials of Illinois initiative, or just a City of Freeport initiative, or mayors and managers or... Where did it come from?"

Stroger: "This is from the City of Freeport."

Black: "The City of Freeport..."

Stroger: "What they are trying to do is, right now, there are some people who are in the city who don't live in the township."

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

80th Legislative Day

November 14, 1997

Black: "Okay, okay."

Stroger: "So now, when the township votes, they vote for the city people, too."

Black: "Okay, all right."

Stroger: "So, they're trying to avoid litigation, also."

Black: "Okay. I appreciate your very good faith efforts to answer and address my concerns but one last question. The City of Freeport, isn't their high school nicknamed the Pretzels?"

Stroger: "I'm sorry, I can't answer that question either."

Black: "I think it is. I think it is. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Amendment. I would suggest that you take a very long look at this Amendment. It does have the potential, and I appreciate the honesty of the Representative in trying to answer these questions, and I'm not certain whether we're creating an entirely separate unit of government here with all of the incumbent expenses or not, but as their high school is named the Pretzels, this Amendment is a little bit convoluted, and I don't think I have any intention of voting for it. So, Mr. Speaker, if I might, I would request a Roll Call Vote on the Amendment."

Speaker Lang: "Your request is acknowledged. There being no further discussion, Representative Stroger to close."

Stroger: "I'd like to just say that like the rest of the state, I believe Freeport just wants to make sure that their citizens are adequately represented and they just want to have a township board and a city board and it seems like a reasonable request, and I'd ask for an 'aye' vote."

Speaker Lang: "Representative Stroger has moved for the adoption of Floor Amendment #1 to Senate Bill 382. This is final action. Those in favor of the motion shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have

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

80th Legislative Day

November 14, 1997

all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 96 voting 'yes', 21 voting 'no' and 1 voting 'present', and the House does adopt Floor Amendment #1. Are there any further Amendment?"

Clerk Rossi: "No further Amendments, no Motions have been filed."

Speaker Lang: "Third Reading. Mr. Clerk, please call Senate Bill 382 on Third Reading."

Clerk Rossi: "Senate Bill 382, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Lang: "Representative Cross."

Cross: "Thank you, Mr. Speaker. House Amendment #1 became the Bill. We've just fully debated it. Representative Stroger did an absolutely wonderful job explaining it and I would ask for an 'aye' vote. Thank you very much."

Speaker Lang: "There being no discussion, the Gentleman moves for the passage of Senate Bill 382. This is final action. All those in favor shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 99 voting 'yes', 18 voting 'no', 1 voting 'present', and the House does pass Senate Bill 382, it having received the Constitutional Majority. Messages from the Senate. House Bill 704, Representative Steve Davis. Mr. Clerk, please read House Bill 704."

Clerk Bolin: "House Bill 704, a Bill for an Act to amend the Fireworks Use Act. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lang: "The board indicates it's on Third Reading. Is that correct?"

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

80th Legislative Day

November 14, 1997

Clerk Bolin: "House Bill 704, is on Third Reading."

Speaker Lang: "Representative Davis."

Davis, S.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 704, the Amendment that we passed out of here yesterday became the Bill and what it does, it amends Section 35-1 of the Fireworks Use Act. Once again, it's an attempt to try to license people who put on... the companies who conduct fireworks and pyrotechnic displays in the State of Illinois and it provides for the State Fire Marshall to be the overseeing agency concerning pyrotechnics, pyrotechnic companies, those who sell pyrotechnics for the display purposes, and also creates a licensure for the people who are operating these displays. And I would urge an 'aye' vote on House Bill 704 and be glad to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of House Bill 704. On that question, Representative Erwin."

Erwin: "Thank you, Speaker. I would just like to add my strong support of House Bill 704, and just note to the Members that although the board reads, 'includes sparkler', sparklers are not a part of this piece of legislation. The underlying Bill, which has now been totally deleted dealt with attempting to regulate sparklers. I willingly let Representative Davis use my Bill because of the tragic accident in Alton this summer. We all became aware of some serious flaws and loopholes in our law that really did not guarantee any level of training and particularly with people who do fireworks displays and specifically with fireworks displays that might be executed on water and so, I think it's critical that we move this so that the training can be in place prior to July 4, 1998, so we can be assured that we've done our part to prevent any further

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

80th Legislative Day

November 14, 1997

tragedies. So, I certainly support the passage of this Bill."

Speaker Lang: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I appreciate the decorum that you bring to the Chamber. You're doing a remarkable job, considering what you have to work with. Will the Sponsor yield?"

Speaker Lang: "I'm not sure. Let's find out. Yes, he looks like he's in a yielding mood."

Black: "Thank you. Representative, this Bill... just to refresh my memory because it gets a little hectic here. You Amended this yesterday, the Amendment becomes the Bill, correct?"

Davis, S.: "That's correct."

Black: "And the only application of the Bill is to those commercial exhibitors, I assume in a business sense, that's the only restrictions. It doesn't do anything to the individual vendor, who might be selling sparklers or snakes or whatever is still legal in Illinois around the Fourth of July. It doesn't impact those people at all. It's just the commercial exhibitors, those who fire the displays, correct?"

Davis, S.: "That's correct, Representative Black. Sport companies who wish to conduct fireworks and pyrotechnic displays."

Black: "All right. Thank you very much. I appreciate it."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "Yes."

Bost: "Now, this particular Bill, many of our local communities, though the fireworks are purchased from a company, they have one primary person, but they use volunteers to help.

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

80th Legislative Day

November 14, 1997

Will this require those volunteers then, to get this same training?"

Davis, S.: "I don't believe it will, Representative Bost. I think this is only for companies that hire operators to... to set off the fireworks on these pyrotechnic displays."

Bost: "Okay then, it shouldn't affect these small communities that have three, four, five thousand dollar fireworks displays that are..."

Davis, S.: "Exactly, we're talking about the big shells, the 12 inch, the 24 inch, the 30 inch shells and they are defined in the legislation, as such, for people that are using the big displays. Even these volunteer groups, and we all have them, I think, in our districts for smaller displays community wide are not covered under this Bill because of the technical language that is put into the Bill. It is only for the companies, and it specifically states companies, to be licensed and their employees."

Bost: "Thank you very much."

Speaker Lang: "Further discussion? Seeing none, Representative Davis to close."

Davis, S.: "I would just urge an 'aye' vote. Thank you."

Speaker Lang: "The Gentleman moves for the passage of House Bill 704. This is final action. All those in favor shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 118 voting 'yes', 0 voting 'no', 0 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Senate Bills - Second Reading, there appears Senate Bill 600. Mr. Clerk, please call the Bill."

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

80th Legislative Day

November 14, 1997

Clerk Bolin: "Senate Bill 600, a Bill for an Act to amend the Adoption Act. Floor Amendment #1, offered by Representative Pugh, has been approved for consideration."

Speaker Lang: "Representative Pugh."

Pugh: "Yes, Mr. Speaker, can you take this Bill out of the record for a second, please?"

Speaker Lang: "Will we be coming right back to it, Representative? Take the Bill out of the record. On the Order of Concurrence, there appears House Bill 1214. Representative Saviano. Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 1214 represents a agreement between the Illinois Realtors and the Illinois Real Estate Appraisers. This issue has been a longstanding problem with both groups for some time. We were able in the last Spring Session to sit down and work out an agreement to put this matter behind us. It was an inter-industry problem that we addressed. Everybody is onboard and, additionally, for the record, I'd like to say this Bill does not apply to a business appraiser who..."

Speaker Lang: "Representative, can I interrupt you momentarily?"

Saviano: "Yes."

Speaker Lang: "It appears that this Motion to Concur has not been heard by the Rules Committee. Can we take this out of the record until we've accomplished that?"

Saviano: "Mr. Speaker, I believe we... we already passed this matter out of the House in a previous Bill, and in the Senate, they turned around and took that Bill and used it as an Amendment to amend this Bill. So, we've had a full committee hearing on this, previously."

Speaker Lang: "Represent... Rep... Well, yes, Representative, but this is a different Bill and our rules require that the

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

80th Legislative Day

November 14, 1997

Rules Committee send it back out to the Floor. So, we'll take it out of the record. Thank you. Messages from the Senate, Mr. Clerk."

Clerk Bolin: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill 654, a Bill for an Act to amend the school code by changing Section 14-7.02a together with Senate Amendment #1 and Senate Amendment #2'."

Speaker Lang: "Page 4 of the Calendar appears House Joint Resolution 12 under the Order of Concurrence. Representative Howard."

Howard: "Thank you, Mr. Speaker. Amendment #1 is merely a change of some wording that the Senate saw the wisdom of doing. Rather than talk about urging the passage of the legislation, they'd like the wording to suggest that they want to encourage a positive decision regarding the legislation. I urge that we concur with that Amendment."

Speaker Lang: "The Lady moves that the House concur in Senate Amendments to House Joint Resolution 12. On that motion, are there any questions, any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments to House Joint Resolution 12'? This is final action. All those in favor, signify by voting 'aye'; those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this question, there are 118 voting 'yes', 0 voting 'no', and 0 voting 'present', and the House does concur in Senate Amendments to House Joint Resolution 12, and this Bill, having required the Constitutional Majority, is hereby

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

80th Legislative Day

November 14, 1997

declared passed. On page 2 of the Calendar, under the Order of House Bills - Second, Representative Howard. Representative Howard."

Howard: "Yes, there is an... a second Amendment as well."

Speaker Lang: "The Clerk advises that we did both at the same time, Representative. I indicated in... as I called the question that it was Senate Amendments, in the plural."

Howard: "My error, thank you."

Speaker Lang: "Thank you. Under House Bills - Second Reading, on page 2 of the Calendar, House Bill 1185. Clerk, please call the Bill."

Clerk Bolin: "House Bill 1185, the Bill has been read a second time, previously. Floor Amendment #1, offered by Representative Burke, has been 'approved for consideration'."

Speaker Lang: "Representative Burke. Don't run, Representative."

Burke: "Thank you, Speaker. The other day, if the Members would recall, this matter deals with the practice of naprapathy in the State of Illinois. It is a recently new... a medical profession that has been licensed in our state and in order to accommodate this profession as others, such as chiropractic, and medical doctors in malpractice action, those other professionals offer testimony on behalf of the dispute only by the licensed professional. That is what I'm asking in this matter that only a naprapath would be called on to testify in a malpractice action against a naprapath, and I'd be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the adoption of Floor Amendment #1. On that question, Representative Novak."

Novak: "Yes, thank you, Mr. Speaker. Representative Burke, my new seatmate, Dan Reitz, just leaned over to me and asked me, 'What is a naprapath?' So, for his edification, could

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

80th Legislative Day

November 14, 1997

you define what a nap... First of all, can you spell it without looking at the board? And then can you define what it does, for my seatmate? Thank you."

Burke: "I'm certain Representative Novak is not being facetious and I should have for the edification of our new Members, discussed what indeed a naprapath is. It is a alternative medical practitioner who operates on the human body, relieving maladies that relate to muscle and soft tissue disorders. They would diagnose and treat. Certainly, there is no surgery involved and there is also no use of medications. So, the modality is a hands-on manipulation. Some people might compare it to chiropractic, but it is absolutely contrary to chiropractic because there is no subluxation, there is no adjustment to the spine or any bones. They work strictly on soft tissue and muscle. So, I don't know if that clarifies anything for the new Members."

Novak: "Representative, I think Mr. Reitz is nodding his head. I think he's nodding his head and agreeing, but you said some key words there, hands and tissue and manipulating skin and flesh. What are their office hours of these naprapaths? Do they work... they don't work past 9 p.m. at night, do they?"

Burke: "Oh, they do indeed."

Novak: "Pardon me."

Burke: "They do indeed work past 9 p.m. In fact, we have a couple here. I don't know if Ralph and Linda are in the side corridor but..."

Novak: "Okay."

Burke: "If your seatmate is interested, we could probably arrange for him to receive a treatment before the end of the day."

Novak: "Okay, thank you, Representative."

Speaker Lang: "Representative Saviano."

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

80th Legislative Day

November 14, 1997

Saviano: "Thank you, Mr. Speaker. I rise in full support of this Amendment. The language contained in this Amendment was contained in the Senate Bill 859, which passed out of this Chamber in the Spring Session overwhelmingly, and it was stalled in the Senate. We're trying to get this matter moving so we could accomplish and address the issues concerning this Amendment, and I would ask that we adopt Floor Amendment #1. Thank you."

Speaker Lang: "Representative Art Turner, could you come to the podium, please? Representative Lindner."

Lindner: "Yes, thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Lindner: "Can you tell me, is this the way other doctors are treated under the Medical Malpractice Act, too, that, for instance, if it's an orthopod (sic-orthoped) or another type of doctor? Is it only that type..."

Burke: "I heard the last part of your question, Representative. Could you repeat what you were say... what you were asking?"

Lindner: "Okay. Is this the way other doctors in the medical profession are treated under the Medical Malpractice Act?"

Burke: "I understand."

Lindner: "In other words, if it's an orthopod (sic-orthoped) or somebody, can only an orthopod (sic-orthoped) sign the certificate, or are you asking for something different?"

Burke: "No, that's exactly what we're asking for here, that the naprapathic profession be treated exactly as a medical doctor, chiropractic, dentist, the entire spectrum of medical practice in our state. So, they're not asking for anything more than other medical professionals are receiving."

Lindner: "All right, thank you."

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

80th Legislative Day

November 14, 1997

Speaker Lang: "Representative John Turner."

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

Speaker Lang: "The Gentleman yields."

Turner, J.: "Representative, is the Illinois State Bar Association opposed to this Bill?"

Burke: "They are not opposed."

Turner, J.: "And how about the Illinois Trial Lawyers' Association?"

Burke: "There not opposed."

Turner, J.: "Are they neutral?"

Burke: "They are neutral."

Turner, J.: "Based upon the language as I read it, do you know why they would be neutral and not be a proponent?"

Burke: "I think probably because they... they just don't have any interest in this. It doesn't affect that organization or the practice of law in the state. I can't imagine that they would have a position."

Turner, J.: "It doesn't affect litigation?"

Burke: "No."

Turner, J.: "Okay, thank you."

Speaker Lang: "Further questions? Seeing none, do you wish to close, Representative?"

Burke: "I think we've debated the issue appropriately and would ask for the Body's favorable consideration. Again, it is simply a matter of treating the profession of naprapathy identically to other medical professionals in our state. They're not asking for any more than any other medical professional is receiving in our state and I would ask for the Body's favorable consideration."

Speaker Lang: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 1185. On that question, all those in favor shall say 'aye', those opposed shall say

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

80th Legislative Day

November 14, 1997

'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #1 is adopted. Are there further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Lang: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1185, a Bill for an Act to amend the Naprapathic Practic Act. Third Reading of this House Bill."

Speaker Lang: "Seeing no discussion, the Gentleman moves for the passage of House Bill 1185. This is final action. All those in favor shall vote 'aye'; all those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'yes', 1 voting 'no', and 0 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcement."

Clerk Bolin: "The Rules Committee will meet in the Speaker's Conference Room at 2:15 p.m. The Rules Committee will meet in the Speaker's Conference Room at 2:15."

Speaker Hartke: "Representative Hartke in the Chair."

Speaker Lang: "Representative Black, for what reason do you rise? Representative Lang in the Chair."

Black: "Yes, thank you. Mr. Speaker, I thought Representative Hartke was the Speaker, but evidently he had not announced himself. Is that correct?"

Speaker Lang: "Representative Hartke briefly announced himself, but he mumbled."

Black: "All right."

Speaker Lang: "So now, I have resumed the Chair."

Black: "And you and I have had our conversation so, thank you."

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

80th Legislative Day

November 14, 1997

Speaker Lang: "Oh, you were just going to do your..."

Black: "Yes, pursuant to Rule 49."

Speaker Lang: "Why don't you just pass that out?"

Black: "I'm sorry."

Speaker Lang: "Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee, immediately. Mr. Clerk, Committee Report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures were referred, action taken on November 14, 1997, reported the same back with the following recommendations: 'To the Floor for consideration' Senate Bill 436, House Bill 18. To the Order of Concurrence, House Bill 1214 and House Bill 1633. Amendatory Veto, Senate Bill 51, Motion to accept. Rules recommends 'be adopted' the following Resolutions: House Resolution 263, 266, 267, 268, 275, 278, and 279."

Speaker Lang: "Supplemental Calendar #1 under the Order of Concurrence, appears House Bill 1214. Representative Saviano. Mr. Saviano, House Bill 1214."

Saviano: "Thank you, Mr. Speaker, Members of the House. Now that we did our readjustment here and we're back on track..."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. House Bill 1214, just to reiterate what I said before, is a culmination of an agreement between the Illinois Real Estate Association, the Illinois Real Estate Appraisers settling a long-time problem that has existed and some of the provisions of... in Senate Amendment #1 requires real estate appraisers in federally related transactions... Generally, real estate loans in excess of 250 thousand only to be licensed, provide for three ranks of licensure, provides for

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

80th Legislative Day

November 14, 1997

disciplinary board and administrative oversight by Office of Banks and Real Estate, repeals voluntary appraisers certification provisions of the Real Estate Act of 1983, it provides for transition from Real Estate Act of 1983 to new Act. I also have something that I need to read into the record for legislative intent. This Bill does not apply to a business appraiser, who, in the process of estimating the value of a business enterprise, which includes an interest in real estate, acts in accordance with the generally accepted business appraisal standards contained in standards 9 and 10 of the Uniform Standards of Professional Appraisal Practice. So I, therefore, would concur with Senate Amendment #1 to House Bill 1214. Thank you."

Speaker Lang: "You've heard the Gentleman's Motion, on that question, Mr. Black."

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

Speaker Lang: "The Gentleman yields?"

Black: "Representative, does the Senate Amendment become the Bill?"

Saviano: "Yes, it does."

Black: "Thank you."

Speaker Lang: "That's the shortest question you ever asked, Mr. Black. Mr. Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Lang: "He yields."

Granberg: "Representative Saviano, last year, the Real Estate Association was opposed to the Bill. I didn't hear the beginning of your comments, they are now onboard? They've removed their objections to the agreed... to the Bill as is, with the agreed language?"

Saviano: "Yes, Representative. In fact, this Bill had previously

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

80th Legislative Day

November 14, 1997

passed out of the House, overwhelmingly, at the end of those negotiations when the Illinois Real Estate Association and the Illinois Real Estate Appraisers came to this agreement. Everybody's in full agreement."

Granberg: "Okay, thank you."

Speaker Lang: "Mr. Black for an inquiry."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Lang: "State your inquiry."

Black: "If we could delay for just a few seconds with staff. We need to talk to the Sponsor. It appears that the Amendment may not be drafted properly and, in fact, is not the Bill. It adds to the Bill rather than becomes the Bill."

Speaker Lang: "We'll be at ease while you do that, Mr. Black. Mr. Black, have you completed your discussion on the Amendment with the Sponsor?"

Black: "Yeah, okay."

Speaker Lang: "Mr. Black indicates everything is now okay. Mr. Saviano moves that the House concur in Senate Amendment #1 to House Bill 1214. This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'yes', 0 voting 'no', and 0 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1214, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Inquire of the Chair, Mr. Speaker."

Speaker Lang: "State your inquiry."

Black: "Yes. In all due respect, Mr. Speaker, we on this side of the aisle try very hard to keep our files in order and make

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

80th Legislative Day

November 14, 1997

sure our staff in allocated to the right committee meeting so that we are in attendance at those Bills that we all have an interest in. If I heard the Clerk correctly almost an hour ago, he read the list of those Bills that were reported out of Rules. One of those Bills was House Bill 1627, a Motion to move it to Agriculture and Conservation. Now, we've just seen the list of the Ag and Conservation Committee, that Bill doesn't appear. So, we don't know where it is. No, we can't have staff and Sponsors running around and we don't know where the Bill is."

Speaker Lang: "Mr. Black, the easy answer to your question is that the Rules Committee did assign it to that committee, but the committee has not posted it yet. I would suggest..."

Black: "It has been assigned to the House Agriculture and Conservation Committee?"

Speaker Lang: "Yes, Sir."

Black: "All right."

Speaker Lang: "I would suggest that you make your inquiry of the Chairman of that committee."

Black: "We will... we will do that. Of course, my inquiry of the Chair is how a Gift Band Bill got assigned to the Agriculture Committee. Could you perhaps enlighten us on that?"

Speaker Lang: "The Chair, of course, is not in the Rules Committee. I would suggest that you direct that inquiry to the Chairman of the Rules Committee."

Black: "I'll go over and do that. I have one more question, Mr. Speaker. It was reported and read into the record out of Rules Committee that House Bill 18, Conference Committee Report #1, be assigned to the Executive Committee, but it was also voted on in the Rules Committee that it be moved

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

80th Legislative Day

November 14, 1997

to the Floor, 'approved for consideration'. But... the Bill that was moved to the Floor is House Bill 18 'for consideration', but the Conference Committee Report #1 to House Bill 18 was sent to the Executive Committee. Now, where do we send staff, to the Executive Committee, or do we leave them on the Floor?"

Speaker Lang: "I would direct that inquiry to the Chairman of the Rules Committee, as well, Sir."

Black: "Is she on the Floor?"

Speaker Lang: "Well, it's not my responsibility to keep track of the Representative, but it appears to me she's in her chair."

Black: "Would that... would that also be the esteemed Majority Leader?"

Speaker Lang: "That would, in fact."

Black: "Well, I don't want to get into any trouble, but we never had these problems with the Rules Committee and the confusion about where things went when we were in control of this Chamber, although, as I recall, it's only been four years in the last 75. But anyway, we did not have these mistakes. This is very confusing, draining of staff, adding to the confusion. We've been here all day long, mostly sitting at ease, and we would just like some direction on what we're expected to do. Are we still going to committees at 3:30?"

Speaker Lang: "Well, I have a posting notice for one of the committees I serve on, Sir, and it indicates that there's a committee meeting at 3:30 and I think we'll be making committee announcements shortly."

Black: "So, it's my understanding that you will be going to committee at 3:30?"

Speaker Lang: "Well, I have a committee posted for 3:30, whether

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

80th Legislative Day

November 14, 1997

it meets at that time or not, I can't tell you."

Black: "Well, I was... I was thinking if you're... Well, in all due respect to you, Sir, if you're going to committee at 3:30, then some good has come out of this repartee."

Speaker Lang: "That's not bad, Representative. Representative Stephens, for what reason do you rise?"

Stephens: "Thank you, Mr. Speaker, I'd like some information. I am the House Sponsor of House Bill 1627, I'm also a Member of the Executive Committee, and I'm also a Member of the House Agriculture and Conservation Committee. Mr. Speaker, I would like you, personally, to answer this question. Where would you like me to go?"

Speaker Lang: "Can we put that to a vote on our side of the aisle, Sir?"

Stephens: "Let's be prayerful in our..."

Speaker Lang: "There are so many answers to that question, I have no idea. I would direct you to Mr. Black because Mr. Black is getting the answer from the Chairman of the Rules Committee, Sir."

Stephens: "I'm not willing to take that risk."

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

Speaker Lang: "On page 6 of the Regular Calendar under Order of Resolutions is Senate Joint Resolution 22, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 22 supports the law enforcement accreditation process for the Commission on Accreditation for Law Enforcement Agencies. The purpose of this Resolution will support the process of law enforcement agency accreditation, and especially since Schaumburg, Illinois is in the running to have the Illinois Police Accreditation. Chiefs of Police have their annual

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

80th Legislative Day

November 14, 1997

convention here and I would just ask for a favorable vote on this."

Speaker Lang: "Any discussion? Seeing none, the Gentleman moves for the passage of Senate Joint Resolution 22. All in favor vote 'aye'; all opposed vote 'no'. I'm sorry. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House adopts Senate Joint Resolution 22. House Resolution 252 on page 5 of the Calendar, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Resolution 252 passed out of committee yesterday, unanimously. What it does is it urges the Department of Housing and Urban Development to hold up on the rule-making changes for price controls. The Illinois Mortgage Brokers have come to me with this, as well as the Illinois Mortgage Bankers. We are monitoring the progress of these negotiations in Washington and we just want to make sure that we protect our two respective industries that operate in this state and provide a lot of jobs and a lot of access to housing in our communities. So I would ask for a favorable vote on House Resolution 252."

Speaker Lang: "Is there discussion? Seeing none, the Gentleman moves for passage of House Resolution 252. All those in favor say 'aye'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does adopt House Resolution 252. Recognize the Clerk for a committee announcement."

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

Speaker Lang: "Representative Hartke, could you come to the podium, please? The Chair recognizes the Clerk for an

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

80th Legislative Day

November 14, 1997

announcement."

Clerk Rossi: "The following committees will meet immediately:

The Agriculture and Conservation Committee in Room 118; the Executive Committee in Room 114 and the State Government Committee in 122B."

Speaker Lang: "You heard the committee announcements, the House will stand in recess until the hour of 4:15. The House will be in order. Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 204, offered by Representative Tim Johnson. House Resolution 206, offered by Representative Lou Jones. House Resolution 207, offered by Representative Tim Johnson. House Resolution 208, offered by Representative Fantin. House Resolution 209, offered by Representative Morrow. House Resolution 210, offered by Representative Tom Johnson. House Resolution 211 and 212, offered by Representative Joe Lyons. House Resolution 213 and 216, offered by Representative Howard. House Resolution 218, offered by Representative Morrow. House Resolution 219, offered by Representative Granberg. House Resolution 222, offered by Representative Capparelli. House Resolution 223, offered by Representative Lou Jones. House Resolution 228, offered by Representative Howard. House Resolution 245, offered by Representative Biggert. House Resolution 246, offered by Representative McAuliffe. House Resolution 247, offered by Representative Cross. House Resolution 253, offered by Representative Fantin. House Resolution 254, offered by Representative Giglio. House Resolution 255, offered by Representative Schakowsky. House Resolution 256, offered by Representative Woolard. House Resolution 262, offered by Representative Scully. House Resolution 263, offered by Speaker Madigan. House Resolution 266 and 267, offered by

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

80th Legislative Day

November 14, 1997

Representative Kosel. House Resolution 268, offered by Speaker Madigan. House Resolution 275, offered by Representative Biggert. House Resolution 278, offered by Speaker Madigan. House Resolution 279, offered by Representative Daniels. House Resolution 280 and 281, offered by Representative O'Brien. House Joint Resolution 32, offered by Representative Wojcik and House Resolution... House Joint Resolution 33, offered by Representative Gash."

Speaker Lang: "Both sides have seen these Agreed Resolutions. Representative Black moves that the House adopt all these Resolutions. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and each of the Resolutions read by the Clerk is adopted. Committee Reports."

Clerk Rossi: "Representative Woolard, Chairperson from the Committee on Agriculture and Conservation, to which the following Amendment was referred, action taken on November 14th, 1997, reported the same back with the following recommendations: 'Be approved for consideration' Senate Amendment 1 to House Bill 1547. Representative Burke, Chairman from the Committee on Executive, to which the following Conference Committee Report was assigned, action taken on November 14th, 1997, reported the same back 'be approved for consideration' House Bill 18, Conference Committee Report #1. Representative Giles, Chairperson from the Committee on State Government, to which the following Motions were assigned, action taken on November 14th, 1997, reported the same back with the following recommendation: 'Be approved for consideration' Motion to concur with Senate Amendments 1 and 2 to House Bill 887."

Speaker Lang: "The Rules Committee is meeting immediately in the

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

80th Legislative Day

November 14, 1997

Speaker's Conference Room. Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution:..."

Speaker Lang: "...Cross, for what reason do you rise?"

Cross: "Well, Mr. Speaker, I know we're very busy right now, but... and I hate to break up, you know, the momentum and the flow of what's happening here but..."

Speaker Lang: "Go ahead, break it up."

Cross: "It's Representative Turner's wife's birthday, Kim Turner, and perhaps if Mr. Phelps isn't doing anything else he can sing Happy Birthday."

Speaker Lang: "My understanding is, my understanding is that Mr. Phelps..."

Cross: "I don't know if David... if David has..."

Speaker Lang: "... is extremely busy at the moment."

Cross: "Maybe if David isn't doing anything else right now, he could sing Happy Birthday. Come on. Larry, sing Happy Birthday. Larry."

Speaker Lang: "But we would like to wish Mrs. Turner happy birthday and thank you, John, for having pizza for all the Members on her behalf. We appreciate it."

Cross: "Thanks for that birthday song, David."

Speaker Lang: "Representative Black. Representative Black."

Black: "Thank you very much, Mr. Speaker. Point of order. Pursuant to Rule 49, I would request a Record Roll Call Vote on any Resolution or Motion to adjourn the House. Should that Resolution or Motion get a requisite number of votes pass, we will request a verification. Thank you."

Speaker Lang: "It's amazing how you're always wearing a different

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

80th Legislative Day

November 14, 1997

suit when you say that. I don't understand how that works. Thank you, Representative. Mr. Black, could you come to the podium, please? Mr. Black, could you come to the podium? Not permanently. Supplemental Calendar announcement."

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

Speaker Lang: "Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution, to wit, House Joint Resolution #30 together with the attached Amendments thereto; Senate Amendments 1 and 2.'"

Speaker Lang: "The House will be in order, Representative Lang in the Chair. Under... On Supplemental Calendar #3 under Conference Committee Reports there appears House Bill 18, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 18, when it left this Chamber this spring, contained a bond... Bond Bill for school construction. Conference Committee Report #1 becomes the Bill and in this Bill it deals with the Metropolitan Pier and Exposition Authority. And let me just explain, Ladies and Gentlemen, what this Bill does. It changes the Illinois Public Labor Relations Act provisions pertaining to management rights and elections. With respect to management rights, the Amendment provides the Pier and Exposition Authority, the body which oversees McCormick Place and the Navy Pier, does not have to bargain with labor representatives over matters which are inherent to management policies."

Speaker Lang: "Mr. Novak."

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

80th Legislative Day

November 14, 1997

Novak: "Yes."

Speaker Lang: "Can I interrupt you briefly?"

Novak: "You certainly may."

Speaker Lang: "I don't think you're going to like it very much, but I'm going to interrupt you. The Chair recognizes Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. We would request a Republican Conference immediately in Room 118. Expect it to last 45 minutes."

Novak: "It's okay with me, I didn't have my glasses."

Speaker Lang: "Your request is acknowledged. The House will stand in recess until the hour of 6:30 p.m. Representative Lang in the Chair. The House will convene in five minutes. Members who are in the Stratton Building in their offices, please come to the Floor. Representative Lang in the Chair. The Executive Committee is meeting immediately in Room 114. The House will be in recess until the call of the Chair."

Clerk Rossi: "Rules Committee will meet at 7... immediately in the Speaker's Conference Room, immediately in the Speaker's Conference Room."

Speaker Lang: "The House will be in order. Representative Lang in the Chair. Committee Reports"

Clerk Rossi: "Representative Burke, Chairman from the Committee on Executive, to which the following Conference Committee Report was assigned, action taken on November 14th, 1997, reported the same back with the following recommendation: 'be not approved for consideration' Conference Committee Report #1 to Senate Bill 493. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on November 14th, 1997, reported the same back with the

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

80th Legislative Day

November 14, 1997

following recommendation to the Order of Conference Committee Reports, Senate Bill 320 has been 'approved for consideration'; to the floor 'for consideration', Floor Amendment #4 to Senate Bill 436; House Bill 108, Conference Committee Report #1 has been 'approved for consideration'."

Speaker Lang: "Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills: House Bill 1005, a Bill for an Act relating to changes in school district boundaries, together with the attached Amendments, Senate Amendment 1, 2, 3, 4, and 5. House Bill 1098, a Bill for an Act to amend the School Code by changing Sections 14-15.01 and 22-23, together with the attached Amendments, Senate Amendments 1 and 2. House Bill 1817, a Bill for an Act in relation to environmental protection, together with Senate Amendment #1."

Speaker Lang: "Supplemental Calendar announcement."

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

Speaker Lang: "...Black, for what reason do you rise? To remind the Chair about whatever rule that is you keep repeating?"

Black: "Yes, point of order, Mr. Speaker. After the recess, pursuant to Rule 49 I'm joined by five of my colleagues in requesting a record vote on any Motion or Resolution to adjourn and should it get the requisite number to pass we will request a verification. Thank you."

Speaker Lang: "Do you wish to know if your request has been acknowledged?"

Black: "I don't think, at this late hour, the Chair would wish to deny me that request."

Speaker Lang: "This Chair's not going to deny you a thing, Sir."

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

80th Legislative Day

November 14, 1997

Is Representative Novak in the Chamber? On Supplemental Calendar #3 there appears under the Order of Conference Committee Reports, House Bill 18, Representative Novak. Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I indicated, before the Republicans decided to Caucus, House Bill 18 originally, that passed this Chamber, included a \$1 billion bond program for school construction grants. That language is no longer in the Bill. The Conference Committee becomes the Bill, and I move that we adopt the First Conference Committee Report on House Bill 18. Let me take a few minutes to explain what this major piece of legislation describes. This Conference Committee Report changes the Illinois Public Labor Relations Act Provisions pertaining to management rights and elections. With respect to management rights, the Amendment provides the Metropolitan Pier and Exposition Authority, the body which oversees McCormick Place and Navy Pier, does not have to bargain with labor representatives over matters which are inherent to managerial policy. The Amendment also specifies that these matters include the functions of the Exposition Authority, standards of service, budgetary issues, organizational structure, exam techniques and the conduct of the Exposition Authority's operations. Mr. Speaker, could we have a little order please?"

Speaker Lang: "The Representative makes a good point. Can we have a little order in the chamber please? More than we have now. It's an important piece of legislation and we need to hear from Representative Novak. Please proceed."

Novak: "One of the other major provisions of this Bill is that it creates two bargaining units dealing with the crafts unions that work at the Metropolitan Pier and Exposition

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

80th Legislative Day

November 14, 1997

Authority. Creates two outside... two bargaining units; one is an outside bargaining unit for employees involved in drayage, rigging and directly related duties. And the other one is called an inside bargaining unit for employees involved in carpentry, decorating and related duties. The Bill also changes the Metropolitan Pier and Exposition Authority Act. It provides the authority to the MPEA, the Exposition is authorized to hire and employ persons who are involved in these duties. This will provide the MPEA with legal ability to negotiate labor reforms. The Exposition Authority's Management Authority is expanded to include reviewing and auditing contracts between exhibitors and contractors and between shows and contractors to ensure that any cost savings due to work rule changes are passed along to exhibitors and shows. As a follow-up, the Authority also has the provisions to revoke or revise contracts, is expanded. In addition, it changes the State Finance Act. The current taxes that were imposed in 1989 on hotel rooms in Chicago, car rentals in Cook County, sales taxes in restaurants in the downtown and near North Chicago area and a fee on bus and taxi pickups at O'Hare and Midway Airport. These taxes will remain in effect. They are not being raised. They will remain in effect until the year 2029 in order to retire the bonds for the other aspect of this Bill which I am about to present. The additional revenues will be used to retire \$100 million in bonds to be issued to be covered by the same revenue stream. No changes are made to the current taxing methodology nor is the date for bond retirement changed. The two major projects that will be undertaken by the Metropolitan Pier Authority that will provide hundreds of construction jobs are as follows: The first project is a 4,000 car parking

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

80th Legislative Day

November 14, 1997

garage on the site of a current lot near the south building which is now used as the front door to the complex. And the additional project is a dedicated bus lane from Randolph Street to McCormick Place in the Illinois Central Trench. This will result in reduced traffic congestion and reduce the number of buses needed. Those are specifically, Ladies and Gentlemen, the provisions of this Bill. This is significant in that, work rules are being changed in the environment within the Metropolitan Pier and Exposition Authority. Labor unions, the craft unions that do the work, that set up trade shows, that bring in billions of dollars into this state's economy and also enabling the Metropolitan Pier and Exposition Authority to continue to compete on a higher level with other cities around this country that are all going after more trade shows and other types of functions that go on in these facilities. This will allow the Metropolitan Pier and Exposition Authority an added leverage to make sure we keep business coming to the State of Illinois. We keep these trade shows and all other types of cultural amenities coming to McCormick Place. I'd be more than happy to answer any questions."

Speaker Lang: "Before we proceed, I'm going to make a plea to the Members to lower the volume in this room. It is very loud. We have a lot of work left to do this evening. If you want to get home at a reasonable time, we have to hear each other. The Chair recognizes Representative Cross."

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

Speaker Lang: "The Gentleman yields."

Cross: "Representative Novak, it was kind of loud, but did I hear you say..."

Novak: "Pardon me, Representative Cross."

Cross: "Did you say this was the School Funding Bill?"

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

80th Legislative Day

November 14, 1997

Novak: "No it's not."

Cross: "All right, I just misunderstood you earlier. I have a couple of questions, Representative, and I asked them just to make... from a point of clarification I'm very supportive of this Bill. I appreciate all the work you've done and I would encourage people on our side, if they feel it appropriate, to be voting 'yes'. But let me just ask some questions so we have no problems, Phil. Is it your intention in any way to use this Bill as a vehicle for a stadium proposal like the McDome idea?"

Novak: "No."

Cross: "Good answer. Will you permit this Bill to be used if Members of the Senate or Conference Committee... Will you permit this Bill to be so used if Members of the Senate or Conference Committee wish it to be?"

Novak: "No."

Cross: "Very good. Will you table this Bill if it comes back with a McDome Stadium proposal?"

Novak: "Yes."

Cross: "Very good, that's right. All right, have you inquired of Mr. Riley or any other McCormick Place official if they wish to use this Bill for the McDome Stadium proposal?"

Novak: "Yes."

Cross: "And what's the answer?"

Novak: "No."

Cross: "You are really doing quite well. All right, three more questions. There is a proposed parking lot structure in this legislation. You're aware of that, Phil?"

Novak: "Correct."

Cross: "Can you assure the House that this structure will not be converted during construction into McDome or some similar stadium?"

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

80th Legislative Day

November 14, 1997

Novak: "Yes."

Cross: "Have McCormick Place officials assured you of this?"

Novak: "Yes."

Cross: "All right, we're down to the last two and I might say they're the toughest. Does McCormick Place believe it has existing authority to construct McDome without express legislative authority?"

Novak: "Yes. I'm sorry, could you repeat that, I couldn't hear because of the noise?"

Cross: "Wouldn't your answer be, no, if I asked you?"

Novak: "Mr. Speaker, could we have some order please?"

Speaker Lang: "Proceed."

Cross: "Let me rephrase the question, Representative Novak. Does McCormick Place believe it has existing authority to construct McDome without express legislative authorization?"

Novak: "No."

Cross: "Okay. Is this Bill part of any broader package of legislation where another Bill provides for the construction of McDome?"

Novak: "No."

Cross: "Representative, thank you for answering those questions and while we had a little fun with that, I think it's important that everyone understands and has been assured, by Representative Novak, that there are no plans in this legislation, there's no intent, there's no motive, there's no purpose, there's no desire to do a McDome proposal or anything that even looks or smells like a McDome. So, Representative Novak, I appreciate you answering those questions. I applaud your answers cause they were all correct."

Novak: "Yes, they're very succinct, Representative, and I just

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

80th Legislative Day

November 14, 1997

want to point out a few people have mentioned to me, why should we build... why should somebody consider a Dome Stadium, they don't even know if they have a football team up there?"

Cross: "Oh, the Bears. Representative, it's not on my script so I don't know what else to ask. So thank you very much, Phil."

Novak: "Good job, Representative Cross."

Speaker Lang: "The Chair advises that there are several people wishing to speak on this Bill. I would ask all speakers to be as brief as possible so that we can avoid using the timer. The Chair recognizes Representative Black."

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

Novak: "Yes."

Speaker Lang: "The Gentleman yields."

Black: "Representative, can you cite the statutory reference that would prohibit the current Metropolitan Pier and Exposition Authority from developing a stadium?"

Novak: "Yes, if you'll just bear with us for a second, Representative Black, we will give the correct citation. Just hang in there, Representative Black."

Black: "Have no fear."

Novak: "Yes, Representative Black, it's 70 ILCS 210/5, sub-paragraph (1). Nothing in this Amendatory Act of 1991 shall be construed to authorize the authority to spend the proceeds of any bonds or notes issued or any taxes levied under this Amendatory Act of 1991 to construct a stadium to be leased to, or used by professional sports teams."

Black: "Is there anything in the Conference Committee Report to House Bill 18 that would strike or significantly alter that particular section in statute?"

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

80th Legislative Day

November 14, 1997

Novak: "No, Sir."

Black: "Is there anything in the Conference Committee Report to House Bill 18 that could be utilized, once the footings are poured for a parking structure, that that could be construed to mean that it is a substantial start on a stadium and, therefore, we could proceed and not violate the statutory provision?"

Novak: "No, Sir."

Black: "Are there any general revenue tax dollars involved in the expansion of McCormick Place as embodied in the Conference Committee that you're sponsoring?"

Novak: "No, Sir."

Black: "How is this Bill to be financed?"

Novak: "The Bill is to be financed, as I indicated, through a series of taxes that were imposed by this General Assembly in 1989, specifically taxes on hotels in the City of Chicago, restaurants in a certain geographical region in Chicago, taxes in buses and a car rental tax."

Black: "Would it be fair to portray this as any kind of agreed language as far as the work rule changes that are embodied in it or is there still a measure of opposition to the proposed work rule changes?"

Novak: "Representative Black, unfortunately there still is a measure, I think that's an appropriate way to characterize it, a measure of objection to the work rule changes."

Black: "Do you have, or have you heard from the Chicago Federation of Labor, and are they in support of this?"

Novak: "Yes I have, Sir. The Chicago Federation of Labor is in full support of this legislation."

Black: "Thank you very much. Straightforward answers, Representative, I appreciate it. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Skinner."

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

80th Legislative Day

November 14, 1997

Skinner: "I wonder if the Gentleman would answer a couple of questions?"

Speaker Lang: "He would be happy to."

Skinner: "When is the airport, limo and bus tax scheduled to expire if this Bill doesn't pass?"

Novak: "Just one second. Two thousand and twenty-nine, Representative Skinner."

Skinner: "Now is this the same airport, limo and bus tax from which \$10 million was taken to build South State Street, to rebuild 10 blocks of South State Street?"

Novak: "I can't hear you, Representative Skinner. Could you speak up please?"

Skinner: "For some reason \$10 million was diverted from the McCormick Place Fund to rebuild 10 blocks of South State Street and it just so happens that's two years worth of the bus and limo tax."

Novak: "It has nothing to do with State Street that great street."

Skinner: "Well, actually, it did have something to do with State Street. They took \$10 million and they rebuilt... it cost a million dollars a block to rebuild it. This was a major diversion of my constituent's and all suburbanite's fees that they paid when they took either a limo, a bus, or a van to the airport. Are there similar diversions like that planned this time?"

Novak: "Representative Skinner, what you indicated in your debate on the floor here is totally unrelated to what is in this legislation."

Skinner: "But it just shows what McCormick Place Board has done with the, I don't know, is it \$5 per trip to the airport that we have to kick into McCormick Place every time we want to take a trip to Florida and take a limo to the

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

80th Legislative Day

November 14, 1997

airport?"

Novak: "Those fees or taxes were imposed by this Body in 1991."

Skinner: "Well, the majority of this Body wasn't here in 1991."

Novak: "Well, I was here in 1991. I can't recall how I voted on it but they're in the Bill, that's what finances their construction projects."

Skinner: "Well, I think it's not very good expenditure of money. However, it is better than the last parking lot that was built in the immediate area because that was \$34 million of Motor Fuel Tax Funds. The new one near the Field Museum. So, I guess we're making a little progress even if it's... if it results in a tax which really should never be there."

Novak: "Thank you."

Speaker Lang: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Representative Novak..."

Novak: "Yes, Sir."

Saviano: "...just for purposes of legislative intent, I rise in opposition to this Bill simply because when they reduced the number of jurisdictions from four to two, as far as collective bargaining goes, with the authority, the two jurisdictions that lost out was the riggers' union and the decorators' union. Riggers fall under the iron workers and the decorators fall under steelworkers, and they have a contract that's pending until June of 1999, from what I understand. Is that correct?"

Novak: "Yes, Representative Saviano."

Saviano: "And what this Bill would do is implement some interim changes affecting that contract for the year 1998 and on top of that move the renegotiation or end the contract, the current contract, in January of '99 instead of June of '99. Is that correct?"

Novak: "Yes."

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

80th Legislative Day

November 14, 1997

Saviano: "Okay. One of the concerns is that... you know, this legislative Body gets put in a position where now we are settling labor disputes that are really amongst labor and management that we feel, or some of us feel, that should be settled through their collective bargaining process which they're already authorized to do. Secondly, are... the fact that they're going to end the contract early from June to January, at which time I suppose they'll have a right to renegotiate. I don't think should be our... we shouldn't be playing that role here with this legislation. So, just for the purposes of legislative intent, if I may, does anything in this legislation... is there any intent, as a result of this legislation, to abolish or eliminate the riggers' union or the decorators' union?"

Novak: "No, Sir."

Saviano: "I like that answer. Now, I know there is a letter of agreement that was signed by the Director, Mr. Riley, pretty much stating that, and today we tried to get an agreement amongst the parties to go along with that letter of agreement where everybody could agree on it and it would act as an addendum to this legislation and at some later time, possibly in the Spring Session, we may be able to codify that letter of agreement. But I think with your statement of legislative intent that these, these two locals will not be eliminated as unions operating in... at McCormick Place, I think that would suffice. Also, in that letter it indicated that the... I believe the decorators would be hooked up to the carpenters as one collective bargaining council and the riggers would be hooked up with the teamsters as one collective bargaining council, of which those would be the two that would be reduced to, to then go ahead and bargain with the Authority. Is that

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

80th Legislative Day

November 14, 1997

correct?"

Novak: "You are correct, Representative Saviano."

Saviano: "In that situation, we felt in, that letter, why we couldn't come to an agreement today, I guess maybe it was just a matter of semantics. But from what I gathered from the conversation, the intent was that through that letter we were able to accomplish the fact that both the riggers and the decorators would be recognized in those collective bargaining councils. Is that correct?"

Novak: "I believe so."

Saviano: "Okay, thank you. I think Representative Skinner addressed the situation surrounding bonding. I just feel, overall, this piece of legislation, even though there's some good parts in it, I think we're setting a dangerous precedent by superseding existing labor contracts which now, midstream, we are going to change or shorten. I don't think the Legislature should be in that role in this process. Thank you very much."

Speaker Lang: "Representative Dart."

Dart: "Thank you, Mr. Speaker. I guess some of my concerns have been allayed by the previous speaker, quite a bit, actually. I just have one question. Will the Sponsor yield?"

Novak: "Yes."

Speaker Lang: "The Gentleman yields."

Dart: "Representative, how does this Bill affect the current hiring procedures in place now for current MPEA employees?"

Novak: "It doesn't affect it at all."

Dart: "Okay. Thank you."

Speaker Lang: "Thank you for being brief, Representative Dart. Representative..."

Novak: "Thank you, Representative Dart."

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

80th Legislative Day

November 14, 1997

Speaker Lang: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wanted to just bring up another issue that was brought to me by Friends of the Park in Chicago. In the last McCormick Place agreement part of that agreement did have to do with park improvements and they were part in parcel of the original agreement and resulted in creation of a great deal of more lake front park lands. I realize that it's not part of this Bill, it hasn't been part of the negotiations, but I have talked to people from the MPEA who have told me that they are willing to talk with some of the community groups, the environmental groups, and Friends of the Park about, as through the permit process, et cetera. Seeing that when this thing is realized that it includes some additional enhancements for the park lands in the City of Chicago. I just wanted to put that on the record and I thank you."

Speaker Lang: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I just had a couple of questions for the Sponsor."

Speaker Lang: "The Gentleman yields."

Mautino: "And many of these... I rise in opposition, I have some concerns with this legislation. But as Representative Saviano had stated, is there an intent or are you aware of any intent at this time to go forward on codifying the agreement they were negotiating today?"

Novak: "In my discussions with Representative Saviano, he indicated that to me his intent was to pursue a measure of that nature in the spring."

Mautino: "And do you have any feeling that this is going to move forward? I guess my concern is and I talked... I did not realize that I had riggers within the district that spend

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

80th Legislative Day

November 14, 1997

their time and go up and work at this tremendous economic engine and they're concern was that the... the union would be absorbed or they would lose their status. And their question to me is, why is the General Assembly acting in a short time in a Veto Session to address a concern that is best served at the bargaining table? So, I guess I would ask you, why must we do this now?"

Novak: "Well, in my discussions with the... Mr. Riley and the Chicago Federation of Labor, this is a product of many hours of negotiations with the current unions and I understand and it's unfortunate. I respect the views and wishes of the Riggers' Union, as well as the Decorators' Union. But it is unfortunate there is disagreement amongst all the crafts union, because the electricians and the carpenters and the teamsters agree with this Bill and the Chicago Federation of Labor represents all labor unions in Chicago. So, they... they realize there's this tension there, but the Metropolitan Pier Authority was created by this Body a number of years ago with authority to give them to oversee their operations and this is an extension of their authority and I don't think... it's not inappropriate to pursue that matter down here."

Mautino: "I appreciate that answer. I'm concerned that we would get involved in a area which is probably best left to collective bargaining and to the parties involved. So, I thank you for your answers."

Novak: "Thank you, Representative."

Speaker Lang: "Representative Roskam."

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

Speaker Lang: "The Gentleman yields."

Roskam: "Representative Novak, could you just explain what, if anything, happens to the taxes that support the bonds if

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

80th Legislative Day

November 14, 1997

this legislation does not pass?"

Novak: "Well, simply what happens is that the projects will not be able to be financed. The taxes are currently being collected since they were imposed in 1991. What this does is it extends the collection of these taxes to retire the debt service on the bonds for these two projects that are proposed in the legislation."

Roskam: "Okay. If... if this Bill fails what happens to the taxes?"

Novak: "Representative Roskam... now I see, I'm sorry. If this Bill fails, what happens to the taxes? Nothing."

Roskam: "So, the taxes would be..."

Novak: "They continue until the year 2029."

Roskam: "So, the hotel tax and the limo tax that you mentioned, if this Bill goes down, the taxes are still in place until the year 2029?"

Novak: "Yes, Sir."

Roskam: "Thank you."

Speaker Lang: "Representative Steve Davis."

Davis, S.: "Thank you, Mr. Speaker. I, too, rise in opposition to House Bill 18 for many of the same reasons that some of the previous speakers have spoken to. I think possibly we may be premature in our actions here today concerning McCormick Place. I don't think that there's anything for any of the other convention centers throughout the State of Illinois. This looks like special legislation to me and I certainly have a problem with the abrogation of collective bargaining rights for the United Steelworkers' Union that represents over 400 workers at McCormick Place. And I think that... I don't know why the big hurry... what the big hurry is for us to go forward with this legislation at this late hour. And I would... I know that negotiations are

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

80th Legislative Day

November 14, 1997

continuing with Jim Riley and with McCormick Place. I personally feel that, that's where the negotiations should take place. They should not take place on the floor of the Illinois House. And unfortunately, my good friend Phil Novak, I hate to vote against you, but I have to do it on these grounds. Thank you."

Novak: "That's all right, Representative, when I get a chance I'll vote against you."

Speaker Lang: "Representative Scott."

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

Speaker Lang: "The Gentleman will yield."

Scott: "Representative Novak, the statements that Representative Davis just made brought up a couple of questions. Tell me if this is my understanding, you tell me if I'm right or wrong. The way the negotiations will happen if this Bill passes is there will basically two sets of negotiations, people that work inside the building and the people that move equipment and set up outside the building. Is that roughly correct?"

Novak: "Yes, yes, Representative."

Scott: "And in both those sets of negotiations, the inside unions, that would be basically the carpenters and the..."

Novak: "Decorators."

Scott: "Decorators, would, would, would be represented at the table during those negotiations?"

Novak: "Yes, Sir."

Scott: "And then the outside then the riggers and the..."

Novak: "Teamsters."

Scott: "And the Teamsters would be represented at the table there?"

Novak: "Yes."

Scott: "So, really none of those unions would have their

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

80th Legislative Day

November 14, 1997

bargaining rights taken away, they'd just be configured a little bit differently during the negotiation process?"

Novak: "That's correct, but I know they've indicated their concerns to me and I know a number of you hear about what could happen to their viability in the future? And like I said, Representative Saviano, I respect that. I respect the concerns about that and they're deeply concerned about it."

Scott: "And also, the way that this is being done is by also by making the Metropolitan Exposition Authority would then be a unit of government under the Public Labor Relations Act. So, is that correct?"

Novak: "Yes."

Scott: "So then, all the provisions that apply to every other unit of local government in terms of dealing with public labor unions would also apply here as well?"

Novak: "I think that's correct understanding."

Scott: "And arbitration, not arbitration provisions, but right to strike would still exist?"

Novak: "Right. Their right to strike is not taken away in this legislation."

Scott: "Thank you."

Speaker Lang: "Representative Novak, to close."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this issue has been debated very clearly and I understand the concerns that have been addressed by the Riggers' Union and the Decorators' Union and I would hope that the Metropolitan Exposition Authority Board, as well as the crafts unions, could continue to travel along the same level and talk more about these issues. The work rules are needed, the work rule changes are needed, these construction projects are needed. We have to continue to

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

80th Legislative Day

November 14, 1997

provide assistance to the Metropolitan Pier Authority so we can keep business coming to the State of Illinois. So we can keep those dollars coming in to generate our economy in the state. I simply ask my colleagues to support me in my Motion to adopt the First Conference Committee Report to House Bill 18."

Speaker Lang: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 18?' This is final action. Those in favor shall signify by voting 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 83 voting 'yes', 30 voting 'no', 3 voting 'present', and the House adopts the First Conference Committee Report to House Bill 18. And this Bill, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar announcement."

Clerk Rossi: "Supplemental Calendar #5 is being distributed."

Speaker Lang: "On Supplemental Calendar #1 there appears Senate Joint Resolution 28, Representative Phelps. Senate Joint Resolution 28."

Phelps: "Thank you, Mr. Speaker. I rise to move that we do adopt the Senate Joint Resolution 28 that the Senate sent over that involves... that will reject three of the 65 requests in the way of waivers. One, would be the exceptional children that have opportunities under the joint agreement of Cook County. The special education district of Lake County had a similar argument in case. Then the Prairie Hills District 144 requests to allow their district to employ a licensed practical nurse rather than a registered nurse for certification. This is the State Board of Education's report that they submitted to the General

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

80th Legislative Day

November 14, 1997

Assembly, either for modifications or rejections of the waivers. And most of you know that the State Board of Education approved a hundred of these requests and they have forwarded the 65 requests to the General Assembly for legislative action. So both Houses must reject a particular request by Joint Resolution or it is deemed granted. So that's what we're finishing up doing here. Of the 65 requests put before the General Assembly, 21 pertain to the issue of nurse certification, 16 to sprinklers and 15 to physical education. No other topic had any more than two requests, so we ask that we do adopt the Senate Resolution 28 as requested by the Senate."

Speaker Lang: "Representative Fantin."

Fantin: "Just a point. I missed the vote on Senate Bill 18, I believe it was, and I would like to be registered as voting 'yes'."

Speaker Lang: "The Journal will so reflect. Representative Black."

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

Speaker Lang: "The Gentleman yields."

Black: "Thank you. Representative, one quick question. On the waiver that's being denied to allow LPN's to be a school nurse, for the edification of the Body, can an LPN working in a school dispense medication without the supervision of an RN or a physician?"

Phelps: "No, they cannot. And that was the underlying rationale, to reject this request."

Black: "Thank you. Very good answer."

Phelps: "Thank you for bringing that forward."

Speaker Lang: "Seeing no further questions, Representative Phelps moves for the adoption of Senate Joint Resolution 28."

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

80th Legislative Day

November 14, 1997

Those in favor shall vote 'aye'... say 'aye'; those opposed shall say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does adopt Senate Joint Resolution 28. ..."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendments 1, 2 and 3 to House Bill 1633. Senate Amendment #1 is something that modified the underlying Bill. Senate Amendments 2 and 3 eliminate the underlying Bill and represent probably one of the most significant policy initiatives that we have undertaken in this state in many years. This Bill, as amended, House Bill 1633 is a comprehensive and sweeping reform of the state's procurement and purchasing practices. This is the result of many years of hard work, as well as significant bipartisan cooperation - Senator Rauschenberger, Representative Hannig, representative's of the Governor's office as well as other individuals in Common Cause. Very briefly. This Bill, as amended, creates a Procurement Policy Board. Establishes procedures for a competitive sealed bidding, not only on new contracts but on renegotiated contracts and change orders. Sets a competitive selection process for professional artistic contracts. Requires all state contracts to be procured for construction through competitive sealed bidding. Strengthens provisions on state leases. Has probably the only meaningful ethics legislation that will make it to the Governor's desk this year, which includes a revolving door provision for individuals who have been involved in purchasing decisions. It includes tougher disclosure requirements and a host of other stronger ethical and procedural matters. This legislation also includes for the

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

80th Legislative Day

November 14, 1997

first time... this legislation also brings under... this legislation also incorporates and incorporates standards for the constitutional officers for the state colleges and universities and I'm also pleased to say that the Illinois Toll Highway Authority will be subject to this Bill. In previous years some of these provisions have been sticking points, but I'm glad to say that this is probably the most meaningful, comprehensive, and sweeping changes we'll see in state procurement legislation. It's been long overdue. I won't belabor the point as to what has precipitated this. It's time that we pass this into law, and I'm happy to answer any questions."

Speaker Lang: "The Gentleman moves to concur in Senate Amendments 1, 2 and 3 to House Bill 1633. And on that question, the Chair recognizes Representative Rutherford."

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

Speaker Lang: "The Gentleman will yield."

Rutherford: "Representative Schoenberg, it's my understanding that the Illinois Department of Transportation at times has up... has somewhere between 650 and 700 changes... change orders in excess of \$30,000. It's not unusual for multiple change orders to be issued in a multimillion dollar contract and as a practical matter is not economically feasible for IDOT to shut down a project and delay it, for as much as two months, to advertise and competitively bid that change order. Because, obviously, number one, the project completion will be delayed at a substantial cost to the traveling public, and, two, IDOT would have to pay delay damages to the current contractor. Now, as I read this Bill, I believe that IDOT could have the extent... existing contractor perform the change order work under either provisions in here, the emergency procurement

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

80th Legislative Day

November 14, 1997

exception or the sole source exception. Do you concur with that?"

Schoenberg: "Yes."

Rutherford: "Thank you, Representative Schoenberg."

Schoenberg: "I'm sorry, could you repeat that question?"

Rutherford: "I'll give you the copy of it."

Schoenberg: "Okay."

Rutherford: "The other part of it is; and would you agree that on major road construction projects it would be in the best interest of the public for IDOT to proceed in that fashion rather than shutting down and incomplete a project, tying up traffic and rebidding a small part of that job?"

Schoenberg: "Yes, I would."

Rutherford: "Thank you, Representative. ...last part on this portion of it I'm... Am I correct that the intent of this Bill is to authorize IDOT to continue to pre-qualify highway construction contractors and engineers?"

Schoenberg: "Yes."

Rutherford: "Thank you. Representative, Section 50-55 in Amendment 2, page 62 refers to supply inventory. Are you with me?"

Schoenberg: "Yes."

Rutherford: "Could you give me the genesis of this portion of the legislation, Representative?"

Schoenberg: "This provision is commonly known in lay persons terms, as the 'great cheese initiative'."

Rutherford: "Could you explain the great cheese initiative to this Body, Representative? Has it got anything to do with the amounts of pizzas that have just been brought into the Chambers?"

Schoenberg: "No, it has nothing to do with that, it has to do with the amount of... has to do with the amount of goods

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

80th Legislative Day

November 14, 1997

that can be stockpiled for a specific purpose."

Rutherford: "So, how did that relate to cheese?"

Schoenberg: "I believe... I believe that cheese was involved and it was cheese that set the precedent on this."

Rutherford: "I'm going to go ahead and let you try your punch line if you want to, if you're not going to, we're going to move on."

Schoenberg: "I'm not going to."

Rutherford: "All right. No further questions."

Schoenberg: "This a family show."

Speaker Lang: "Representative Roskam."

Roskam: "Thank you, Mr. Speaker. I just want to commend Representative Schoenberg for his work on this initiative. I know that he's worked long and hard and it is an initiative which is long overdue and makes great strides to enhance the confidence of the taxpayers in Illinois government. Thank you."

Schoenberg: "And thank you, Mr. Roskam. I just wish to add that due to the... without your cooperation due to the exau... in enabling us to convert this Bill to a vehicle so that we could add the substantive language of this sweeping reform, we would not be able to address this in a timely fashion. So, thank you very much for making your Bill available to expedite this through the process."

Speaker Lang: "Seeing no further questions, Representative Schoenberg to close."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This comprehensive measure will not only save tens of millions of dollars for Illinois taxpayers every year, but it does even more, because we can't put a price on the amount of confidence that we're going to restore as a result of these sweeping changes in government and I urge

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

80th Legislative Day

November 14, 1997

your support of this measure."

Speaker Lang: "The question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 1633?' This is final passage. All those in favor shall signify by voting 'aye'; those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this issue, there are 117 voting 'yes'; 0 voting 'no' and 0 voting 'present'. And the House does concur in Senate Amendments 1, 2 and 3 to House Bill 1633. And this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #5, under Conference Committee Reports, there appears House Bill 108, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. House Bill 108 contains, first of all, the \$1.1 billion school construction program that's part of the education funding proposal that passed the Senate, and we'll take a crack at it at some point tonight or whenever. But this is the \$1.1 million in the schools' construction program. It also has 262 million 200 thousand to finance a number of projects that the Governor had proposed last May, but were not appropriated or authorized by this Body. This includes, specifically, \$95 million for a new prison, maximum security prison; \$111 million for higher ed projects that the Governor had proposed last May that were not included in our Bonding Bill for that year; 11 million for human services; 5 million for capital development; Natural resources has 5.9 million; and a few others as maintenance around the capitol and universities of \$8.4 million. So this Bill authorizes the State of Illinois to issue bonds for those purposes. It's not an Appropriations

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

80th Legislative Day

November 14, 1997

Bill, it's an authorization Bill. But unless we do authorize the state to borrow the \$1.1 billion for school construction and other projects, we simply would not be able to do that. So I'd be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the adoption of the First Conference Committee Report to House Bill 108 and on that question, the Chair recognizes Representative Rutherford."

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

Speaker Lang: "The Gentleman will yield."

Rutherford: "Representative Hannig, the House Bill 108, of course, is the extension for the authorization for bonding which will necessitate, I'm sure, an extraordinary number of votes. Is that correct?"

Hannig: "Yes. I think that..."

Rutherford: "And with that then the projects that you just outlined, and my understanding that they're going to be in a Supplemental Bill? Which may well be House Bill 398 which we may anticipate happening yet this evening as well?"

Hannig: "Yes, that's correct, Representative. At the one side we will authorize the state to borrow this money, and we also will commit the state to spending it in the way that we have just said earlier."

Rutherford: "Great. Thank you. Having worked on bond authorization with Representative Hannig and Representative Ryder in the past, obviously these are important projects. It's this piggy backs on the legislation which I worked closely with him on in the spring to come up with the additional \$241 million worth of overall projects we needed to have and I would stand in support of the legislation."

Speaker Lang: "Representative Black."

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

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

80th Legislative Day

November 14, 1997

yield?"

Speaker Lang: "The Gentleman will yield."

Black: "Thank you. Representative, how much are you increasing the bond authorization by? You may have said so, but I didn't hear you. I apologize if you did."

Hannig: "Representative, there's actually two components. We're going to do the \$1.1 billion school construction bond program. That's a new program. I don't anticipate that they would sell all those bonds in one year, but certainly we want to get the program up and running. It also increases the state indebtedness of... by \$241 million 535 thousand 900 hundred (\$241,535,900) for other state projects."

Black: "I'm curious about the school bond program, the authorization..."

Hannig: "This is the authorization to sell the bonds."

Black: "So if there's no substantive language, then the authorization is moot, right? If there's no substantive language for a school bond construction program..."

Hannig: "I don't anticipate that the Governor would want to sell the bonds unless he has a revenue source to pay the bonds back. So I... if that's what you're asking that would be correct, Representative."

Black: "Yeah, okay. The only other question and it comes up every year, is there a copy and would we have access electronically to a copy of what projects are being funded or financed through this bond issue?"

Hannig: "Are you talking about the schools now, Representative, or the non..."

Black: "No, no. Forget the schools because there's been no substantive language there."

Hannig: "Okay. If you look in... if you can get a copy of House

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

80th Legislative Day

November 14, 1997

Bill 398, that will be the appropriation companion to this Bill and that will specifically spell out the commitments that we make on this side when we borrow, that will spell out how we will spend that money."

Black: "So am I to assume I could access 398 electronically?"

Hannig: "Representative, I'm told the Senate has not yet sent us that supplemental."

Black: "So that's an interesting procedural question and I can understand some reluctance on the part of people to vote for an authorization Bill before we actually know what we're authorizing."

Hannig: "Well, the authorization that the Senate will send us, if you can get a copy from the Senate, is certainly a matter of public record already at this time, Representative."

Black: "I've not been successful in getting a copy of anything from the Senate in ten years. You know, I don't want to belabor the point, and I'm sure it will pass, but at some point in our procedural policies, I really think we should have what we're authorizing before we authorize the money. What if the list comes over from the Senate, and I think I know where the maximum security prison is going to be, but what if it comes over and I'm wrong and a maximum security prison is being located in Lake Forest, Illinois?"

Hannig: "Well, Representative, I don't..."

Black: "That would be interesting."

Hannig: "I don't believe that the spot for this new prison has been chosen yet."

Black: "I believe it has, hasn't it?"

Hannig: "I mean we're just beginning the process of planning and there will probably be a sweepstakes and we'll go through all those..."

Black: "Well, the Representative said it wasn't in Aurora."

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

80th Legislative Day

November 14, 1997

Hannig: "So, you know, the other question is, if we do it the other way we're actually authorizing spending before we have any money. So now we're going to borrow some money with this Bill and with the other Senate Bill we're going to spend it."

Black: "So what comes first, the chicken or the egg, right? All right, I understand. I appreciate your trying to answer that question. It comes up every year and maybe some day we can really get our heads together on our procedural matters because sometimes it is uncomfortable to vote for a substantial bond increase when you're really not sure what projects or what is to be financed from the bond proceeds. But I've been around here long enough to know that the appropriations people are certainly aboveboard and they do their work most diligently and I appreciate your answers to the questions."

Speaker Lang: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I stand in support of the Gentleman's Motion. This Bill does some things which are absolutely necessary. First of all, it does set the immediate effective date for the FY '98 bonds that we've already voted on. In order to be effective, we have to do that. Secondly, it finishes the work that we did in the spring by adopting the remainder of the bond authorization, including school construction authorization. It simply concludes the work that we did in the spring with the addition of school construction bonding authorization. I believe that it is as the Gentleman indicates. It is something that we should favor, especially for the school construction area, and it is something that deserves our affirmative vote. While I understand Brother Black's concern about the chicken and the egg, I think we'll just

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

80th Legislative Day

November 14, 1997

have scrambled eggs for the moment, if you would be kind enough to pass the Bill."

Speaker Lang: "Representative Hannig to close. Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker. I just ask for a 'yes' vote."

Speaker Lang: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 108?' This is final action. Those in favor shall signify by voting 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'yes', 0 voting 'no' and 1 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 108, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Hartke in the Chair."

Speaker Hartke: "Under Conference Committee Reports, Senate Bill 320, Representative Leitch."

Leitch: "Senate Bill 320, Conference Committee Report, is a Bill that responds to some changes, increased revenues to our state from the Federal Government as they relate to immigrants and shift \$10 million to immigrant benefits because that 10 million has been unexpectedly given to us by the Federal Government. And so this Conference Committee Report weighs out how we intend to make those adjustments. This... these amounts cover additional food stamp allocation and additional naturalization services."

Speaker Hartke: "Thank you, Representative. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

80th Legislative Day

November 14, 1997

Black: "I simply rise to a point of order, Mr. Speaker."

Speaker Hartke: "State your point of order."

Black: "Pursuant to Rule 49, I'm joined by five of my colleagues on this side of the aisle to request a Roll Call record vote on any Motion or Resolution to adjourn; and should that Motion or Resolution get a requisite number to pass, I will seek a verification."

Speaker Hartke: "You'll be so recognized. Is there any discussion on Senate Bill 320, Conference Committee Report #1? The Gentleman from McHenry, Representative Skinner."

Skinner: "I wonder if the Gentleman would answer a question?"

Speaker Hartke: "The Gentleman will yield."

Skinner: "This is... is there any money in here for COLA's for local service agencies?"

Leitch: "I wish there were, but there's not."

Skinner: "Thank you."

Leitch: "I don't know of any opposition to this Bill."

Speaker Hartke: "Is there any other discussion? Seeing none, Representative Leitch to close."

Leitch: "I don't believe there's any opposition. It's a good Bill and it will help some people who otherwise wouldn't have gotten some help with... and I'd ask for a favorable Roll Call."

Speaker Hartke: "The Gentleman has asked for a Roll Call on Senate Bill 320, Conference Committee Report #1. The polling is open. Those in favor vote 'aye'; those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 320, Conference Committee Report #1, the House does adopt a Conference Committee Report. With the Bill having received a Constitutional Majority of 117 Members voting 'yes', 0 voting 'no' and 0 voting

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

80th Legislative Day

November 14, 1997

'present', is hereby declared passed. Would you read House Bill 887? Okay. Representative Meyer, House Bill 887."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 887 is a follow-up Bill or trailer Bill to House Bill 1211 which passed out of this chamber in the Senate and was signed by the Governor earlier this year. House Bill 1211 dealt with a reform of the Charitable Trust Act and was sponsored by the the..."

Speaker Hartke: "Excuse me. Excuse me, Representative Meyer, there seems to be some question. Could you take this out of the record momentarily?"

Meyer: "Yes."

Speaker Hartke: "Mr. Clerk, take it out of the record. ...an announcement."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Messages from the Senate. A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a Bill of the following title, to wit; House Bill 452, a Bill for an Act relating to the levy of taxes by school districts together with Senate Amendments 1 and 3.'"

Speaker Hartke: "... Resolution #257, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Resolution 257 simply renames what is now old 51 back to the original name it was before the original highway identification was put on it, which is the Egyptian Trail. That's a section of highway between Carbondale and Anna."

Speaker Hartke: "Is there any discussion on the Resolution? No one seeking recognition, the Sponsor has asked for a vote. All those in favor signify by voting 'aye'; those opposed

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

80th Legislative Day

November 14, 1997

vote 'no'. Opposed... The Clerk will take the Roll. Have all voted who wish? Have all voted who wish? Have all voted who wish? Will the Clerk please take the record? On House Resolution 257 there are 116 Members voting 'yes', 0 voting 'no' and the Resolution is adopted. Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Are we now going to vote on every Resolution?"

Speaker Hartke: "No."

Black: "Why did we vote on that one? If you could just enlighten me."

Speaker Hartke: "We just wanted to prove that, you know, that we can recognize when there's a 'yes' vote or a 'no' vote out here."

Black: "I think it's sometimes easier on a voice vote to recognize, but I'll file that away for future reference. Thank you."

Speaker Hartke: "Agreed Resolutions."

Clerk Bolin: "House Resolution 276, offered by Representative Dart. House Resolution 277, offered by Representative Dart. House Resolution 282, offered by Representative Lang. And House Resolution 283, offered by Representative Gash."

Speaker Hartke: "Both sides have agreed with the Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on November 14, 1997, reported the same back with the following recommendations:

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

80th Legislative Day

November 14, 1997

'to the floor for consideration' Senate Bill 600, House Amendment #5, Rules recommends 'be adopted'; Conference Committee Report 56...Conference Committee Report #1 to Senate Bill 56; and to the Order of Concurrence House Bill 1005. Supplemental Calendar #6 is being distributed."

Speaker Hartke: "Ladies and Gentlemen, we're pleased to welcome former Governor Jim Thompson to the House Floor. Welcome, Governor. On the Concurrence Motion on the Calendar, House Calendar #5 - Supplemental, is House Bill 1005. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I move to concur in Senate Amendments 1, 2, 3, 4, and 5 to House Bill 1005. This is a comprehensive education Bill, which many of our Members have items on this... on this Bill, and I'd be happy to answer any questions."

Speaker Hartke: "Thank you, Representative. Is there any discussion on the Lady's Motion? Seeing none, the Representative moves for the concurrence... excuse me. Oh, Representative Hoeft."

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

Speaker Hartke: "Indicates she will."

Hoeft: "Again, let's try and revisit this, Members of the House. This is a Bill that we went through last... two weeks ago. Representative Currie was the one that brought forth this. There is in here the increase of testing, the IGAP testing for the schools of the State of Illinois. This is such an onerous intrusion in local control that the State Board only can have this put through by encapsulating it with 16 other Bills that Members of this House need. I would ask the Sponsor a couple of direct questions, please."

Speaker Hartke: "Respond."

Hoeft: "Representative, is there any educational group in the

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

80th Legislative Day

November 14, 1997

State of Illinois that supports the IGAP testing increases?"

Biggert: "I think, Representative, when we did the 'quality first' a couple of years ago in the House, that we had said that there should be testing in the third grade, the fifth grade and then the Prairie State Exam in the twelfth grade. And I believe that we said for other testing that should be done, and this was our directive to the State Board of Education to develop a plan for those tests and then to decide the procedure for further testing of students in other grades and to develop the testing for science and social science and whether there should be fine arts and P.E. and health. So, this was a... something that was in the Quality First Program that was to come back and have the procedure for that test. So, I would say that probably, I think, in our 'quality first' we directed the State Board of Education to develop the procedures and to develop the test and to do... how to do the test and then to do the verification and authorize them to do that. I do believe that there are the business groups that have..."

Hoelt: "Now I asked for an education group. Is there an education group? Does the Illinois School Board Association come out for this?"

Biggert: "They didn't file any witness slips on it, and I don't know of any opposition."

Hoelt: "Did they support it? Yes or no?"

Biggert: "I don't know."

Hoelt: "Did the IEA support it? IFT? Illinois Principals' Association? Did any, any education group come out and say this is good for education in this state?"

Biggert: "The IEA supported this in the Senate at the hearing."

Hoelt: "Because they did not file a report and they said they had

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

80th Legislative Day

November 14, 1997

major concerns when it was brought up here. You are wrong when you say that we had ordered the State Board to do this from 'quality first'. I was there. We set up those tests to be put into law and the State Board was to put in whatever other tests through their rules. But we did not want to go on record as saying to the schools of this state, 'We are going to take this much more time from your students.' What is the cost of this examination? Last week when we had it it was 2 million... \$5 million. Now I see in our analysis it's \$10 million. What are the costs of this examination? What will be the annual cost?"

Biggert: "There was testimony last week before the House that it was \$10 million."

Hoefl: "The testimony last week was 5 million, now it's increased to 10 million. The assessment costs for six exams right now for the State Board budget this year for six exams, is 5 million. How can we then move to 10 million by moving it from six exams to 32? It's not logical. The six exams we have put into law that it can't take more than 25 hours, and yet the State Board has said these 32 exams won't take more than 25 hours. As a Sponsor, could you or would you allow that this Bill, this part of this Bill be cut out from the other 16 good parts and stand separately, so that we can all look at this issue which is critical to the independence of our schools? Would you allow this to stand separately or are we going to again support the State Board of Education's concept by wrapping it around all these other things that we need for our schools? Could you do this separately?"

Biggert: "Representative, no, I could not. I think this is a very important part of the Bill. I believe that the testing is important to the children of Illinois. There is

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

80th Legislative Day

November 14, 1997

no testing if we don't include these between the grades of five and 12 with the exit exam. The IGAP testing is used not only to test the performance of the schools, but also for children to know where they are in the education process and to be able to help them."

Hoelt: "I don't mean to continue this because I think we've discussed it out thoroughly. I do want to go on record again as saying this is one of the fundamental negative pieces of legislation for local control of the schools, one of the fundamental backward steps in education reform in the State of Illinois. I think that we need to go on record as saying, enough from this State Board. We need to go on record as saying we support the local school districts and their teachers. This is an abomination. There is not an educational group in this state in support of this, and the only way this can be put through is when the State Board takes and encapsulates it with all of the other Bills that we need and we want. I would urge a 'no' vote as a statement to the State Board that is, 'enough is enough'. Thank you for your indulgence."

Speaker Hartke: "The Chair recognizes the Gentleman from Champaign, Representative Winkel."

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

Speaker Hartke: "Indicates she will."

Winkel: "Representative, in this Bill there's at least one part on academic testing. Does the Bill itself define what academic testing is?"

Biggert: "We have an... In Amendment 4 it requires that there be... that the testing is to be academic. For legislative intent and for what was also stated in the Senate, I would read into the record, and I believe that later on this will actually be put into law, but I would like to read that and

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

80th Legislative Day

November 14, 1997

thank you for bringing that up. The definition of academic testing is questions and answers that are objective, measurable, and where possible, quantifiable to measure the knowledge, skill and ability of students in the traditional core subjects of math, science, English, grammar, literature, history, geography, civics, and government. These tests shall not include, one, subjective assessments; two, assessment or evaluation of attitudes, values and beliefs; and, three, testing of personality, self-esteem or self-concept."

Winkel: "Representative, is... do we have a commitment that there will be some sort of trailer legislation that will actually make this a part of our code?"

Biggert: "To the best of my knowledge that was to be part of the spring discussion."

Winkel: "Thank you, Mr. Speaker."

Speaker Hartke: "Any further discussion? Seeing none, Representative Biggert to close. Excuse me."

Biggert: "Thank you, Mr. Speaker. I think this is very important legislation, that the IGAP testing is very important for determining whether a child has learned in his years in the elementary and the secondary education. I think in this day and age of all the national focus on standards and testing, that for the State of Illinois, we really need to have those tests for the performance of the students and I would urge an 'aye' vote on the Motion to concur."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #1, 2, 3, 4, and 5 to House Bill 1005?' This is final action. All those in favor signify by voting 'aye'; those opposed voting 'nay'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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

80th Legislative Day

November 14, 1997

question, there are 98 Members voting 'aye', 16 Members voting 'no', 1 Member voting 'present', and the House does concur in Senate Amendments #1, 2, 3, 4, and 5 to House Bill 1005. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 is Senate Bill 600, Representative Curry. Representative Silva."

Silva: "Thank you, Chairman (sic-Speaker). I'm withdrawing from Amendment..."

Speaker Hartke: "Excuse me. Mr. Clerk. Excuse me. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 600, a Bill for an Act to amend the Adoption Act. Second Reading of this Senate Bill. Floor Amendment #1, offered by Representative Pugh, has been 'approved for consideration'."

Speaker Hartke: "Representative Silva. Representative Pugh on the Amendment."

Pugh: "Thank you, Mr Speaker. I would like to withdraw Floor Amendment #1."

Speaker Hartke: "Floor Amendment #1 is withdrawn. Do you have further Amendments?"

Pugh: "Yes, Sir. I also would like to withdraw Floor Amendment #3."

Clerk Bolin: "Floor Amendment #2, offered by Representative Ronen, has been 'approved for consideration'."

Speaker Hartke: "Representative Ronen."

Ronen: "Thank you, Speaker. I'd like to withdraw Floor Amendment #2."

Speaker Hartke: "Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Pugh has been 'approved for consideration'."

Speaker Hartke: "Representative Pugh."

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

80th Legislative Day

November 14, 1997

Pugh: "Thank you, Mr Speaker. I would like to withdraw Floor Amendment #3."

Speaker Hartke: "(Sic-Floor Amendment) #3 is withdrawn. Is there further Amendments?"

Clerk Bolin: "Floor Amendment #5, offered by Representative Silva, has been 'approved for consideration'."

Speaker Hartke: "Representative Silva."

Silva: "Thank you Chair (sic-Speaker). The Amendment to the Bill amends the Public Aid Code to erase restrictions on certain legal immigrants who are not yet U.S. citizens from qualifying for medical assistance. It authorizes the Department of Human Services to serve children under age 18 who became legal residents after August 22nd. I would offer your favorable consideration."

Speaker Hartke: "Is there any questions on the Amendment? The Chair recognizes Representative Black for debate."

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

Speaker Hartke: "She indicates she will."

Black: "Representative, is the language in this Amendment permissive?"

Silva: "Yes it is, Sir. It allow... except for the department may choose to immediately serve those persons, and if the dollars are not there, then we don't have to do anything, but the language is permissive."

Black: "And so the Department of Human Services, if they choose to do so..."

Silva: "Correct."

Black: "... could allow legal immigrant children to participate in the new Children's Health Insurance Program, and if they do so, there is no federal matching fund, is that correct? It would be all state GRF dollars?"

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

80th Legislative Day

November 14, 1997

Silva: "There is a possibility as we speak. It's still being debated, and there may be rule... rule-making is expected in about two weeks."

Black: "Well, in all due respect, Representative, there's a possibility I may yet grow up to be 6 foot 4, but I don't think so. At the present time, if the Department of Human Services were to participate in this, it would have to be funded 100% with State General Revenue Fund dollars, correct? Under the existing law today?"

Silva: "Very likely."

Black: "All right. Did you... had this Amendment ever been presented in a committee form where people would sign in in opposition or in favor of, et cetera?"

Silva: "I had a related Bill last... in the spring."

Black: "And did anyone sign in in opposition at that time?"

Silva: "Not on this specific language."

Black: "I'm sorry, Representative, I was talking with staff. Did you say that anybody had signed in in opposition at that time last spring?"

Silva: "Not this specific provision."

Black: "You mean this provision wasn't in your Bill last spring or they didn't sign in opposition to it?"

Silva: "There was no opposition as far as I know. Now, this is a commitment that the Governor also expressed a couple of weeks ago, and he seeks to provide services to a low immigrant... low income immigrant children and it's in conjunction with the new state Health Insurance Program, Block Grants."

Black: "If we adopt this Amendment and it becomes law, would it be any diversion of existing federal funds used for similar purposes?"

Silva: "Federal funds could not specifically be used for this."

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

80th Legislative Day

November 14, 1997

Again, I'll remind you, it's permissive language. The Department doesn't have to do it."

Black: "Okay. Has the department issued any statement of neutrality or concern or support that you're aware of?"

Silva: "I believe that they are supportive of it."

Black: "All right, thank you very much for answering the questions, 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 Silva, you didn't have this language last spring because there was no federal program last spring."

Silva: "Correct."

Mulligan: "Correct. Now what has the department directly told you about their willingness to implement this program?"

Silva: "They're willing to do that. Again, it's permissive language. Their interest, as well as the Governor, is to provide those services."

Mulligan: "Is the only thing left in this Bill now, Floor Amendment #5?"

Silva: "Correct."

Mulligan: "All right, and right now, pending in Washington, is a discussion of what... over whether legal immigrant children will be allowed to have matching funds as part of this program, correct?"

Silva: "Correct."

Mulligan: "And the department has indicated to you, that unless this happens, they're not going to implement the program?"

Silva: "They didn't indicate one way or the other."

Mulligan: "I'm sorry, I didn't hear your..."

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

80th Legislative Day

November 14, 1997

Silva: "They haven't indicated one way or the other, but they lean towards wanting to do that."

Mulligan: "I have gotten figures from your staff that indicates that the total number of children is or approximately a little under 1400 children?"

Silva: "Correct."

Mulligan: "Our staff is telling me that the Department of Public Aid says if we covered everybody under your Amendment it would be 23 million. That's not the figure I got. The figure I got was..."

Silva: "No, that's not the figure I got at all. It was closer to one million, over a year it would be two."

Mulligan: "This is not considered to be an entitlement?"

Silva: "No."

Mulligan: "Nor do you intend it to be an entitlement, correct?"

Silva: "No I don't."

Mulligan: "And it's strictly subject to the Department of Human Services approval?"

Silva: "Correct."

Mulligan: "Based on the guidelines from the Children's Health Insurance Program?"

Silva: "If it can be done."

Mulligan: "All right, so what we're doing is right now, we're giving the department the opportunity to include immigrant children according to the guidelines of the federal program, if in the next several weeks, the Federal Government passes something that allows us to get matching funds, but you understand, that if this does not happen, we do not intend to fund this as would be if we got the matching funds. Do you understand that? There are concerns of some of the people on both sides of the aisle that it would take money from the program that we're trying

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

80th Legislative Day

November 14, 1997

to implement for the children that are here now, and unless the Federal Government says we can include these children and we'll having matching funds, the department will not include them."

Silva: "The intent is to work on it together. If the dollars are there and are available, we may be able to do that. You're correct in saying that within in the next several weeks a decision will be made upon that."

Mulligan: "All right, thank you very much."

Speaker Hartke: "Further discussion? Seeing none, Representative Silva to close. Representative, would you like to close?"

Silva: "Yes. I would ask for your favorable vote."

Speaker Hartke: "The Lady has asked for the adoption of the Motion. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Third Reading. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note and a state mandates note have been requested on the Bill, as amended, and have not been filed."

Speaker Hartke: "The Bill remains on Second Reading."

Clerk Rossi: "Senate Bill 600 was held on the Order of Second Reading pending the filing of a fiscal note and states mandate note. Those note requests have been withdrawn."

Speaker Hartke: "Since those notes have been withdrawn, the Bill moves to Third Reading. Mr. Clerk, read the Bill. Mr. Clerk, hold on a minute. What is the Gentleman from Vermilion, Mr. Black, inquiring about?"

Black: "Mr. Speaker. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I withdrew the fiscal notes in good faith and I'm not trying to be an obstructionist on the Bill, in all due

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

80th Legislative Day

November 14, 1997

respect to the Clerk, has this Bill been read a second time and is it in position then to go to Third Reading?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "The Bill has been read a second time, previously."

Black: "All right, it's... was it read today? Because I don't think it's carried on the Calendar correctly, Mr. Clerk, if you'd take a look at it. I may be wrong. It's been a long day."

Speaker Hartke: "Mr. Black, we'll check into that."

Black: "Thank you."

Clerk Rossi: "Representative Black, on May 28th, 1997, that Bill was read a second time and held."

Speaker Hartke: "Representative Silva, present your Bill."

Silva: "This Bill seeks to provide medical services to low income legal immigrant children arriving in the U.S. after August 22nd in conjunction with the new state Child Health Insurance Program, Block Grants. Again, the language is permissive and I would ask for your favorable vote."

Speaker Hartke: "Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 600, a Bill for an Act amending the Adoption Act. Third Reading of this Senate Bill."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 600 with Amendment #5 pass?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling 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 600, 78 Members voting 'aye', 32 Members voting 'no', 3 Members voting second (sic-'present'), is hereby declared passed. Representative Granberg in the Chair."

Speaker Granberg: "On Supplemental Calendar #1, appears House

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

80th Legislative Day

November 14, 1997

Bill 1547. Mr. Clerk. Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment 1 to House Bill 1547 is a Bill that the main provisions of the Bill are to provide setback distance for dead animals disposal through composting, containment burns, inspection of livestock waste lagoons, public information meetings, mandatory reporting of releases of spills, closure funds, single stage lagoons, penalties for violations of this Act. Creates... adds into the Livestock Management Facility Advisory Committee and this also has a second provision relative to the soil and water conservation district authorizing the Department of Ag to buy payment for outstanding and unpaid health care costs of soil and water employees incurred in 1996. As you can tell by the dot points of the Bill, that this is an addition to the existing law of the Livestock Management Act and adds a few more areas of regulation relative to the livestock industry. With that, Mr. Speaker, I would take any questions."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 1547. On that question, the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. This past year has been quite a controversial year for the hog industry due to the recent developments and innovative ideas that have come about in the livestock industry. We have met continually all summer with various groups who are concerned about this piece of legislation. It may not be perfect, but this is a piece of legislation I do believe which is furthering the steps to not only protect the environment but to insure that the consumer in Illinois has a good quality meat product available and it protects, like

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

80th Legislative Day

November 14, 1997

I said, the environment as well as the industry. So, I would urge your support for this legislation."

Speaker Granberg: "Any further discussion? The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I rise in support of this legislation. A group of Legislators from central Illinois that were one of the groups that put together some... a package of legislation to deal with our concerns as far as the livestock facilities and some of the problems that had occurred around the state. Virtually all this language is part of that package. One provision that we had in it, the group of six, that it had advanced some legislation, had that the inspection, the annual inspection, would be by the EPA and our group of six, or at least I believe I'm speaking correctly for them, still stand by that. This puts in the Department of Ag but it would involve the EPA if they find a problem. So, I think we're going from realizing that there's some additional concerns, doing something about it, trying to work together with all interests. I certainly would still like for it to be EPA, but it's not and I think this is a very proper step. Just a couple of things that I don't believe was mentioned. This does call for an annual inspection. It will be by the Department of Agriculture. There's mandatory reporting of spills. And I think there's been some spills that have caused some concern and it's mandatory that they be reported. There's a direct attempt to control odor or reduce problems of odor that odor control items will be adopted. For example, a biomass on top of slurry stores. There's graduated penalties and three strikes you're out. Same setbacks will apply to the composting for dead animals is what applies to the rest of the facility, so I think

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

80th Legislative Day

November 14, 1997

it's some important steps taken here and I want to thank the Sponsor for advancing this and a lot of parties came together trying to come to a consensus. Not everything we wanted, but I would urge your support. Thank you."

Speaker Granberg: "The Gentleman from Williamson, Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. I stand in support of 1547. I agree that there are probably many things that have not been accomplished in this area, but this is a step in the right direction without question. I want to be one of the first to commend the six Legislators, a bipartisan group from the Peoria area who have worked long and hard on this issue. I think that they have put forth many of the component parts of this Amendment that was put on in the Senate and hopefully we will continue through the process of addressing those areas of concern of many of the people of this state at the same time protecting the industry, which is very vital to the economy of the State of Illinois. And I for one, pledge that we will stay with the issue as long as we can get positive things that will make a difference for all of the people of this state. I stand in strong support of a first step in the process."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black. I believe you might have a Motion pursuant to Rule 49, Sir."

Black: "No, thank you very much, Mr. Speaker. I do have a question on this Bill if the Sponsor would yield?"

Speaker Granberg: "Please proceed."

Black: "Thank you. Representative, there were two Bills competing for our attention. The other was House Bill 1158. Can you tell me what happened to that particular Bill? Did it go to committee and receive a hearing?"

Wirsing: "Yes it did."

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

80th Legislative Day

November 14, 1997

Black: "And I assume then the results were not satisfactory, it did not pass from committee?"

Wirsing: "It... yeah, the Sponsor made a Motion to nonconcur. It did pass from committee but this particular Bill, what is in 1547 was the desired Bill coming out of the Ag Committee."

Black: "All right. Representative, I went through one of these siting problems in my district last spring and emotions are still a little high. Let me just ask you a few questions, if I might. What will the Department of Agriculture be looking for when they inspect these lagoons in these large confinement operations? Is there a set of standards in the Bill or will we expect the department to write such standards?"

Wirsing: "There is a set of standards in the Bill in which the Department of Ag would be looking for as they would make their annual inspections to the lagoons."

Black: "What procedures will be in place in the event of a spill? What's the time line on a report?"

Wirsing: "There's a 24 hour time line in order to report a spill to the EPA."

Black: "And can the Department of Agriculture come on this property and inspect the lagoon at any time or is it limited to one inspection a year or by prior notification?"

Wirsing: "The Bill calls for... requires one inspection a year but would not be limited to that."

Black: "Is there... are there any provisions in the Bill to have the Department of Agriculture look or test for any effluent or leakage or seepage from the lagoon?"

Wirsing: "Well, it's visual inspection which that... well visual inspection would determine that."

Black: "As far as you know, and I apologize, the noise level in

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

80th Legislative Day

November 14, 1997

here, I think you might have mentioned this but I'm not sure, are there provisions for a closure procedure or a closure fund if the operation were to cease and we've got a half a million gallons, how do I say this gently, hog waste? Very quick on my feet tonight."

Wirsing: "It's called livestock manure."

Black: "Well, you said it, I didn't"

Wirsing: "It's fertilizer."

Black: "All right, but there are provisions in this Bill for the... an appropriate closure and/or cleanup if an operation were to cease to exist, go bankrupt, et cetera?"

Wirsing: "Yes there are."

Black: "And is this going to be partially funded by the industry or would it have to be funded by the taxpayer?"

Wirsing: "The industry pays into a fund for that purpose."

Black: "And if the inspections are not according to guidelines to be developed or that have been developed, will the Department of Agriculture have the authority to refuse an operating permit if the lagoons do not meet standards or even after they're operating and the lagoons have deteriorated, can the Department of Agriculture shut them down?"

Wirsing: "Yes, there is a three strikes you're out. The third strike is cease and desist of operation."

Black: "All right, thank you very much, Representative. I do appreciate your answers. Mr. Speaker, to the Bill, if I might. This is a very... it has become a very controversial issue. Having lived in a rural area all my life, I didn't think I would ever see that happen. This issue has flipped farm bureaus, local farm bureaus, many of them have taken resolutions against the mega hog farm concept and the waste disposal. I do commend the Sponsor,

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

80th Legislative Day

November 14, 1997

I do commend the committee that met. I view this, perhaps the Representative in his closing remarks will disagree with my perception, I view this as a place to begin. I do not think that by any means, the passage of this Bill will make all of the objections and legitimate concerns on these rather large livestock confinement operations disappear. And I make no threats and the people I represent make no threats, but they are concerned and if these concerns are not adequately addressed by this Bill, then obviously they will continue to seek some kind of legislative relief if spills, odor, and other concerns that they have, even down to truck traffic, are not handled by the Bill. But I'm certainly willing to support the Gentleman in his efforts and will see how it work. I think it's a good starting point. Hopefully we'll continue to make some progress and I think I heard the Chairman of the Ag Committee just a little while ago say that he certainly has an open mind on that process. I do thank all those concerned and involved in the process for what they've done."

Speaker Granberg: "Mr. Black, Mr. Black, before you sit down, would you like to make that Motion pursuant to Rule 49?"

Black: "Yes, thank you very much, Mr. Speaker, you're very kind. Pursuant to Rule 49, I'm joined by five of my colleagues in seeking a recorded Roll Call vote on any Motion or Resolution to adjourn the House, and should that Motion or Resolution get a requisite number to pass, I will seek a verification. Thank you."

Speaker Granberg: "We're here to assist you, Mr. Black. The Lady from Peoria, Representative Slone."

Slone: "Thank you, Speaker, Ladies and Gentlemen of the House. We're pretty disappointed with this Bill. Those of us who have worked and hoped that we might get something a little

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

80th Legislative Day

November 14, 1997

more comprehensive. Those of you who haven't seen this map, ought to take a look at it. It shows how many of these hog confinement facilities are being constructed in counties all around the state and we would hope to have your support both for this Bill and for a more comprehensive package that we hope to develop in the spring. Thank you."

Speaker Granberg: "The Gentleman from Cook, Representative Dart."

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

Speaker Granberg: "He indicates he will. Proceed."

Dart: "Representative, I understand from the course of the debate there's been a lot of discussion on this Bill and a lot of different groups involved. Can you give me an idea of the different groups that are for this Bill at this time and the ones that are opposed to it?"

Wirsing: "The proponents of the Bill are the...is the Illinois Pork Producers' Association, the Illinois Beef Association, the Illinois Farm Bureau, Illinois Corn Growers, the Illinois Department of Agriculture is neutral, Illinois Environmental Protection Agency is neutral. The only opponent is the Illinois Stewardship Alliance."

Dart: "And can you explain to me what the opponent, what their opposition is based on?"

Wirsing: "My understanding from a seven hour meeting... Mr. Speaker, Mr. Speaker."

Speaker Granberg: "Proceed."

Wirsing: "We would like to have some... be able... I'd like to hear the questions that are being asked, please."

Speaker Granberg: "Ladies and Gentlemen, the point's well-taken. Proceed."

Wirsing: "I guess if this is really an important Bill as some have indicated, it would be good to be able to hear what

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

80th Legislative Day

November 14, 1997

the discussion is. Thank you. Would you restate your question please?"

Dart: "Sure, can you explain to me... you mentioned one... there was one opponent to the Bill. Could you explain to me what the crux of their opposition is?"

Wirsing: "I think after being down here in Springfield last Wednesday for about a seven hour meeting, between observing the two sides of the issue, if you will, probably that it does not go far enough. I'm not sure what that means. You know, short of shutting down the industry, but that's the words... that's the comment that came out of that, it simply does not go far enough."

Dart: "Have any of the environmental groups weighed in on this at all? That you're aware of?"

Wirsing: "Well, there's been a whole variety of discussion for the last two years from, you know, literally any entity proponent and opponent relative to this issue. There is an Act in place you know, that we did pass."

Dart: "Thank you."

Speaker Granberg: "Anything further? Nothing further? The Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Speaker. I also rise in support of this Bill. As the primary Sponsor of the Livestock Management Facilities Act, I stated on the floor at that time, that this was just a start. A couple of my colleagues here today have indicated that they think that this Amendment is a start. I think it is a continuation in the process that has been ongoing. To look for refinements to the Livestock Management Facilities Act. I also stated in the discussion on the floor on the original debate, to those who wanted more financial responsibility from the operators for closure of a facility, that we needed to continue the

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

80th Legislative Day

November 14, 1997

discussion in that regard and I think that this measure brings out further responsibility and a better approach to any type of closure fund. We included in the Livestock Management Facilities Act, several financial instruments that an operator could use to assure financial responsibility for closure. But two or three of those were not available on the open market. The industry, after a long period of time and a lot of study and negotiation, have come up with a very workable plan for closure. In addition, there are other provisions within the measure including inspections that I think only enhances that Bill to make sure that those who are operating these facilities, continue to operate them under a good management style. Part of the emphasis of the Livestock Management Facilities Act was on management. For if you have the proper management, you can go a long ways to protecting the environment by preventing water contamination and air contamination. That management must continue. It must always be there and the inspection process goes one step further to ensuring that that management is there. So, I rise in support of this legislation. I hope my colleagues will support it as a continuation of the continual evaluation of the procedures that we already have in place and the evaluation of the industry as they continue to grow and change and evolve, we will come back in the future with further enhancements to the Livestock Management Facilities Act. I rise in support and I encourage a 'yes' vote on this measure."

Speaker Granberg: "Thank you Mr. Myers. The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise in support of this legislation and I would echo the

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

80th Legislative Day

November 14, 1997

comments made by Representative Moffitt and Representative Black. This is a positive step forward. It does address many of the concerns that have been raised since the passage of the original legislation. It provides some common sense answers to many of the problems. It does provide for mandatory reporting of any spills. It does set up a local hearing to allow citizens, to allow neighbors in areas affected by one of these facilities a chance to ask questions, remove some of the secrecy that has surrounded many of these proposed facilities, but unfortunately it does not go as far as I would like. It is not the complete version that the group of Peoria Legislators have worked on for several months. We disagree with the inspection provision but we realize that this is a continuing process. This issue is not going to go away and I'm glad to hear the comments of Chairman Woolard and, I for one, would be... one Legislator willing to continue to work with him on this issue as we continue to address it, but I would urge my colleagues to vote for this legislation to improve the way we regulate livestock mana... livestock facilities, livestock confinement facilities. To give the citizens of our state some response and to do it this fall before we leave this Veto Session to let them know that we do hear their concerns and we are acting in a positive way. Thank you."

Speaker Granberg: "Thank you, the Gentleman from DeKalb, Representative Wirsing to close."

Wirsing: "Thank you, Mr. Speaker. I do need to read because of the Illinois EPA's concerns relative to some of the penalty provisions for the purpose of legislative intent, that would be that, none of the penalty provisions of this Amendment, as they apply to the Department of Agriculture,

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

80th Legislative Day

November 14, 1997

are intended to in any way preempt the Illinois EPA's authority to seek penalties under provisions within the Illinois Environmental Protection Act or the Federal Clean Water Act. In closing comments I guess that, you know, we passed what's now called the Livestock Management Act in this past spring. That Act and the final rules did not take effect until May of 1997. So they've not been in action even a full year. As a legislature functions and puts laws into place, one of the best things to do is to give those laws an opportunity to work so that an accurate and true assessment can be made of how those laws, how they do function, if they are effective, if they are sufficient, if they go far enough. I think what we're doing here tonight by hopefully passing of House Bill 1547, we're putting some fine tuning into that Livestock Animal Act, and perhaps that it is time now to give the Act, with this addition, an opportunity to, in fact, function, so we can make a fair and honest opinion of what the practical concept of this particular Act would be. We're dealing with the livestock industry that has been in rapid change just as all of agriculture has been and we need to recognize that, and that does take time. There are things down the road relative to livestock management that other than passing things, new rules new regulations on legislative intent. There are technology advancements that are occurring to assist in management of livestock and particularly in management of livestock manure. And I think that's something that we ought to be focused on as well, we ought to be emphasizing for that purpose. And so I would ask for support for House Bill 1547 this evening so that we can move on and give the Livestock Management Act an opportunity to function, to work, so we can make an

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

80th Legislative Day

November 14, 1997

accurate scientific and observation based on factual information. I ask for your support of House Bill 1547."

Speaker Granberg: "The Gentleman from DeKalb moves that the House concur with Senate Amendment #1 to House Bill 1547. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. This is final action. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 96 voting 'yes', 14 voting 'no', 7 voting 'present'. House Bill 1547, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, messages from the Senate."

Clerk Bolin: "A message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill 398, a Bill for an Act making appropriations, together with Senate Amendment #1 and Senate Amendment #2.'"

Speaker Granberg: "Mr. Clerk, announcements."

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

Speaker Granberg: "Ladies and Gentlemen, we will be at ease and then we will go to committees. The House will be at ease. Mr. Clerk, announce the committee schedule."

Clerk Bolin: "The Executive Committee will be meeting at 10:20 p.m. in Room 114 and the Revenue Committee will be meeting at 10:20 p.m. in Room 118. Once again, the Executive Committee will be meeting in Room 114 and the Revenue Committee will be meeting in Room 118 and Rules Committee will be meeting immediately."

Speaker Granberg: "The House will stand at ease. Committee Reports."

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

80th Legislative Day

November 14, 1997

Clerk Rossi: "Representative Eugene Moore, Chairman from the Committee on Revenue, to which the following Motions were referred, action taken on November 14, 1997, reported the same back with the following recommendations: 'be approved for consideration' Senate Amendments 1 and 3 to House Bill 452. Representative Burke, Chairman from the Committee on Executive, to which the following Motion was referred, action taken on November 14, 1997, reported the same back with the following recommendation: 'be approved for consideration' Senate Amendment 1 to House Bill 1817. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on November 14, 1997, reported the same back with the following recommendation: 'to the Order of Concurrence' House Bill 398 Motion to Concur with Senate Amendments 1 and 2 and House Joint Resolution 30, Motion to Concur with Senate Amendments 1 and 2. Supplemental Calendar #7 is being distributed."

Speaker Hannig: "On the Calendar on page 4, under the (tape goes out) Representative Black, do you have...Representative Black. Representative Black, while Representative Novak is getting ready I think you have a request to make?"

Black: "Yes, thank you very much, Mr. Speaker. Good to see you. Pursuant to Rule 49, I'm joined by five of my colleagues in requesting a record Roll Call vote on any Motion or Resolution to adjourn. Should that Motion or Resolution receive a requisite in order to pass, we will seek a verification. Thank you."

Speaker Hannig: "Thank you, Representative Black. Representative Novak."

Novak: "Thank you, Mr. Speaker. An inquiry of the Chair first. I understand there's two Motions filed for concurrence

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

80th Legislative Day

November 14, 1997

concerning House Bill 362. Have we... okay, you just answered my question because I thought, I was mistaken, I thought Senate Amendment #1 had already been concurred in. Is that correct? Okay. All right, thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that the House concur in Senate Amendments #1 and 2 to House Bill 362. Ladies and Gentlemen, this is the electric utility restructuring and deregulation legislation for the State of Illinois that puts us in the the vanguard of legislation that will be watched by the entire United States of America. There are only a handful of states right now that have deregulated the electric industry. We have worked for over two and one-half years on this issue, ever since the Joint Commission was established in June of 1995. But before Representative Persico, my cochairman and myself, go into the details of the Bill I just want to say thanks to a few people. First of all, I want to thank the Speaker of this House, Michael Madigan, for... and I also want to thank the Republican Leader of this House, Lee Daniels. And let me explain this. Speaker Madigan, Speaker Madigan made the wise decision to form a bipartisan, nonpolitical committee, made up of ten Members so one party would not dominate the other in this process, and, Ladies and Gentlemen, there has not been any politics in this process. We've had our differences of opinions, we've had our differences of opinions with the utilities and other consumer groups and everybody who is involved in this process. And I would like to thank my cochairman, Representative Persico, because I don't think you can find a more decent, honest, cooperative person to work with than my cochairman. He deserves just as much credit as everybody else who worked to put this Bill together. I

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

80th Legislative Day

November 14, 1997

would also like to thank my close friend, Kurt Granberg, who stayed up long hours with all of us to try to hammer this Bill together. I would also like to thank Representative Doug Scott, Representative Charles Morrow, Representative Brent Hassert and the many others who helped us put this Bill together. Ladies and Gentlemen, you recall earlier this spring we passed Senate Bill 55. Senate Bill 55... Mr. Speaker, could we have some order, please? Thank you. Senate Bill 55 passed by an overwhelming majority of 85 votes, and for those of you who were unsure about your vote, whether you voted 'present' or 'no', Senate Bill 55 provided the framework for House Bill 362. Ladies and Gentlemen, over the summer after the Illinois Commerce Commission reviewed Senate Bill 55 and issued its report with some criticisms and some needs for improvement, we negotiated over the summer and the fall and we made those improvements and we've come back with a better Bill. Anytime you have a 250 page Bill, it's bound to be complicated and complex. You recall that we had immediate rate reductions for our citizens in this state that went into effect in 1998. Ladies and Gentlemen, this legislation, we believe, covers the entire gamut of restructuring the electric industry. We have environmental programs, although they are not adequate, although some are insufficient we hope to come back next year and improve on those and I personally have made a commitment to the environmental community to work with them in that endeavor. We have some of the strongest labor provisions that is in any deregulation Bill in the entire United States. And I believe organized labor in every state in this Union that's considering will be looking to Illinois' legislation to make sure that if any changes are made when utilities

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

80th Legislative Day

November 14, 1997

restructure, if power plants are sold or even shutdown for any reasons, those workers are going to be protected, and organized labor has been onboard with this Bill since day one and I certainly applaud their support. We've taken care of the elderly and the indigent, the old and the poor and those people that cannot pay for their heating bills in the wintertime. The money has almost dried up this year from the Federal Government. This legislation will infuse about 70 million more dollars a year. So, we'll have roughly a \$140 million a year to help our indigent and elderly citizens keep from freezing in their homes and apartments. As you know what happened in many areas around the country, that is a cold harsh reality, so they are provided benefits and protections. We've provided more oversight by the Commerce Commission and by the General Assembly with respect to Commonwealth Edison and Illinois Power collecting on their stranded costs. And the question is this, as you compare us to California or Pennsylvania, does Illinois Power and Commonwealth Edison get to collect all their stranded costs? A resounding, 'no'. A resounding, 'no'. We worked the hardest way we could to make sure we compromised in those areas and we will make sure that we will peruse that oversight through the ICC and through the General Assembly. I will now yield to Representative Persico to explain some of the other details of this most important Bill in the last 75 years in the history of Illinois Government."

Speaker Hannig: "Representative Novak, have you completed your...?"

Novak: "Speaker, yeah. Mr. Speaker, I now yield to Representative Persico."

Speaker Hannig: "Representative Persico."

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

80th Legislative Day

November 14, 1997

Persico: "Thank you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hope that is not an indication of things to come when we go into a deregulated market, but I don't think so. I think we've spent too many hours, too many months on this particular Bill. And I would also like to echo the same sentiments that Representative Novak did in the sense of all the people that were involved from Speaker Madigan and Leader Daniels and all the Representatives and Hassert and Morrow and Leitch and Granberg who put in all the time that was necessary for this very complex Bill. I think that, and by the way Representative, you look very good in your black sport coat. I think... and it's good to see our names up there together again."

Novak: "It certainly does, Vince."

Persico: "House Bill 362 is the culmination of two and a half years of study and debate, meetings, endless meetings, endless hours it seemed like at times in the spring, as well as over the summer, but it also proves that our slow deliberative process really works. It's a Bill that, again, took two and a half years to call for a final vote. I don't think any Bill that we are giving the consumers of the State of Illinois \$6 billion, I've never seen a Bill so difficult to get called for a final vote. It's very hard to give money away in this state, I guess. But it is a Bill that you can be proud of, and I think everybody on both sides of the issue when we first began expressed very eloquently their position. Representative Leitch, as you know, fought very hard for something that he believed in and it's a fair Bill and a Bill that everyone in the State of Illinois can be proud of. A Bill that's going to save the consumers of the State of Illinois \$6 billion over the

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

80th Legislative Day

November 14, 1997

year through 2006. The consumers, the residential consumers in our state in the Commonwealth Edison areas are going to save \$176 annually, initially, and then by 2006, over \$250 a year. This is a substantial savings that they can use to buy clothes, college education and anything else that they desire rather than just their electricity bill. I do want... before we open it up for any questions that you might have, I do have some legislative intent that I would like to read it for the record. 'It is my understanding that this Bill would not result in the nullification, revision, or suspension of any contracts that have been entered into pursuant to the Retail Rate Law, specifically Section 8-403.1 of the Public Utilities Act. These contracts were entered in pursuant to specific statutory authorization and requirements and reflect the legislative support of alternative energy production facilities, particularly those that use methane gas generated from landfills. Section 8-403.1 would not be modified by the Bill before us and I assume that nothing in the Bill would affect the legitimacy, duration or legality of these contracts.' With that, I would like to urge the colleagues on both sides of the aisle to join Representative Novak, myself, and all the work that was done by the Senate in urging concurrence on Senate Amendments #1 and 2 to House Bill 362, and with that we will open up to any questions you might have."

Speaker Hannig: "Representative Black."

Black: "Thank you, Mr. Speaker. I just have an inquiry of the Chair. I put my light on an hour and a half ago. If I could make an inquiry of the Chair."

Speaker Hannig: "State your inquiry, please."

Black: "There are more Motions on this Calendar, on this Bill,

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

80th Legislative Day

November 14, 1997

than I've seen out of the Chicago Bear's backfield all season. What Motion are we on? There's a Motion to Concur, there's a Motion to Nonconcur, there's a Motion to Table. There's a Motion... what Motion are we on?"

Speaker Hannig: "The board will help us walk through that. We're on the Motion to Concur in Senate Amendments 1 and 2."

Black: "So, all the Nonconcurrency Motions on the official Calendar then are not applicable. Is that right?"

Speaker Hannig: "Well, Representative they're all officially filed but the Sponsor has decided to ask the Body to debate the Motions to Concur in Senate Amendments 1 and 2, and that's what we're doing."

Black: "My compliments to the author of the Calendar. Thank you."

Speaker Hannig: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of House Bill 362. As Representative Novak said, that this language in this Bill that would help out the low income people and it's greatly needed because, as of two days ago, I received a letter from DCCA concerning the status of the LIHEAP program. For the Legislators in the Cook County area and in the City of Chicago, CETA, which is the agency that runs the LIHEAP program stopped taking requests for help from low income people two weeks ago. The money has run out and for those of you who live outside of the City of Chicago and outside of the County of Cook, DCCA has basically said, by the mid-December that LIHEAP funding for those counties would be out. And so, mid-December we have not even begun our heating season and I want to warn the Members of one thing. I don't want you to go home with the warm feeling that this Bill is going to take away all the problems of low income

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

80th Legislative Day

November 14, 1997

people in this state. It doesn't. We actually need to find another funding mechanism to help low income people. Next spring some of the low income groups led by Bobbi Bennet, who I want to thank her for her help on this issue, we're going to have to come back next spring to get some more money. We're not going to necessarily need all the monies that are in House Bill 362, but this is just a start to fill a big hole that we have out here for low income people. And I just wish in closing that this Body could work together on other issues as we worked on House Bill 362. I want to commend Phil Novak, Vince Persico, Dave Leitch, Doug Scott, Doug Hassert, we've put in a lot of hard work on this, but not one time did we have a cross word for each other or ill feelings toward each other. I just wish that we could work on other issues like we worked on this in this General Assembly and I am proud to have worked on House Bill 362."

Speaker Hannig: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wondered if I could ask a question of Representative Novak?"

Speaker Hannig: "Yes, the Sponsor will yield."

Novak: "Yes. Yes."

Schakowsky" "Last... after we ended Caucus yesterday, Representative, we talked about some additional money in a trailer Bill for environmental purposes for conservation and energy efficiency. Are we going to see that today?"

Novak: "Representative, unfortunately, no. There wasn't any extra dollars or resources to enhance the environmental programs that are proposed in this Bill. And as I said previously, I have made a personal commitment to the environmental community and I know there's been a letter

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

80th Legislative Day

November 14, 1997

that's been circulated on the House Floor that I think that has about 75 or even close to 80 names on a bipartisan basis and we're going to make a commitment and come back in the spring and work to enhance the environmental programs, Representative."

Schakowsky: "Well, I thank you for that and I look forward to working with you, as well, in the spring, in the January Session on this. To the Bill, Mr. Speaker. We are about to vote on what is probably the biggest economic decision of the century, literally. Billions and billions of dollars that affects every single household and institution and business in the state. And while I intend to be voting 'yes' on this legislation, I think we want to be sure that we know exactly what we've got here and what yet remains to be done. Before we go too far in patting ourselves on the back on what a great Bill it is, let's be clear that this legislation, though better than what we had in the spring, is still faulty in many ways. The reason that I'm voting for it by the way and while I really don't appreciate politicians who quote themselves, to quote myself from the Spring Session, I just want to say that I did say at that time, we could hold hearings over the summer and we can come back in the fall and we come back in the fall we can still do the right thing for workers of the utility companies and that's a very important concern to me and you. We can do the right thing for low income energy consumers, that's in this Bill and we want it to be there, and we can do the right things for municipalities. So we have been able to keep what is good in the Bill that we had in the spring and we have made it \$1.2 billion better for consumers. So, those of us who voted to wait, I think made the right decision and I'm glad that we were able to come

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

80th Legislative Day

November 14, 1997

back. But, this Bill still does lock in the highest rates in the midwest for another 8 years. The transition period was cut from 10 years to 8 years. When we have a 25% rate reduction we still see rates in the midwest... in Illinois that are 40% higher than the average rate in the midwest. So, we're still going to have the highest rates. This is not a Bill that really is competition and it's ironic to me when we have businesses in this state that supposedly are for the free enterprise system arguing to keep away competition. This is still a bailout for Commonwealth Edison. They came to the Illinois Commerce Commission for years and begged the commission to build those power plants that they didn't need, despite consumer opposition to those. Consumers who said, 'We don't want to pay for Com Ed's mistakes.' Well, now we are being told that, yes, we're going to have to pay for Com Ed's mistakes, not as much in the original Bill but still in House Bill 362 we pay a precious lot of money to Commonwealth Edison for their mistakes. I do believe at this point this is the best we're going to do, that it is appropriate for us to move forward. But I don't think we ought to as we vote for this Bill close the book on utility deregulation. That book has to be open. We have to be prepared to come back in the Spring Session and deal with the environmental issues. Had we dealt with the environmental issues in the 80's, we would not be here today with these huge stranded costs for Commonwealth Edison. They would have invested in conservation and energy efficiency and they wouldn't have built those power plants and we would have been in a much better situation. But they didn't listen then, I hope they will listen now. We need to make those renewable energy sources available, we need to invest in conservation and

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

80th Legislative Day

November 14, 1997

efficiency. We can still do better, I hope we do and so it's somewhat reluctantly that I will cast an 'aye' vote for House Bill 362."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. I would like to add my word of congratulations to the Sponsors of this Bill for their success in bringing this to us. As everyone in this chamber and the Capitol know, I do not agree with the Sponsors, but that is what debate is about in an open society. I do not believe in anyway that this is a deregulation Bill. I believe this is a transition Bill that indeed does lock in the highest rates in the midwest for the next eight years. I believe it takes away the very important protections to the public as they would otherwise be administered by the Commerce Commission. And I believe that they offer far too handsome financial rewards in connection with the securitization provisions and the transition costs and so forth. I also think that there will be many, many surprises which will be visited upon this chamber and we'll be discussing this for a long time in the future because I think that many do not understand fully what is in this, in this measure. But in any event, I would like to again congratulate the Sponsors on their success and look forward to working with them in the future on a issue here that I believe will need considerable more work in the future as we all learn the implications of the Bill that you are about to pass. Thank you."

Speaker Hannig: "Representative Hartke."

Hartke: "I move the previous question."

Speaker Hannig: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and

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

80th Legislative Day

November 14, 1997

the main question is put. Representative Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ladies and Gentlemen, as I said earlier this spring when you voted overwhelmingly for Senate Bill 55, let me make one statement and let me make it very clear. Ninety five percent of Senate Bill 55 is in this Bill. When this Bill went to the Senate it was 251 pages long, when it came back it's 256. So, there was some changes made. The framework that we provided forms the shell of this Bill. You know it takes two chambers to pass a Bill and I don't want to be remiss in complimenting my Senate colleagues, Senator Mahar, the Chief Sponsor, Senator Maitland who was ... Senator Rauschenberger and of course Senator Bruce Farley on the Democratic side of the aisle, as well as our staff people that do the countless hours and take all kinds of stuff sometimes from us, unwarranted often, my staffer, Jack Unzicker, our tech review guy Andrew Scott, House Republican staff, Scott Humbard, Michelle and Jo Johnson from the Senate Democratic, Senate Republican staffs. We want to thank them. And I want to thank Marty Cohen. You know Marty Cohen from the Citizens Utility Board. Marty, I hope you're up here somewhere. You know, Marty, you took a lot of bruises this summer from a lot of people and I thought they were very, very unwise bruises, and I think they were very unwarranted. And, you know, sometimes your sometimes your integrity was even called into question, because you had supported the Bill that just because some of the utilities had supported. The Citizens' Utility Board is a very well respected organization. It represents consumers in this state, and they will continue to be so. So, Ladies and Gentlemen, let us move the State of Illinois into the 21st Century. Let us give our citizens the choice

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

80th Legislative Day

November 14, 1997

that they want to buy power. Let us bring competition into a regulated market for the last 70 years that has given us the highest rates in the midwest. So, Mr. Speaker, I move that we concur in Senate Amendments #1 and 2 to House Bill 362."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 362?' All in favor vote 'aye'... excuse me, Representative Daniels."

Daniels: "Mr. Speaker, I have a potential conflict of interest, and I'll be voting 'present' on this."

Speaker Hannig: "Thank you, Representative. The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 362?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes 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 108 voting 'yes' and 7 voting 'no'. The House does concur in Senate Amendments 1 and 2 to House Bill 362, and this Bill, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Mr. Clerk, Motions."

Clerk Rossi: "Pursuant to Rule 65 and having voted on the prevailing side, Speaker Madigan has moved to reconsider the vote by which House Bill 362 passed."

Speaker Hannig: "Out of the record. Representative Tom Johnson."

Johnson, Tom: "Mr. Speaker, I would like to let the record reflect I would have voted 'yes' on that. I think I hit my switch. My switch is worn out. Thanks."

Speaker Hannig: "Many of us are, as well, Representative. Okay, on Supplemental Calendar #6, on the Order of Conference Committee Reports, is Senate Bill 56. Representative Novak. Representative Novak. Representative Persico."

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

80th Legislative Day

November 14, 1997

Okay, Representative Novak."

Novak: "Thank you, Mr. Speaker, I move that we adopt the First Conference Committee Report on Senate Bill 56. Essentially the only language that's in this Bill is the agreed language with Central Illinois Light Company that sets out the rate reductions under the deregulation plan. Be more than happy to entertain any questions."

Speaker Hannig: "Is there any discussion? Is there any discussion? Then the question is, 'Shall the House adopt the First Conference Committee Report of Senate Bill 56?' All in favor vote 'aye'; opposed 'nay'. Representative Leitch, for what reason do you rise?"

Leitch: "Well, I wanted to take this opportunity to thank Governor Edgar and to thank George Ryan and to certainly thank Speaker Madigan and Lee Daniels for their help in getting this piece of relief for the company that serves my community and I just wanted to express that and urge people to vote 'yes'."

Speaker Hannig: "Representative Daniels."

Daniels: "I have a potential conflict of interest, I'll be voting 'present' on this."

Speaker Hannig: "Representative Turner."

Turner, J.: "Thank you. Will the Sponsor yield? Representative, could you give us an explanation of what the Conference Committee Report does?"

Novak: "Pardon me, Representative Turner."

Turner, J.: "Could you explain what the Conference Committee Report does?"

Novak: "Certainly. As I said, the Conference Committee Report on Senate Bill 56, is a result of an agreement with Central Illinois Light Company and the negotiators of deregulation. The Bill that we just passed, House Bill 362, had a

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

80th Legislative Day

November 14, 1997

mandated 5% rate decrease for utilities, in this case, CILCO, okay. What this Bill does, is change those rate decreases and spreads those rate decreases out over three years. The first year would be 2%, the second year would be 2% and the final year would be 1%. That was the agreement that was negotiated between Mr. Viets, the CEO of CILCO, and the negotiators of this Bill."

Turner, J.: "So, as I understand your explanation then, there is a 5% reduction in the base rate, but it is under the Conference Committee Report spread out over three years rather than given in the first year?"

Novak: "Yes, Sir."

Turner, J.: "Okay. Thank you."

Speaker Hannig: "Representative Erwin."

Erwin: "Thank you, Speaker. I, too, just wanted to rise and indicate that while I am disappointed, Representative Novak, that you were unable to increase the amount that Illinois minimally ought to be contributing to in sense, a better environmental Bill here and to provide energy efficiency tax credits, which I think are critically important. It's my understanding, Representative, that, Representative Novak, that the Sponsors have indicated that although that language was unable, for some reason, to get in this trailer Bill, that it is your intention to keep that debate open in the spring so that we can work on it in the spring, is that..."

Novak: "That's correct, Representative. I ask you to join us."

Erwin: "I would like to do that and I appreciate your effort on that and would encourage all Members to help us next spring to improve that portion of this Bill, which I think is still a serious weakness. I would just finally like to also add that, in the spring, I had raised some issues

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

80th Legislative Day

November 14, 1997

about the impact on condominium owners, and while I still am not totally clear, I think that the questions that most perplexed me at the time have been addressed, and while I think there may be unintended consequences in many categories with this Bill, I do appreciate Representative Novak and Persico's efforts, as well as their staffs, to answer those concerns and with that I will reluctantly support this."

Speaker Hannig: "Representative Ronen."

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

Speaker Hannig: "He indicates he will."

Ronen: "Representative Novak, Representative Erwin touched this on a moment ago. I also wanted to discuss the issue of clean power and the fact that so many of us were concerned that it wasn't a part of the original Bill or a part of this trailer Bill, and wanted to be clear as to specifically what kind of commitments we're talking about in the spring. What can we expect and how can we work together?"

Novak: "Well, I... number #1, I think we should enter into a very serious discussion with the Governor's Office, with respect to tax credits for energy efficiency appliances. That idea was put together by our staffs..."

Ronen: "Right."

Novak: "...both sides of the aisle. I thought it was a great idea but the Governor's Office was reluctant to go along with it because of the hit on the treasury. So, there's a possibility we can work on that and phase that in over a number of years. That is one item. Another item would be to enhance the... one of the funds that's currently created to create, to enhance the fund and to use it more for projects dealing with alternative energy funds and energy

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

80th Legislative Day

November 14, 1997

conservation programs."

Ronen: "So, there is a commitment by all parties who are involved..."

Novak: "Yes."

Ronen: "...in this effort to work together towards that end, understanding that we haven't really solved this problem until we're also, not only talking about lower rates, but talking about clean energy."

Novak: "Absolutely."

Ronen: "Okay. I look forward to working with you on that, I know that you're interested in just..."

Novak: "Okay, Carol."

Ronen: "...note that we're not alone in this. I think that more than 70 of our colleagues signed a letter to that extent and I do look forward to working with you on that. Thank you, Representative."

Speaker Hannig: "Representative Eileen Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to reiterate the concerns that were expressed by my colleagues on the other side of the aisle, that my colleagues on this side of the aisle have the same concerns that are very encouraged that the Sponsors are willing to work on the environmental issues of this Bill. Because if we don't address the environmental concerns or consequences of the Dereg Bill, they're going to come back to bite us and we do have to make an investment and provide adequate funding for the Energy Efficiency Investment Fund, and as I said, if we don't, we'll be sorry. So, I just want to let the record reflect that we had passed a letter on this side of the aisle, as well, expressing those concerns and are going to vote for this Bill in the hope and the determination that those

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

80th Legislative Day

November 14, 1997

concerns will be addressed in the future. Thank you."

Speaker Hannig: "Representative Novak to close."

Novak: "Yes, Mr. Speaker. Before I close I have a question I need to read to Representative Persico. We just have two brief questions for legislative intent."

Speaker Hannig: "Representative Persico."

Persico: "Representative Novak, is it correct that a retail customer that has his own cogeneration plant does not have to pay transition charges on the electricity it takes from that plant?"

Novak: "Yes. A retail customer with a cogeneration or self generation facility that it has installed on its site, just for its own use, would not pay a transition charge on the electricity it takes from that facility. This is true regardless of whether the cogeneration facility is installed before or after this Bill becomes law."

Persico: "Thank you, Representative. One last question. Is your answer affected by Section 16-108(j) of this Bill which refers to coal gen plants installed before January 1, 1997?"

Novak: "No, it isn't. This provision goes into a different point. What 16-108(j) does, is say that a retail customer that installed its own cogeneration or self generation facility, before January 1, 1997, and later decides to shutdown the facility to buy its power from an alternative supplier instead will not have to pay transition charges on the amount of power it used to get from its cogeneration plant. However, if a retail customer installs its cogeneration plant after January 1, 1997, and later shuts it down and buys the power from an alternative supplier instead, that customer would have to pay a transition charge for the portion of its load that it previously

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

80th Legislative Day

November 14, 1997

served itself."

Persico: "Thank you."

Novak: "Representative Persico, one other thing that I wanted to mentioned in deference to Representative Granberg, his Co-op, the Southwestern Co-op, it serves around 50 thousand residents in his legislative district, has indicated some concerns and we are going to address those concerns in the spring, so I just wanted to put that for the record. So, once again, Ladies and Gentlemen, I ask that we adopt the Conference Committee... the First Conference Committee Report on Senate Bill 56."

Speaker Hannig: "So the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 56?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and 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 104 voting 'yes' and 11 voting 'no'. The House does adopt Conference Committee Report #1, to Senate Bill 56, and this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On Supplemental Calendar #5, on the Order of Concurrences, House Bill 1817. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Amendment 1 to 2363 (sic - Senate Amendment #1 to 1817) becomes the Bill. It's a variety of Department of Revenue language, trailer language, for the Dereg Bill is included, including several technical changes that are made at the request of the department. I would advise the Body that the Department of Revenue and the Taxpayers' Federation of Illinois have worked in cooperation on this proposed Amendment, and they are supportive of it's consideration and passage. I know

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

80th Legislative Day

November 14, 1997

of no known opponents to the legislation. I'd be glad to try to respond to any questions, and I would ask your favorable consideration."

Speaker Hannig: "And on that question, Representative Black is recognized. Representative Black does not wish to be recognized. Is there any further discussion? Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I rise in strong support of this piece of legislation. There is another small Amendment in this Bill that helps our county governments which slows down the rate of increase of depreciation on our nuclear generating plants, as I understand it, and this will help them negotiate a different rate and probably save some huge tax increases down the line. If this is the correct piece of legislation I would like to compliment Representative O'Brien for her hard work on this, as well. I urge an 'aye' vote on this. Thank you."

Speaker Hannig: "Is there any further discussion? Representative Stephens to close."

Stephens: "Just to point out that I misspoke when I said 2363. The... it is House Bill 1817 and I appreciate your 'aye' vote. Thank you."

Speaker Hannig: "Representative Daniels."

Daniels: "I have a potential conflict so I'll be voting 'present'."

Speaker Hannig: "Representative Mautino. Representative Mautino. Okay, so the question is 'Shall the House concur in Senate Amendments #1 to House Bill 1817?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and 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

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

80th Legislative Day

November 14, 1997

115 voting 'yes', 2 voting 'no', and the House does concur in Senate Amendment #1 to House Bill 1817, and this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, on the Order of Concurrences, is House Bill 887. Representative Meyer. Representative Meyer."

Meyer: "Yes, Mr. Speaker. Would you please separate the question on this?"

Speaker Hannig: "You want to divide the questions into three separate votes?"

Meyer: "Yes, three separate."

Speaker Hannig: "Could you take this out of the record for a few moments?"

Meyer: "I will."

Speaker Hannig: "On Supplemental Calendar #3, is House Joint Resolution #30. Representative Erwin."

Erwin: "Thank you, Speaker. We are concurring in a Senate Amendment on a Resolution that actually this House was wise enough to have passed last May to honor Cardinal Bernardin. This... all the Amendment does is put the language in exactly the same shape as it was as it left here last May, so I would urge a concurrence on Senate Amendments 1 and 2."

Speaker Hannig: "Is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Joint Resolution 30?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no', and the House does concur in Senate Amendments #1 and 2 to House Joint Resolution #30, and this Resolution is

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

80th Legislative Day

November 14, 1997

adopted. On Supplemental Calendar #1 on the Order of Concurrences is House Bill 1158, Representative Woolard. Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I'd like to nonconcur in Senate Amendments 1, 2 and 3."

Speaker Hannig: "You've heard the Gentleman's Motions. All in favor of nonconcurring in Senate Amendments 1, 2 and 3 say 'aye'; opposed 'nay'. The 'ayes' have it and the House nonconcur in Senate Amendments 1, 2 and 3 to House Bill 1158. On Supplemental Calendar #7 on the Order of Concurrence is House Bill 452, Representative Daniels. Representative Daniels."

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

Speaker Hannig: "While we're waiting, Representative Turner, for what reason do you rise?"

Turner: "Thank you, Mr. Speaker. While I was in one of the Rules Committee meetings and I was on my way back out to the floor to vote for a particular Bill, in particular Senate Bill 600, my button was inadvertently pushed 'present' and I meant to have voted 'yes' on that Bill."

Speaker Hannig: "The Journal will reflect your intentions, Representative. Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. This is House Bill 452, commonly referred to as the Education Bill. It creates a foundation level establishing this level in Illinois law and creating the continuing appropriation to guarantee the level of funding beginning with January 1 at 41 hundred and July 1 of 1998 and thereafter, at 4,225, and increasing through the year 2001. The new state aid formula replaces the current state aid

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

80th Legislative Day

November 14, 1997

formula beginning July 1, 1998 and includes the following provisions: Creating the hold-harmless clause. Providing additional funding in the double whammy situation. Changes the poverty factor to target poverty funding to areas with high concentrations. Establishes minimum expected tax rates for school districts when determining state aid calculation and eliminates the waiting of students of state aid calculations. I emphasize again, this is a change and a substantial replacement of the current school aid formula. This creates a school bond program. The state will issue \$1.1 billion in general obligation bonds and is a substantial improvement over the Bill of last spring, in that, the Bill of last spring provided millions of dollars in general obligation bonds for school construction grant, where this is a multibillion dollar bond program. This creates this bond program for the assistance in school construction, reconstruction and the physical plants of learning. This Bill contains substantial academic reforms including the efficiency and accountability as additional funding is allocated for public education. It ends social promotion and places that in law. It requires school districts to establish and enforce a policy on social promotion beginning September 1, 1998. It requires school districts to establish a no-pass/no-play policy. It requires a teacher to teach for four years with an initial certification and pass evaluation before receiving a standard teaching certificate. It requires teachers to renew their certificate every five years, and changes the period of time for remediation. It extends notification time period, creates alternative teaching certificates, and creates many other academic reforms, unparalleled in the history of this state. The revenue source is by using \$120

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

80th Legislative Day

November 14, 1997

million in surplus funds, increases the cigarette tax by 14 cents, increases the message tax from 5% to 7%, increases the penalty for failure to pay taxes from 15% to 20% and establishes a graduated tax in riverboat gaming beginning July 1, 1998. Ladies and Gentlemen, we've talked a lot about education funding reform. Let everyone understand this is, in fact, a fundamental change in the way that we fund education in this state. This is using current revenue funds along with consumer-user taxes that will be increased as a result, thereof. I seek your favorable support and ask for your support of this legislation."

Speaker Brunsvold: "The Gentleman has asked to concur in the Senate Amendments. Is there any discussion? The Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I regretfully rise in opposition to this Amendment. Ladies and Gentlemen, I came down here representing the people of the 53rd district to do what is fair. This legislation is not fair. It's not especially fair to the suburban Cook County school districts. As the Sponsor of this Amendment points out, this is a fundamental change in the way schools will be funded now and in the future. It's been over 20 years since the educational formula was changed before, and now it may be another 20 years before it's ever changed again. This Bill has a tremendous impact on every high school district in this state. I represent two of the largest, the number one largest high school district and the number two largest high school district in this state. They will lose the ability to get any more money under this current new formula for the future of this formula, unless they have a tremendous decline in the assessed evaluation of that... of those school districts.

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

80th Legislative Day

November 14, 1997

The fear I also have is that this is a continuing appropriation. That means that we appropriate over \$5 billion a year for elementary and secondary education. That means that that money gets paid to those school districts first. Now on the face of it, that's great. I think that's a good idea on the face of it, but that's \$5 billion where we raise almost \$20 billion. That means 25% of the appropriation does not get appropriated by you on a basis of what is fair. Means it comes right off the top. Now, right now we appropriate \$600 thousand on a continuing appropriation for pensions. When the economy, and someday it will, starts to deteriorate, we will then have to make a decision on who gets less funding. Because only two things can happen, one, we cut the social services appropriation in this state and for most of us that's not a very pleasant thought. The second choice is to raise taxes. I contend that if we pass this legislation tonight, that we're passing on to the taxpayers of this state a tax increase, because you are going to have to come back and raise the income taxes because that's probably where it's going to come from. You're going to have to raise the income taxes to pay for this continuing appropriation concept because that's the only place you're going to be able to get the additional money, or you're going to cut the human services programs. I think that's a mistake, I don't think we should be doing it that way. In addition, the bonding program that is set up is supposed to be a billion, \$200 million. We have some funding vehicles, some taxes that are going to be raised to pay for that. These tax rates are not a very good sound source of taxes. Most of them never live up to the expectations that they are supposed to have. Currently, and I don't blame the Governor, currently

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

80th Legislative Day

November 14, 1997

the Governor has a \$600 million rainy day fund. Now in the face of that, that sounds great. That's something that we'd like to see, to have an extra amount of money, but that's the taxpayers' money that's sitting there. I believe that we could take half of that money, \$300 million, put that with the growth in the economy this year which is projected to give us a surplus at the end of the fiscal year of about \$180 million, add that together and we have almost a half a billion dollars of new money that could go to fund this program. I think that's a better source of using taxpayers' money, rather than raising taxes that may not produce the kind of incomes that we need. On the bonding authority, also, I might point out to you that there is no guarantee that your programs and your bonded programs will get funded because under current... the law, the City of Chicago schools gets the first 20% of that money. They get the first 20% of that money, whatever is left is distributed to the other school districts. Now that's only based on the appropriation, if you don't appropriate that, you don't get the money. If it's not there, you're not going to get it, and it's to be decided by the State Board based on criteria that they will evaluate. So, just because you passed a bonding program to build new schools or renovate new schools, does not mean that your school districts are going to get any of that money. There are so many unanswered questions with this Bill that it is basically just not fair. In addition, the Bill that passed here this spring had some property tax relief in it. This Bill has none. Even though I was not pleased with the amount of property tax, this one has none. Ladies and Gentlemen, this Bill is not fair. It ought not to be our public policy. I know that so many people have

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

80th Legislative Day

November 14, 1997

worked so hard in the House and the Senate to put this package together and I respect their hard work, but you know, we could do better. The children of this state, the taxpayers of this state deserve better, and this is not the plan that we ought to be putting out at the last minute as the bell tolls, to put out a plan that just isn't fair. I respectfully rise in opposition to this Amendment."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise as a very conflicted Legislator on this piece of legislation. I think you all know that I'm pretty opinionated from time to time, but on this measure, I find myself very conflicted. Of course we all want to fund education. We all recognize that we don't give enough money to schools and that 80% of our school children go to underfunded schools and this Body, 62 of us in this Body, 55 on this side of the aisle, 7 on that side, decided some months ago on a way to fix that, and we voted on a fundamental change in how we fund schools which provided property tax relief, which provided a complete and permanent solution to the problem of funding education. Instead, today we look at a Bill that has some funding bringing up the bottom but it has many taxes, some of them are sin taxes and you know, when I proposed expanded gambling some months ago many were worried, and I read some editorials in the state that said, 'Watch out, Lang wants to take all of this gambling money and give it to schools,' and of course it wasn't true. I never proposed giving it to schools, because I think it's bad public policy to give gambling money or sin tax money to schools as a source of revenue. It's not a good public policy and I think those of us who vote for this today recognize that

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

80th Legislative Day

November 14, 1997

it's not a good public policy. The Bill we look at today does have a continuing appropriation, but it's only for three years. It's not a complete fix, it is a temporary fix. The Bill we look at today is unfair to teachers in many ways. Certainly there are some accountability measures we should put into law, and in fact, the teachers of Illinois signed on to the provisions of the Bill we passed in this Chamber during the spring. Many accountability provisions, many changes in how they get their licenses and how they renew their licenses, but the changes in this Bill make the teachers be held hostage for those of us who wish to fund education better. And so, I'm conflicted, Ladies and Gentlemen. I am tired, as I'm sure many of you are, and I hope some of you will start talking about this. I am tired of the piecemeal and part-way approaches that we have in this Chamber to any number of problems that we face in the State of Illinois, whether it be education funding or the problems of our prisons or DCFS or mental health, continuing efforts to put Band-Aids on problems, continuing efforts to do what looks good, what sounds good, what will temporarily work and so the people of our state are left to the whims of what's good for our political targets and the wins of the last poll that we have taken by the last pollster. The people of our state deserve better. They deserve that we have the guts and courage by us and all elected officials. They deserve legitimate debate about the issues of the day in Illinois whether it be this or other issues. This Bill does not represent the best we could offer. This Bill only represents the best we could do and that's why I'm conflicted and that's why many of you are conflicted. Frankly, I'll tell you, I'm not sure how I'm going to vote

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

80th Legislative Day

November 14, 1997

in a few minutes on this Bill, I truly am not, because that's how conflicted I am. But some day in this Chamber and some day across the hall we need to have 177 people who have the guts and courage that it takes to do the right thing consistently for the people we represent, not to allow politics to make these decisions, not to allow the next election to make these decisions, not to allow the people in the gallery to make these decisions, but for us to do what we were elected to do, represent our constituents, represent all the people in the State of Illinois. I will anxiously be awaiting the rest of this debate."

Speaker Hannig: "Representative Cross."

Cross: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Cross: "Thank you, Mr. Thank you, Mr. Speaker. To the Sponsor just a couple of quick questions for clarification purposes. Representative, my understanding is that in this Bill we have established or there is the issue of standard certificate that is going to be issued to teachers and the certificates are good for five years, renewable by the Teachers' Certification Board based on proof of continuing professional development. It's my understanding that the Teachers' Certification Board will be made up of teachers. Is that correct?"

Daniels: "That is correct. We are not changing the composition of it."

Cross: "Okay, thank you. In the area of professional development, my understanding is that for teachers to qualify under the professional development area, there will be a variety of courses or programs that they can participate in other than just college classes. Is that

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

80th Legislative Day

November 14, 1997

correct in your understanding?"

Daniels: "Hans, that is absolutely correct."

Cross: "Thank you. And that the board... certification board will continue to develop the criteria to meet this certification. Is that correct, Franz?"

Daniels: "Yes, that is."

Cross: "I have no other questions. Thank you."

Speaker Hannig: "Representative Currie. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. With Representative Lang, I too, preferred some of the elements in the Governor's proposal during the month of May. That proposal would have shifted responsibility, major responsibility, for financing public education from property taxes to state taxes. That Bill relied upon income taxes which are more reliable growing taxes than those that are the subject of House Bill 452. But, very important work would be done were we to adopt the provisions of House Bill 452. We have all talked, all of us in our campaigns, about the problems facing those 700 thousand school children in the State of Illinois whose districts are not able to come up with the 'scratch' to provide them a minimally competent, minimally quality education. We read the Ikenberry Report and we know that it is important to adopt a threshold, not a Cadillac threshold, but a Chevy threshold, and that's what House Bill 452 would do. We heard from the Governor a year ago about the problems when disparities between youngsters in school districts at \$3,000 per child, per year faced, compared to those in districts that can afford 15 thousand per child, per year. What this Bill will do is to bring up those children at the \$3,000, at the 25 hundred, at the \$32 hundred level, up to a minimum foundation level, a

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

80th Legislative Day

November 14, 1997

foundation level approved by the Ikenberry Commission, a foundation level that will grow with the years, and it will do that with the continuing appropriation commitment. This is not a Band-Aid, this does not solve all of the problems we face in financing public education, but it solves a very critical one, one about which we should be particularly shamed. It is unconscionable, Speaker and Members of this House, for us to permit youngsters to live in school districts that can't afford to do the job and to fail to give them a helping hand. We can nit-pick any Bill. There's always things that ought to have been there. There are always alternative ways of doing a job of getting it done, but I would urge us to recognize that if we meant it when we said that those 700 thousand school children are our school children, are our responsibilities, then we had better be voting 'yes' on this Concurrence Motion."

Speaker Hannig: "Representative Wait."

Wait: "Yes, thank you, Mr. Speaker. Would the Sponsor yield to a question for legislative intent?"

Speaker Hannig: "He indicates he will."

Wait: "If a referendum passed a school board before January 1 of 1998, but the bonds were not issued before January 1 of 1998, would a school district qualify for the School Construction Project Grant where the state pays between 35 and 75% of the project cost?"

Daniels: "Yes."

Wait: "Thank you. Just so happens I have a couple of school districts in my area that fall in that category. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Wait: "While this is not a perfect Bill and while there is no direct property tax reduction in this Bill, I think we can

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

80th Legislative Day

November 14, 1997

say that there is indirect property tax relief because of the school bond construction and additional dollars that we are putting into the state aid formula. And I would hope that while now we'll take care of the adequacy part of education that we will come back next year and try to focus entirely and permanently on a fundamental way to reform the way that we fund education and take it off the property tax which is an antiquated, archaic way to fund education. And then we will probably look... as we saw with the state income state it was very difficult to raise that and I would suggest we look at a proposal the Governor suggested when he was in the Legislature which is called the local option income tax to replace, to allow the people to vote by referendum, locally, dollar for dollar replacement to replace the local property tax with a local income tax. I would hope that we'd look at this and maybe some other suggestions because we, once and for all, have to take it off the property taxes. Thank you."

Speaker Hannig: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First let me take us all back to the election year of 1996 and I'm sure most of you, if not all of you, joined me in campaign efforts in promising our people, and I know this term's been overused, we would sincerely fundamentally change how we fund education. Well, Ladies and Gentlemen, we all went through a lengthy exhausting process in the spring, almost five months, and the very first time that we had an open meeting, the Committee of the Whole, that I was proud to Chair, and we asked every interest group in this state that had any stake in education at all, to lay their plans on the table, out in the open. Not that we... what we all been customarily used to and something going on in

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

80th Legislative Day

November 14, 1997

the back room and then the last hour like we're looking at tonight, the last hour of the Session, something that's sprung on us and we scramble and wonder what's in it. Only you've got to look good to vote 'yes' or 'no', or defend your vote or whatever. We had it out in the open with a bipartisan discussion through five months with the Governor asking an assembly of eight people, representing both Chambers and both sides of the aisle, to look at the guiding principles, a consensus of those ingredients that would bring us to a possible fair consensus of what we would do in changing how we fund education. When we went through that process and the Governor and the Speaker of the House joined in one of the most bipartisan cooperatives... cooperative spirits that I have been fortunate to witness since I've been here my 13 years, and I commended both of them for that exercise and was proud to be a part of it. So, here we are tonight taking the final test and guess what we have to report to our kids in our report card. We flunked. We have failed the kids and we've failed our own true principle to ourself. Because first of all, any of those plans that we asked for those interest groups throughout the state to put on the table, the most dominant theme throughout every one of those plans and what we pledged to our campaigns, that we would relieve property tax. If we're going to do anything about education, believe us, we will relieve the property tax in some degree and I thought it was pretty considerable, almost 30% of the education portion. That's pretty considerable considering what we went through in trying to reach the consensus to preserve that overall dominant theme. And that number two, that we would recognize, identify a stable, reliable, long-term genuine revenue

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

80th Legislative Day

November 14, 1997

source to be able to relieve the property tax and also to have an ongoing stable, not what happens next year, but from now on, dependable educational funding source. But besides that, we also said, let's be true to our kids. Let's fund education from a source that is not a double standard, that doesn't expose us how I believe this Bill does. The sin taxes, what in the world are we doing with the sin taxes when on one hand the Federal Government and all of us that believe we should do something about the severe effects of tobacco and then a senior in a school where I visit says, 'You adults are hypocrites. You politicians don't mean what you say when you say, better not indulge in drinking, gambling or smoking, that's not really good behavior and not good for you physically. But then on the other hand, you don't really mean it, Mr. Phelps, because if you did you wouldn't be relying on these taxes to buy our textbooks.' What do you say to a senior in high school that has that type of profound vision and understanding of what we think we're fooling people on? That's serious business, folks. I don't take that lightly. It's not the source of funding we should be using to fund education for our kids. Build prisons with maybe, consider that to retire bonds for prison building, but not for schools, education for our kids, folks. And finally, let me just tell you why I'm more disappointed than anything is that the process that I described that we went through with the real education Bill that did the real thing for the kids in the real way with a real cooperative bipartisan spirit, was stoled by one person and by one Chamber over in the Senate. And guess what this Bill that we're looking at now, did it have the light of day and all the hearings and the bipartisan input of both Chambers through several

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

80th Legislative Day

November 14, 1997

months? No. A few weeks, a few days maybe, and I know that some people worked pretty hard on that, and I respect you for that, but did it have the same open, ongoing finesse touched by all of us that had input going back to our caucuses one day at a time or one week at a time and saying, 'What do you think? We need your input.' Does this have that? No."

Speaker Hannig: "Representative, your five minutes have expired could you bring your remarks to a close, please?"

Phelps: "Thank you. Let me just finish by responding to what I know that is important to some of you and you're asking questions. I did not try to be difficult for difficult purposes on not calling 654. I did not have knowledge from anyone that they were using my Bill over in the Senate that they gutted from the spring and put these components in it. I did not have any communication from the Senate, whatsoever, anybody that says that is not telling the truth. I did not agree to that. And what happens many times to all of us, folks, is that we let our leaders in times that we want to be team players and behind and support those leaders who have a tough job making decisions for us, too often makes a decision for us without our input. That's what happened here. I did not give my endorsement to carry this Bill and even though Speaker Madigan asked me not once, twice, three times to call the Bill or release it to some other Sponsor, I said, 'no'. And I respect him, he's a great leader and I voted for him every time and would continue because he is a great leader and a fair leader, but in this case, overstepped their bounds possibly, because I wasn't consulted on it and it's a matter of principle and I believe that each and every one of you know with this vote, it's not the right vote for

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

80th Legislative Day

November 14, 1997

education. Down deep in my heart I know you believe that, and that the Bill that we sent over in the spring, I sent a message to the President of the Senate through my leader, if you'll call the real Bill for education, not the phony Bill, we'll try to see what we can do with your phony Bill. But guess what? We bowed once again to the power of one Chamber and one person and said, 'Even though you didn't give our Bill a fair hearing and sent it to a burial ground committee, we will give you a fair hearing.' And that's the kind of leader we have, that's why Speaker Madigan is a head and shoulders above all leaders in this Chamber. But let me tell you, Mr. Speaker, I'm going to wrap it up. If this Bill gets the requisite number of votes, I would ask for a verification. I assume that's 71. Is that right? Ladies and Gentlemen, just let me tell you... Seventy one votes, Gary?"

Speaker Hannig: "That's 71 votes, Representative."

Phelps: "Thank you very much. There are times when we must stand with our leaders and I've done that over and over. But this is one time where I seriously disagree from not a political standpoint, many of us run for other offices and considerations and we better do, watch what we do when we make those decisions while we're down here to make the right choices. But in this case my motivation was not political in whatsoever terms. Those of you that believe that, not only don't know me, but don't believe in yourself because many times we make the decisions here hopefully that are built on something else besides political posturing and I promise you it was not for that. So, forgive me if I've held us late for this. I apologize for that, but I don't apologize for doing the right thing for education for kids. Thank you, Mr. Speaker."

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

80th Legislative Day

November 14, 1997

Speaker Hannig: "Representative Biggert. Representative Biggert."

Biggert: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. More than 7 thousand students or 700 thousand students in Illinois attend schools with a foundation level of less than \$4,200 per pupil. Most likely they are not in my district, but we've been saying for the last few years that education is our number one priority. Tonight we have the opportunity to put our vote where our mouth is. How many times have we heard on this House Floor that the Bill that we're discussing isn't the best Bill, but it is the best that we have at the time and I believe that that's true tonight. I think the better Bill is the House Republican Bill that we introduced called Improve Illinois Schools. But that Bill has not been called, so this is the Bill that we have. We have the opportunity to put aside our regional differences and to move ahead with the Bill for the children of Illinois. We have an opportunity to provide a continuing appropriation for a foundation level of all of our schools and for the children of Illinois, and I would urge that we take advantage of this opportunity, that we reach a consensus and vote for this Bill. Thank you."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Hannig: "The Sponsor will yield."

Davis, M.: "Representative, can you tell us why the State of Illinois would loan charter schools money for start up? I mean, if you're going to have a charter school Bill I would think that people who are going to start a new school would have the money to start that school. Now, according to

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

80th Legislative Day

November 14, 1997

this Bill, the State Board of Education can loan someone the money for starting up a charter school. That concerns me, Representative. Another point... I really do want the answers. The other question I have is..."

Daniels: "I'll be happy to answer that."

Davis, M.: "Okay."

Daniels: "Okay. We've set up a Revolving Loan Program and if the General Assembly decides to appropriate money for that, they can. Of course these loans have to be paid back, it's a Revolving Loan Program. We made a decision in the General Assembly, previously, to set up charter schools and all we're doing is creating that loan program."

Davis, M.: "So anybody who seeks to have a charter school can apply to the State Board of Education for a loan to start that particular school up. Do they have to have any... are there any requirements in reference to the educational level, their business ability? What criteria will you use to determine who gets these loans because it doesn't say in the Bill?"

Daniels: "It doesn't. What we do is we leave that up to the board to establish the criteria, which we are confident that will be reasonable business criteria, that will establish the security for the loans. I think it's well understood that these loans should not be given out without some assurance that they are going to be paid back."

Davis, M.: "Another question I have is, in the Bill you say that the charter schools can use alternative methods for assessing achievement. What did you have in mind?"

Daniels: "As we have discussed before it could be any number of testing procedures. It could be the Iowa Test procedure, but that has to be determined and set up, but it could be a procedure that they determine."

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

80th Legislative Day

November 14, 1997

Davis, M.: "But it would be a test in which colleges accept those scores. Is that correct?"

Daniels: "That is correct."

Davis, M.: "I would certainly hope so."

Daniels: "I would hope so too."

Davis, M.: "To the Bill."

Speaker Hannig: "To the Bill."

Davis, M.: "I believe, Ladies and Gentlemen, that this is one of those pieces of legislation that passes in the wee hours of the morning because it's ashamed of the daylight. I believe it's a piece of legislation that we will come back and change over and over again because it was hastily put together and it is tremendously flawed; however and but, the sign on your desk that says children first, what we really mean is we'll do the children first and then we'll get the parents. We'll get them with a cigarette tax, a telephone tax and a riverboat tax. We're going to piece together what is our constitutional responsibility to fund and be the primary funders of education. Does this get anybody off the hook? I don't think so. I think it really puts you on the hook. It puts you on the hook because once again in the wee hours of the morning we're passing a piece of legislation to do what we should do through a stable source of income that equitably funds education. In this Bill those who have, will get more, those who don't, will continue to have less. But because Chicago will get big bucks out of here, I'm going to support this terribly flawed legislation. Chicago will benefit and because of that, I represent that district, the buildings are crumbling, Senator Carol Moseley-Braun recently visited an excellent school in my community and she saw the need for maintenance where the dollars did not permit such to take

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

80th Legislative Day

November 14, 1997

place. Children in Chicago are going to schools where they don't have adequate protection against the weather because the roof is leaking or the windows are out and some of the windows have been out so long, the orders that were placed, they don't make those kind of windows anymore. I know this is not a piece of legislation that we can be proud of and that's why we're passing it at, what time is it? Is it 12:00 or 1:00? We're passing it now because we're ashamed, and we should be. The Bill that should have been passed was the Governor's package where we were offering children clean dollars. Must I encourage constituents to drink, smoke and gamble in order to fund education? It appears so. This General Assembly is not doing what is justifiable for the children of the State of Illinois. Surely, Ladies and Gentlemen, surely they deserve some of that tax money that doesn't have the taint of gambling or cigarette smoke on it. Surely they deserve the opportunity to have a stable source of income to fund their schools. But since this is all these great minds could come up with, this is all these brilliant elected officials can come up with for your children and mine, I will have to hold my nose and vote for it."

Speaker Hannig: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. The references made to time. It is time. We've waited 15 years in shame knowing we have had problems in this state, the question of adequacy. Is there equity with our children's education in this state? We know the answer has been, no. We have for 15 years been embarrassed by this. It's time for us to take a step forward and create adequacy for 100 school districts in this state and bring them from the 31 hundred level up the \$41 hundred level. It's a step. Is it time for us to put

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

80th Legislative Day

November 14, 1997

money into our schools? The State Board said we have an \$11 billion need. We have schools that have mobiles out front, we have children in closets, we have teachers teaching in halls. Is it time for us to take a step forward and provide \$3 billion so we can take those mobiles and get rid of them and we can clean the schools and have adequate roofs? Is it time for the reforms? We know we need to change the way we're doing things. We know we need to have accountability, certification, administrative reforms. The time is here. I don't think there's been any idea that has been studied more thoroughly over the last 15 years with commission, after commission, after commission for the children of this state. We've seen the problems. This addresses the problems, not fully, but it is a step forward for adequacy, for school reform, for school buildings. Mr. Speaker, it's time, let's just do it."

Speaker Hannig: "Representative Curry. Julie Curry."

Curry, J.: "Thank you, Mr. Speaker. You know, I think anybody who knows me personally knows how much I care about children and how much I care about the education of our children. I spend a lot of time in the schools in my district and I have to tell you that after spending hours of talking to many of you and participating in a lot of the meetings that have taken place in this last year. I think that at 1 o'clock in the morning on November 15th, I am thoroughly disgusted about where we are at right now. Some of you have stood up and you've talked about how wonderful this plan is and look, at least we've got something now that we can vote on and we can go home and we can tell our constituents and our little children that we did something for public education in this state. Shame on you. This is not a solution. This is not a solution, this does not

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

80th Legislative Day

November 14, 1997

fundamentally change the way we fund education in this state. We have a three-year solution to this problem and guess what, my friends, many of us will be back here in just a couple more years to figure out where we're going to get more money to fund education in this state, and we'll be looking at increasing more taxes. This Bill does not address the issue of equity. You know there are school districts in this state that are going to do far better than other school districts in this state and we have unreliable sources of revenue. I talked about in May of this year, about a plan, and this is part of that plan, to fund education. Let's increase the cigarette tax, let's encourage our young people to smoke more while we're passing legislation in this Chamber to tell them not to do that. Let's tell people to gamble more because if you gamble more we can put more money into education. You know what, that's not going to work because there are Members in this Chamber who do not support the expansion of gambling. We proved that tonight, didn't we? You know, I am sick and tired of hearing some of my colleagues in this Chamber talk about how they support public education. We had an opportunity in May to support the largest property tax reduction in this state, \$900 million, and some of you said 'no'. And we had the opportunity to put \$600 million into public education and some of you said 'no'. That's the plan that should have passed. You know, this Bill tonight, in my opinion, is just to cover your rear end Bill. That's all it is, it's just to be able to go home and say that we did something for the school children of this state. You didn't put children first tonight, you didn't put children first. You're going to have to go home and you're going to have to look them in the face when you go into those

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

80th Legislative Day

November 14, 1997

schools, yeah, that's right. Go home and look at their faces and know that you didn't do the right thing and know that you've going to have to be back here in just a couple of years to fix it all over again. We had an opportunity to pass a long-term solution to this Bill in May. I supported that, I'm ready to call that Bill again. Unfortunately, our friends across the Chambers here went home and that's unfortunate. I plan to vote 'no' on this Bill tonight. And I'm voting 'no' because I care about the kids in my district and the kids all over this state."

Speaker Hannig: "Representative Mulligan."

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

Speaker Hannig: "He indicates he will."

Mulligan: "Representative Daniels, would you just one more time talk to me about the hold-harmless and how that's going to work after the first year?"

Daniels: "We place into law that the hold-harmless will be an application for next year and subsequent years thereafter. This will always be, of course, subject to the appropriation of the General Assembly, but there are many many people in this Assembly that will benefit from the hold-harmless. Our experience has been, since this was created a couple of years ago, that people are very anxious to make sure it's fully funded and we'll be, of course, committed to do that."

Mulligan: "One more question. This Bill will still go to the Governor for his signature, Veto, or Amendatory Veto, correct?"

Daniels: "Well, the Governor of course, if the Bill goes to the Governor, as I hope it will, he will have the same options he does on any legislation. He can Veto the Bill, which it's not likely. In fact, I know he won't. He could

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

80th Legislative Day

November 14, 1997

Amendatorily Veto the Bill or he could sign it outright.

I'm led to believe that he will sign the Bill outright."

Mulligan: "Thank you. To the Bill. Signing it outright would not make me particularly happy. But, quite frankly, this is the second time at the end of Session, both in the spring and now, that we've been faced with an important vote on education. The last time some of my colleagues supported my position on this, which was basically that an income tax increase raped my district, it took dollars out of the district and once again today I was not prepared to vote for this Bill. I sat in Revenue Committee and listened as people talked about how the spring Bill was so much better. It certainly was not better for my district. The income tax money that would have left in the pseudo tax, property tax reform, which was only there until the assessments ratcheted up, certainly would not have benefited my district. In fact, it would have gutted education as I know it in my district and, therefore, I felt that I could not support it. This Bill, I feel, harms teachers. I don't like many of the provisions. My brother is a teacher, my sister-in-laws are teachers, I've always supported teachers. I think it's a terrible Bill. The provisions on charter schools are bad in this Bill. But, quite frankly, this minimally hurts my district and what I said in the spring was, I would minimally hurt my district rather than support an income tax increase. Earlier this week I spoke against Representative Pugh's Bill on moratorium for the death penalty. I could not in conscience support that when he said to me that 67% of minorities are on death row, right now. And I said, Representative Pugh, I would do something to help you to improve education in your district. My colleagues next to

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

80th Legislative Day

November 14, 1997

me voted against the Bill in the spring to support my district. I could not support her position then. I would like to support it now. I do not intend to hurt teachers, I do not intend to hurt my district, but this a much better Bill and, quite frankly, I'm tired of all the 'B.S'. that's gone on and all the politics that's gone on around this Bill. We certainly could have come up with something better. Last year, when the suburban Representatives said they could not support an income tax increase, we had a whole year to work on this and come up with something better. Now, at this point, at least it's something and we can do something for the children in Illinois and the children in the poorer districts. I don't like this Bill, but I will support it because I said I would support something that was not an income tax increase, that minimally hurt my district, but helped the other children of Illinois. This is not a good Bill. I'm disappointed with the leaders. I'm disappointed that the Republican Bill in the spring was not called, that was a good Bill. But I will support this for the simple reason that I think we need to do something and get out of here and I hope the Governor will take an Amendatory Veto to this, cut out the bad provisions and end up with something that's halfway decent. For a change, I would like to see that happen in this Body and I would like to vote on something in the middle of the Session, not at 1 o'clock in the morning when we're ready to go home."

Speaker Hannig: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker. My name was mentioned in debate and I take umbrage at the remarks that speak to duplicity. Why should an individual speak against the piece of legislation and then turn around and say, I'm going to vote

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

80th Legislative Day

November 14, 1997

for it? Don't speak if you're going vote for the Bill. Don't speak if you're concerned about kids first, then let's be concerned about all the kids first, not some of the kids first, not some of the kids some of the time, but all of the kids all of the time. This piece of legislation is a Band-Aid. It does not fundamentally change the problem that is inherent in the school systems. We're going to go back to the same issue year after year. We're using a regressive tax. On one hand we're saying, 'Don't smoke cigarettes,' on the other hand we're saying, 'Smoke cigarettes so that we can pay for our education.' Well, when does it stop? When does the duplicity stop? At what point? At what point are we going to move beyond the hypocrisy? At what point are we going get down to the real issue and fund education at a adequate level so that our children can adequately learn? This is a Band-Aid and we will not support it. And I ask my colleagues, fair-minded colleagues like Tom Johnson, not to support this piece of legislation."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. This is one issue that you better believe I'm sincere in speaking about. I did not vote for the Bill that was passed out of here last spring because I did not believe that the income tax without true property tax relief was the right way. However, however, I do believe that it should have had a hearing in the Senate. That, I feel, was wrong. Now, we do have a chance to, though this Bill may not do all the things you want to do, that property tax relief, if someone in the future wants to come and work on that with me, I will work on that with them. We are still providing... Now, downstate Legislators, listen. Listen and listen

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

80th Legislative Day

November 14, 1997

good. We are still providing a base funding level. To say, from that side of the aisle, to vote for this that you don't really care for kids, is ridiculous. I have spent this last summer going to every school district but two of the 21 districts, talking with the school boards, talking with the teachers, talking with the children, seeing their problems. And this Bill helps their problems. It helps the problems. Now, you can sit over there and play politics with it all night long. It's now past 1 o'clock and if you want to not vote for it, that's fine. But I'm telling you it does provide a need to some of the problems that your children need. They need it! Now, tonight you have the opportunity to vote on it. I'm going to vote 'yes'. I don't care if you voted 'no' the last time, you should vote 'yes' for your children now."

Speaker Hannig: "Representative, Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rarely get up and speak on an issue, but every time we have a issue that is just so unjust, I feel compelled to get up and to share my view. And, Mr. Speaker, I definitely want you to hear me out. Tonight, or today, I am truly shocked and appalled. I am truly shocked and appalled. You have many men and women who have spent relentless hours, resources, dollars, on coming up with a good plan to solve this education problem. We had all sorts of commissions, we had all sorts of summits, all the education gurus, the leaders come together and... and guess what, almost every plan stated that we should have a state income tax to be equitable and fair and to truly fund education throughout the State of Illinois. House Bill 452 is simply a mixture of taxes, sin taxes. Let's take a look at a few. The telephone tax, or the message tax, it went

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

80th Legislative Day

November 14, 1997

from 5% to 7%. That's a 40% increase. This will be the highest phone utility tax in the nation if this Bill passes tonight. The cigarette taxes, what are we doing? We're telling our children to... it's all right to smoke. Our society is leaning towards getting individuals off of nicotine, not being addicted to a drug. And so now we're telling our seven-year-old child that we're trying to get off of nicotine and stop smoking, we're telling them you must start smoking now at the age of three. And that child can justify that by saying, 'Mommy, Daddy, I'm smoking because I got to pay for my education,' with this Bill. Riverboat. One day people are going to decide that they do not want to go to the riverboat, via racetrack, horse racing. We have a owner decide that he will not apply for the license. So now you have an industry in which monies will be dried up, but we want to fund education on this matter. Is that a good stream of revenues? I don't think so. Penalties on late state income taxes. That's in this Bill. It did not take a rocket scientist to figure out who's going to be affected by this tax. I believe the poor will. The only thing that is favorable in this Bill, the only thing that is favorable, is that both parties in this House, both parties have agreed that we must have a tax increase. The question should really be is, what type of tax increase? Once again, we have did all of our studies saying that the state income tax should, and is the most fair and equitable way that will reach and affect every school district in this state. Now, I've heard... you know, a few speakers have said that monies that are appropriated to building these prisons and super-max prisons, guess what, we're funding these prisons and super-max prisons out of the GFR, out of floating bonds. What are bonds?

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

80th Legislative Day

November 14, 1997

Someone has to pay for these bonds, million dollars of bonds that we are paying for. Who are paying for these bonds? Taxpayers are paying for these bonds, initially. That's who's going to pay for these bonds. We're willing to raise the taxes to do something like that, to build more prisons and more prison beds. So, Mr. Speaker, I say to you today, you know, where's the real deal Bill? The real deal Bill that we passed out of this House? The real deal Bill that will fund education, will solve this problem, will take the Band-Aid off of this problem? Will take the Band-Aid off? But I guess no one wants to hear about that. No one wants to hear about a Bill that has some property tax relief. I represent Oak Park which has one of the highest property tax base in the State of Illinois. I got to have that in the Bill before I can vote for it."

Speaker Hannig: "Representative, could you bring your remarks to a close, please?"

Giles: "Mr. Speaker, if we continue to allow one Gentleman, one man, in one particular Chamber to set the tone for 118 individuals in another Chamber, then I think we should all just simply go home. Vote 'no' on this Bill. Vote 'no'."

Speaker Hannig: "Representative Silva."

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

Speaker Hannig: "He indicates he will."

Silva: "With respect to the Chapter I dollars for school districts with 50 thousand or more students, I assume that the intent of the law is... as this Bill, as amended, would schools be able to carry over funds, unspent funds, from one fiscal year to the other?"

Daniels: "Yes."

Silva: "Thank you."

Speaker Hannig: "Representative Mautino."

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

80th Legislative Day

November 14, 1997

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House.

This has been an interesting debate. There is a lot of things that have been said that are true and there are also a few stretches that are in the discussions. But, it's... it's very interesting that we're looking at promoting and putting forward legislation that will fundamentally change how schools are funded. And I was looking actually at the Bill and if you... I did that. Actually I found a paper one. I could never get all through all those pages on the computer, but it's kind of interesting. If the amount appropriated for supplementary payments to school districts under this subsection is insufficient for that purposes, the supplementary payments that districts are to receive under this subsection shall be prorated according to the aggregate amount of appropriation made for the purposes. What that says to me is the hold-harmless that's out there, or the double whammies, that we're going to take care of those, kind of like we do the merit scholarships. You remember those? I mean, there's not even a guarantee in here that one year is going to be there. And it's very, very interesting that we've got these new taxes and there were quite a few Members of this Body who asked earlier in the Session, 'Why do we want to go ahead and do this when there's \$800 million left?' Pretty wise Gentleman, a little earlier today, suggested that maybe we look at doing the continuing appropriation out of natural revenue growth. Now, there's a concept. It was brought up earlier on this year. I think everybody remembers that. And what I find really interesting is that we... You have to sometimes really love this place. People stand up and say this is not a good Bill and we're for it. I mean, there is something fundamentally wrong about going home and saying

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

80th Legislative Day

November 14, 1997

to the folks back at home, we're going to raise \$400 million in new taxes so that our Governor can leave and leave a \$600 million balance. I mean, that's... I don't know how you sell that and I... It's kind of interesting that people laugh at us down here on occasions because we're trying to make this seem like it is the only option out there. We had options and if you put the money directly into the state aid formula, a lesser dollar amount will help those underprivileged districts. I mean, that's something that was shown by a group, a bipartisan group of Legislators from this Chamber earlier on. So, I mean, if we know that there are possibilities. But I just find it difficult to try and sell this idea that we want to go ahead and leave a year-end balance of extra dollars, so we're going to raise the taxes. And I'm not opposed to raising taxes, I've voted for different taxes in the past, but, when they were necessary. But then we kind of... we come to the situation where we're not addressing what really ticks people off and that's their property taxes. If you put it into the Common School Fund, the General State Aid Formula, you're going to bring up those lower schools. That is a fact and we all know it. I find it a difficult point to sell and in this Bill downstate is going to receive dollars. We know that. That's a fact that's been stated by the Gentleman on the other side of the aisle from downstate. We understand that but we can't pretend that this is the best option that's out there. People want property tax relief because in those districts back at home we're going to take care of these 700 thousand kids who should be taken care of. But this is a state of 11.4 million people, and you know what, they're not happy at how we assess them and they do want that relief that's in a

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

80th Legislative Day

November 14, 1997

plan. So, I think, even though the hour is late, this is not the proposal and next year or the following year with the hold-harmless, we have school districts that are going to actually lose money under our fundamental change. And you wonder sometimes why people laugh. This Bill should not be on the board. It's similar to something we did last Session which was taken out of the record because it got laughed off the board. Thank you."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. As an educator, I rise in reluctant opposition to this Bill. There's a lot of good things in this Bill, there's some more money for 700 thousand kids, but unfortunately, there's a greater number than that, that are left out. Unfortunately, this Bill has several flaws to it. One, we've talked about, there's no property tax relief. Secondly, there's no fundamental change in the way that we fund education in moving it from the property tax to a fair broader based tax, like the income tax. And perhaps saddest of all, it is flawed in the fact that it is based upon a regressive tax. A 40% tax increase on people's residential phones. It funds part of this whole program on the backs of those that are least able to pay, senior citizens and working families. For it... I found it very interesting that this contained a gambling tax increase and there is many of us who feel there is nothing wrong with that except we killed tonight, a way that would of brought hundreds of millions of dollars that we're now shipping across our borders into Iowa, into Missouri and into Indiana and that was dockside gambling. So, it is with great reluctance that I oppose this Bill and with that reluctance, I move the previous question."

Speaker Hannig: "Representative, you can't move the previous

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

80th Legislative Day

November 14, 1997

question after you speak, so we're going to allow some others to speak. Representative Hoffman."

Hoffman: "I just wanted to, if I could, just talk about the stable and reliable funding source that supposedly this Bill contains. Can't you just see it? Can you just see Harry and Louise sitting at the table drinking their coffee and they're talking about the events of the day and Harry says to Louise, 'Well, Louise, you know Johnny can't read. Johnny can't read so I've decided I'm going to make a sacrifice. The sacrifice that I'm going to make so Johnny can read is instead of smoking two packs of cigarettes, I'm going to now smoke three.' That's what we're talking about here. It's ridiculous. What we're talking about, you can see it. We're going to build gymnasiums throughout this state and I guess we're going to have Joe Camel up on the gymnasium wall and say, 'This gymnasium built because of Joe Camel.' What are we doing, what are we doing to our kids? What are we saying to our kids? We're talking about riverboats and riverboat taxes. Fine, that's great. But let's talk about a stable funding source for education. Can't you just see it? You're walking out of the Joliet Empress and there will be a sign and it will say, 'The school... the school children of district 54 would like to wish... would like to thank all the addicts of the State of Illinois for helping us for education funding.' It's not something... it's not something that we want to do in this state. It's not a stable funding source. I think what we need to do is we need to go back to the drawing board and start talking about stability, property tax relief. We need to talk about how we're going to fund the education for our children, downstate and in Chicago. The vision that I see and I see if this Bill is passed, can't you just

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

80th Legislative Day

November 14, 1997

see it, Johnny walking up to the door, knocking on the door, instead of selling candy like we used to, I guess he's going to be selling cartons of Marlboros in order to make sure that we have adequate funding in this state. I say vote 'no'."

Speaker Hannig: "Representative Ronen."

Ronen: "Thank you, Speaker, Members of the House. I rise in support of this Bill. This might not be the best way in the ideal to fund education, but it's the only way we have right now and we have a responsibility to meet our obligation to children to do what we can. It's been discussed that this might be a Band-Aid. Well, I would suggest to my colleagues that sometimes when you're bleeding, you want a Band-Aid and you need to put a Band-Aid on. And that doesn't preclude us from doing something more in the future, but let's do what we can now. We have that responsibility to the 700 thousand children whose education is below what we say is a minimally required to... to educate somebody. We owe them that, we owe them that. In response to calling... that we're saying that we're using sin taxes, let me just say that there is good public policy reasons for adding money to the cigarette tax. So we know that this is a way to stop people smoking and most importantly, it's the most important way that kids stop smoking. The higher the taxes are on cigarettes, the less likely kids are to smoke. That's proven. The biggest, single, most effective way to stop teen smoking is to make it more expensive. The facts are clear. The studies have been done. To say that we're counting on sin taxes is just not realistic. We're talking about making a commitment in this Bill for continuing revenue, that the funding levels are guaranteed in the

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

80th Legislative Day

November 14, 1997

future. So, that's a bogus argument. We need to be doing this. We need to be doing this for children in the State of Illinois for education, if we care about education and we can't just say that we care about it if we're going to ignore an opportunity that's given to us today. Today, we have to vote on what we have. It doesn't mean that next year or the coming years, the coming Sessions, that we can't work on more long-term solutions, but let's use what resources we have that are now available to make a difference for the kids of Illinois. We have the opportunity. It would be wrong not to take advantage of it for all the children of Illinois. I urge my colleagues to vote for children."

Speaker Madigan: "Speaker Madigan in the Chair. Mr. Daniels to close."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I've listened to the speeches on the other side of the aisle and I've listened to you rail against some of these taxes. Do you know what's incredible to me? That you don't even know that we've been earmarking money out of the cigarette tax for education for years. You don't even know that. You stand up and you say what a ridiculous thing to do, but we've been doing it for years, it was approved by this Assembly. You know what else is amazing to me? How some of you people are so hell bent to vote for an income tax increase that you can't understand that the economy is far better off to deal with user taxes. But you want to take away from people their productive income and then tax them on that. And then you stand up there and if you're from the City of Chicago you say, 'I'm not going to be for this.' Oh, by the way, you're only getting \$93 million 700 thousand out of this. You're

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

80th Legislative Day

November 14, 1997

getting 20% of the new money and you stand up there and you tell us that your not for it when you're great Director of Schools of Chicago, Paul Vallas, is very strong in favor of this. You're going to defend this vote back home? Ladies and Gentlemen from Chicago, it doesn't get better than this. You're not taxing the income of your citizens and yet you're getting a major portion of the share. Now, I've listened to some of the downstaters, that's the most incredible thing that I've ever heard. The Gentleman from the 118th District, who's running for Congress, his district gets \$4.8 million. His Congressional District gets \$48.9 million and this man, this man want's to turn his back on the kids of his district, his Congressional District and he wants to say it's not enough money for him, he wants more. The Lady from the 101st District, Decatur, gets \$4.8 million. The Gentleman from the 109th District, gets 6.6. The Gentleman from 108th, gets 7 million. The Gentleman from the 112 District, who we missed for awhile but is now back, we know he's back, but something happened between the time he was gone and he's come back, he's going to get \$5.7 million. But I'll bet you if this guy could vote for an income tax increase, man he would be right on the ball there. But you know, most important thing of all is to keep in mind for you downstaters for the people, some of you on the other side of the aisle that stood up and railed against this Bill, that you're getting 46% of the funds that we appropriate out of this Bill, \$456 million, and you have 37% of the students. This is a Bill that's meant for downstate and based for downstate. And then you talk about other parts of the Bill. Let me tell you, when you voted for the Bill last spring and almost every Democrat did, you voted for a School Construction Bond

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

80th Legislative Day

November 14, 1997

Program. Yeah, be proud of your income tax vote because now you have a chance to negate that by a vote that doesn't tax the productive money of hard working men and women of this state, the laborers of this state and the people that are productive people of this state. But you sat there and you spoke so proudly of your School Construction Grant Program, that program was only hundreds of millions of dollars. This School Construction Grant Program is multibillion dollars that will help every school system in this state based upon their wealth. This Bill eliminates, reduces and helps the poverty factor that has existed within this state. This Bill helps decrease the disparity between districts, between rich and poor. It doesn't do everything, I understand that. But what this Bill does is it goes a long ways by providing a continuing appropriation that guarantees the foundation level in out years, and that was good enough for Emil Jones, the Senate Democrat Leader, when he negotiated that part. He stood up and he supported this Bill, argued for this Bill and voted for this Bill. That was good enough for him and it ought to be good enough for you. This Bill has technology, revolving loan programs, to help schools access technology. You didn't have it in your Bill in the spring. This Bill provides a debt service grant for schools. This prohibits social promotion in Illinois, requires a no pass-no play. All of these items are in this Bill that weren't in there before. Don't pass up this opportunity, vote for this Bill. Vote for the kids first and make sure that you stand strong and that the children of Illinois are first in your commitment and first in your priority. Vote 'yes'."

Speaker Madigan: "The Gentleman has moved that the House 'do concur' in Senate Amendments #1 and 3 to House Bill 452.

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

80th Legislative Day

November 14, 1997

Those in favor will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 67 'ayes', 47 'noes' and the House does not concur in Senate Amendments #1... For what purpose does Mr. Daniels seek recognition?"

Daniels: "I would put that on Postponed and the Republicans would like an immediate Caucus."

Speaker Madigan: "The matter shall be put on Postponed Consideration. If... Mr. Daniels, if you wish to go Caucus we're going to move a Motion to adjourn and then you can go to Caucus."

Daniels: "Well, we will resist that Motion, Sir,..."

Speaker Madigan: "Correct. I understand that."

Daniels: "...so if you do we will ask for a verification of that as well."

Madigan: "Yes, we understand that. Representative Currie moves that the House do stand adjourned until January 14, 1998. And that Motion shall be withdrawn and the Motion shall be in favor of the Adjournment Resolution. And on that question... Mr. Clerk, read it."

Clerk Rossi: "Senate Joint Resolution #45, offered by Representative Currie. 'Be it resolved, by the Senate of the Ninetieth General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn the Senate stands adjourned until Wednesday, January 14, 1997 (sic-1998); and the House of Representatives stands adjourned until Tuesday, January 6, 1998, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Wednesday, January 14, 1998.'"

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

80th Legislative Day

November 14, 1997

Speaker Madigan: "You've all heard the Resolution, those in favor signify by voting 'aye'; those opposed by voting 'no'. This is on the Resolution. The question is the Adjournment Resolution. The question is the Adjournment Resolution. Those in favor vote 'aye'; those opposed vote 'no'. The Clerk shall take the record. There are 60 'ayes' and 57 'noes', and the Clerk shall read the names of those voting yes."

Clerk Rossi: "Representative Acevedo. Boland. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Barbara Currie. Julie Curry. Dart. Davis. Steve Davis. Erwin. Fantin. Feigenholtz. Flowers. Fritchey. Gash. Giglio. Giles. Granberg. Hannig. Hartke. Hoffman. Holbrook. Howard. Lou Jones. Shirley Jones. Kenner. Lang. Lopez. Joe Lyons. Mautino. McCarthy. McGuire. McKeon. Eugene Moore. Morrow. Harold Murphy. Novak. O'Brien. Phelps. Pugh. Reitz. Ronen. Santiago. Schakowsky. Schoenberg. Scott. Scully. Silva. Slone. Smith. Stroger. Turner. Woolard. Younge and Mr. Speaker."

Speaker Madigan: "Are there any questions? Mr. Black."

Black: "Thank you very much, Mr. Speaker. Representative Fritchey?"

Speaker Madigan: "Mr. Fritchey. He's at the side door."

Black: "I'm sorry, yes I see him now. It's... Mr. Speaker, not to delay the point but if everyone would just simply gravitate somewhere near their chair it would be a lot easier."

Speaker Madigan: "I think that's a reasonable request. If the Democrats could please go to your chair and if the staff could retire to the rear of the Chamber. So, if the Democrats would please sit in your chair or be in the area of your chair. Mr. Black."

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

80th Legislative Day

November 14, 1997

Black: "Thank you very much, Mr. Speaker, I appreciate that. It makes it much easier. I can't see Representative Morrow. I assume he's there, but Representative Pugh is blocking him."

Speaker Madigan: "Yes, Mr. Morrow is here."

Black: "All right, I'm sorry, thank you. Representative Hoffman?"

Speaker Madigan: "Mr. Hoffman's in the rear of the Chamber."

Black: "I think I see Mr. Brunsvold's head, but I'm not sure."

Speaker Madigan: "Mr. Brunsvold's in his chair."

Black: "Yes, thank you. Representative Reitz?"

Speaker Madigan: "Mr. Reitz. The Gentleman is in his chair."

Black: "Is Representative Santiago in his chair?"

Speaker Madigan: "Mr Santiago is in the rear of the Chamber."

Black: "Mr. Speaker, if we could have Representative Turner and Representative Pugh just separate for just a second? All right, she's in her chair. Representative Lyons in the Chamber?"

Speaker Madigan: "Yes. Mr. Black, all of these people have heard your repeated request. We want to thank you for that."

Black: "Yes, I congratulate you on a... generally on a Saturday morning there's a little more slippage than I am finding."

Speaker Madigan: "Thanks to you."

Black: "Thank you. Mr. Speaker, before I yield to the inevitable result, Representative Mulligan has informed me that she had her light on before we started this process trying to make an Inquiry of the Chair. You could rule that out of order if you wish, but I do think the Lady is within her rights and if you would recognize her and then obviously we'll... and I can wrap my part of it up rather quickly."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I had my light on prior to the

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

80th Legislative Day

November 14, 1997

calling of this. I'm curious as to the disposition of House Bill 868 which is a supplemental for the 3% COLA for the human service providers. Obviously, if we're adjourning until January, that Bill will not be called now and it did pass out of the Senate? So, you're not going to call it or address the 3% COLA?"

Speaker Madigan: "That matter will not be called."

Mulligan: "That's very unfortunate. Thank you."

Speaker Madigan: "Mr. Black."

Black: "I have nothing further, Mr. Speaker."

Speaker Madigan: "The Democrats... please understand, this was the Resolution and next will be the Motion for adjournment. So, there are 60 'ayes' and 57 'noes' and the Resolution is adopted. And the Chair recognizes Representative Currie who moves that the House do stand adjourned until Wednesday, January 14, 1998. And on that question, those in favor signify by voting 'aye'; those opposed by voting 'no'. This is on the Adjournment Motion. Those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. Black."

Black: "Yes, we'll proceed with a verification. Sometimes people get anxious to leave because of the snow."

Speaker Madigan: "Can we dispense with the reading of the names?"

Black: "Yes, you can dispense with that. We'll just revise and extend the previous reading of the names. I don't think anybody changed their vote did they? I speak very slowly early on a Saturday morning. Perhaps someone could sneak out the back door while I'm thinking of... Come to think of it, I'm not sure I've seen Representative Crotty in some time."

Speaker Madigan: "Representative Crotty is in the chair."

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

80th Legislative Day

November 14, 1997

Black: "Yes, I see her over there now, she was hiding.

Representative Scully in his chair?"

Speaker Madigan: "Mr. Scully's in his chair."

Black: "Is Representative O'Brien in the Chamber? I don't see her back there. Everybody's standing up."

Speaker Madigan: "Representative O'Brien is in her chair."

Black: "All right and let me just try Representative Fritchey one more time. He's been very anxious to..."

Speaker Madigan: "The Gentleman is at the side door."

Black: "Yes and very close to the door I might add. Nothing further, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Black. There are 60 'ayes' and 57 'noes'. The Adjournment Resolution is adopted, and the Chair recognizes Mr. Tenhouse. Mr. Tenhouse. Mr. Churchill. Mr. Churchill. Mr. Parke."

Parke: "Yes. We've been told there's no Republican Caucus."

Speaker Madigan: "Thank you."