

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

56th Legislative Day

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Speaker Lang: "The House will be in order. Members will be in their seats. We'll be led in prayer today by Reverend Arthur Joplin, with the Church of God in Marion. Reverend Joplin is the guest of Representative Fowler. Our guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance. Reverend Joplin."

Reverend Joplin: "Almighty God, ruler of the heaven and the earth, hallowed be Your name. We come to the throne of grace and mercy for we know that You will hear our petitions. When Solomon asked of God, God gave him an understanding heart and wisdom. As this elected Body begins their tasks for the day, I pray that You, Father, will grant to them an understanding heart and wisdom that can come only from You. Our nation began as one nation under God, and may we ever follow the counsel and guidance of Your spirit, that all may know that truly there is liberty and justice for all. And may the word in God We Trust, be stamped upon our hearts and be manifested in our lives. Bless these men and women as they do Your work in behalf of Your people. We ask these favors in the name of our eternal Father, and Jesus Christ our Lord. Amen."

Speaker Lang: "We'll be led in the Pledge of Allegiance by Representative Garrett."

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

Speaker Lang: "Roll Call for Attendance. Representative Poe."

Poe: "Yeah, Mr. Speaker, let the record show that Representative Osmond is excused today and the rest of the Republicans are present."

Speaker Lang: "Representative Lopez."

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Lopez: "Thank you, Mr. Speaker. Will the record please reflect that Representative Hartke is excused."

Speaker Lang: "Mr. Clerk, please take the record. Hundred and sixteen Members being present, a quorum is in the chamber. The Chair recognizes Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. I rise on a point of personal privilege. Today, we have with us, Morgan Holyboat, Illinois National Teenager, Junior Division winner, and she's from my hometown of Murphysboro. She's going to represent Illinois in the national pageant in Nashville in August. She's... her parents, Sherry and Bill Meyer are also in the gallery, and her sister Samanda... Samantha, I'm sorry. And also, if I could, I'd like to turn it over to Representative O'Brien. I think she has someone to recognize, too."

Speaker Lang: "The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it's my great privilege to introduce you today, to Donelle Mitchell. She is the Illinois National Teenager, Senior Division winner. She's from Morris, Illinois in Grundy County, and she will be going on to represent Illinois in the national pageant in Nashville in August. And as an aside, she also had the pleasure of dancing with the Jessie White Tumblers when they did an appearance in Coal City, in my hometown, and it's with honor that I introduce her. And also the director of Fely Heypke, Fely Heypke, and also Paula Mitchell, Donelle's mother, is in the gallery. So, I wish you... that you would give us a warm round of applause for them. Thank you."

Speaker Lang: "Welcome to both. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Larry Woolard, Chairperson from the Committee on Elementary and Secondary Education, to which

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the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 228 and House Joint Resolution #22 'be approved for consideration'. Floor Amendment #3 to Senate Bill 840, Motion to Concur 'be approved for consideration' Senate Amendment #1 to House Bill 1134. Representative Mike McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendation: 'be adopted Short Debate' House Resolution 296. Representative Doug Scott, Chairperson from the Committee on Urban Revitalization, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' Senate Joint Resolution #21. Representative Howard Kenner, Chairperson from the Committee on State Government, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 270, House Joint Resolution 20, and Senate Joint Resolution #28. Representative Coy Pugh, Chairperson from the Committee on Revenue, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendation: 'be adopted Short Debate' House Resolution 229 and House Resolution 239. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 299.

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Representative Phil Novak, Chairperson from the Committee on Environment and Energy, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 301 and House Resolution 303. Representative Mike Smith, Chairperson from the Committee on Agriculture, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendation: 'be adopted Short Debate' House Resolution 236. Representative Harold Murphy, Chairperson from the Committee on Personnel and Pensions, to which the following measures were referred, action taken on May 20, 1999, reported the same back with the following recommendations: 'do pass' Senate Bill 251; 'do pass as amended' Senate Bill 856. Representative Jay Hoffman, Chairperson from the Committee on Transportation, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 234, House Resolution 274, Senate Joint Resolution #3 and Senate Joint Resolution #29. Representative Judy Erwin, Chairperson from the Committee on Higher Education, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendations: 'be adopted Short Debate' House Resolution 243 and House Resolution 304, House Joint Resolution #19."

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

Poe: "Point of personal privilege."

Speaker Lang: "State your point, Sir."

Poe: "Yeah, I'd like to... Ladies and Gentlemen of the House to recognize from Pleasant Plains School District, from the

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Farmingdale School, we have four fifth grade classes in the gallery, and I ask that you give them a big warm welcome from Springfield."

Speaker Lang: "Mr. Poe, have they ever had your chicken?"

Poe: "I'm sure they have."

Speaker Lang: "All right, just checking. The Chair recognizes Representative Joe Lyons. For what reason do you rise?"

Lyons, J.: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I don't know if we publicly acknowledged Ray to thank him for what he did the other day, but speaking of fried chicken, Raymond Poe, thank you for the wonderful meal you gave to the General Assembly last Tuesday. Thank you very much."

Speaker Lang: "Under the Order of Nonconcurrency, appears Senate Bill 53. Representative Stephens on a Motion."

Stephens: "Thank you, Mr. Speaker. I would move to refuse to recede from House Amendment 2 and ask for a Conference Committee Report."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment #2 to Senate Bill 53?' All those in favor shall say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does refuse to recede from House Amendment #2 to Senate Bill 53, and the House requests that a Conference Committee be appointed. On the Order of Nonconcurrency, appears Senate Bill 1158. Representative McKeon. Out of the record. On the Order of Nonconcurrency, appears Senate Bill 171. Representative Reitz. Out of the record. On the same Order, appears Senate Bill 242. Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I move to refuse to recede to House Amendment 1 on Senate Bill 242, and request a Conference Committee."

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Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 242?' All those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 242, and requests that a Conference Committee be appointed. On the Order of Nonconcurrency, appears Senate Bill 338. Representative Andrea Moore. Representative McKeon, for what reason do you rise?"

McKeon: "Mr. Speaker, if you want to move (sic-Senate Bill) 1158, go ahead."

Speaker Lang: "We'll come back to you, momentarily. Representative Andrea Moore."

Moore: "Thank you, Mr. Speaker. I would move to refuse to recede from House Amendment #1 to Senate Bill 338, and that a Conference Committee be appointed."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 338?' All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede with House Amendment #1 to Senate Bill 338, and requests that a Conference Committee be appointed. Representative McKeon, on Senate Bill 1158."

McKeon: "Thank you, Mr. Speaker. I move to refuse to recede to House Amendment #1, and request a Conference Committee be appointed."

Speaker Lang: "The Gentleman moves that the House refuse to recede with House Amendment #1 to Senate Bill 1158. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does refuse to recede with House Amendment #1 to Senate Bill 1158. And the House requests that a Conference Committee be

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appointed. Representative Reitz, Senate Bill 171."

Reitz: "Thank you, Mr. Speaker. On Senate Bill 171, I would move that we refuse to recede from House Amendment #1, and would request a Conference Committee."

Speaker Lang: "The Gentleman moves that the House refuse to recede with House Amendment #1 to Senate Bill 171. Those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does refuse to recede to House Amendment #1 from Senate Bill 171, and the House requests that a Conference Committee be appointed. Representative Reitz on Senate Bill 965."

Reitz: "Thank you, Mr. Speaker. I would move on Senate Bill 965, that we would refuse to recede and we request that a Conference Committee be appointed."

Speaker Lang: "The question is, 'Shall the House refuse to recede with House Amendment #1 to Senate Bill 965?' Those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does refuse to recede to House Amendment #1 to Senate Bill 965, and the House requests that a Conference Committee be appointed. Senate Bill 656, Representative Fritchey."

Fritchey: "Thank you, thank you, Speaker. I move that we refuse to recede to House Amendment 1 on Senate Bill 656."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 656?' All in favor say 'aye'; opposed '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 656, and the House requests that a Conference Committee be appointed. Senate Bill 834, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. I would move that we refuse to recede, and request that a Conference Committee be

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appointed on this."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 834?' Those in favor say 'aye'; those opposed '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 834, and the House requests that a Conference Committee be appointed. Senate Bill 1088. Representative Righter. Representative Dale Righter. Out of the record. On the Order of Nonconcurrency, appears Senate Bill 1088. Representative Dale Righter."

Righter: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1088, I would make a Motion that the House refuse to recede from House Amendment 1, and that a Conference Committee be appointed on this issue."

Speaker Lang: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1088?' All those in favor say 'aye'; opposed '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 1088. And the House requests that a Conference Committee be appointed. On page 11 of the Calendar, under the Order of Concurrence, appears House Bill 619. Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Amendment #1 to House Bill 619 is removed in Senate Amendment #6. Senate Amendment #2, this Amendment defines what a governmental I.D. card is. Is it either a driver's license or a State I.D. card issued by the Secretary of State. Amendment #3, this Amendment is a home rule exemption which is removed in Senate Amendment #6. And then Senate Amendment #4, this Amendment is a Department of Banks and Trust and Real



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Estate initiative that allows the department to initiate injunction proceedings when they believe there is a violation of a pawnbroker law and asks the circuit court to enter a permanent or a preliminary injunction or a temporary restraining order without bond to enforce their Act. Amendment #6, this Amendment removes the home rule preemption regarding pawnbroker identification requirements. This has been an Agreed Bill. And I'd ask for a favorable roll call."

Speaker Lang: "The Gentleman moves that the House concur in Senate Amendments numbers 1, 2, 3, 4, and 6 to House Bill 619, and on that question, the Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. I'd li... I'd move to divide the question on the Senate Amendments. We'd like to vote on Amendment #4 separately from the remaining or the others."

Speaker Lang: "All right. At your request, Mr. Cross, there'll be two roll calls. One on Senate Amendments 1, 2, 3 and 6 and one on Senate Amendment #4. Is that your request?"

Cross: "That's number one, yes, so, thank you. And I... I appreciate that. And two, will the Sponsor yield for some questions?"

Capparelli: "Yeah."

Speaker Lang: "The Gentleman yields."

Cross: "Representative..."

Speaker Lang: "Mr. Cross, if we're doing these separately, can you tell... which of these Amendments are you questioning Mr. Capparelli on?"

Capparelli: "Amendment #2 I think, right?"

Cross: "I'll do that soon as... you want me to... I will certainly ask..."

Speaker Lang: "We should debate them separately if we're going to

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vote on them separately, so, let's..."

Cross: "Fine, you want to start with... you want to do Senate Amendment 4 first? Is that what you're suggesting?"

Lang: "Is that all right with you, Mr Capparelli? Do Senate Amendment #4 first?"

Capparelli: "Fine, go ahead."

Speaker Lang: "All right."

Cross: "All right. Can you tell us, Ralph... well, and it's unfortunately a little... it's a little loud in here and we can't hear, and I apologize about that, that there's no order in this House. Its kinda been this case all... all Session."

Speaker Lang: "Excuse me, Mr. Cross. Mr. Cross makes a good point. We have a lot of work to do today. We can get through it much more efficiently if Members will hold down the noise, if staff will hold down the noise, and if you will move your personal conferences to the back of the chamber, it would be appreciated. Please proceed, Mr. Cross."

Cross: "Thank you, Mr. Speaker for that... for bringing this House to an orderly... into an orderly fashion. Ralph, can you tell us what Amendment... Amendment 4 does?"

Capparelli: "I'll read them all out to the department... an individual gave this to me just now. Number one, it authorizes the Commissioner to initiate proceedings if the Commissioner has reason to believe that the person, which is licensed under the Act, is in violation of the Act. It also provides the cost of any government-mandated tax that the pawnbroker collects, in addition I can't read this, and two shall not be included in determining the monthly finance charge that may be in excess of 20% of the loan, three, authorizes the commissioner to inspect the books of

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any pawnshop or any business the commissioner has reason to believe is conducting a pawn transaction without a license under the Act, and four, requires a pawnshop to maintain its records, pawn tickets, for a period of three years after a pawn transaction. And there's one more, provides that a person who operates a pawnshop without a license, shall be guilty of this Class B misdemeanor rather than a Class C misdemeanor for the first offense, and a Class A misdemeanor for the each subsequent offense. That entails all of Amendment #4."

Cross: "Is that a 'yes'?"

Capparelli: "Yeah."

Cross: "Thank you, thank you very much for those answers. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Good to see you, Mr. Speaker. By the way, many of our staff visited Vicky Crawford last night, saw the baby. They had to change the name, the baby has too much hair. They decided they couldn't name it Lou Lang Crawford, with apologies of course."

Speaker Lang: "Apologies accepted."

Black: "Thank you. I felt... personally I feel very bad about it."

Speaker Lang: "So do I."

Black: "I did what I could. Will the Sponsor yield?"

Capparelli: "Yeah, go ahead."

Speaker Lang: "The Gentleman yields."

Black: "Good. Good. Representative, the... the focus of some concern seems to be on some language in Senate Amendment #4 that says, 'A pawnbroker may charge and collect from customers, the cost of any government-mandated taxes on

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pawnbrokers, including, but not limited to, the cost of a firearm background check'. Isn't that language rather unusual? I mean, there might be a series of people who might like to pass on the cost of mandated taxes."

Capparelli: "Representative Black, if they're doing an investigation, this is what the department's telling me, and there is a cost to it, that the state can go back and collect those funds or the fines or whatever it may be, the cost of doing the investigation. Is that right?"

Black: "Our... our staff has read the language, and this language is not currently in the law. And the language appears to staff, and I think I share their concern, to be a little vague. If you allow a pawnbroker to charge and collect from the customer any government-mandated tax that is applied to the pawnbroker, including the cost of the background check, I... I've just never heard language like that. I mean, most businesses roll all of their costs into their price of doing business of the price they charge to the customer. This language that doesn't appear in the original Bill, seems very vague and... and confusing to me, and I think that's what we're focused on, that it just seems unusual to say to a particular class of business men or women, that they... they can collect the cost of any mandated taxes from the customer when that language is, to my knowledge, that language isn't in any other... of our statute. I assume that any business that pays a tax, passes it on to the consumer in their... in their price of the good or the service. And we're having a little trouble trying to figure out why this language needs to be in this Amendment."

Capparelli: "They can't... They cannot inclus... include that in the interest rate that the pawn goes out on and that is the

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reason."

Black: "Well, again, I... I assume that any cost of doing business, whether that cost and many of them are, unfortunately, imposed by government, or whether that cost is rent, overhead expense, utility expense to the building, advertising expense, any good business man or woman knows exactly what the service or the good is going to cost, and all of those fees are built in. It just seems somewhat incongruous that we would specifically say that a pawnbroker can collect any government-mandated taxes, including, but not limited to, a background check on firearms, when the language, as far as we know, doesn't appear anywhere else in current statute. Furthermore, Representative, if I can boil it down, staff... staff tells us that this is a very ingenious language to allow a pawnbroker to escape any interest cap. I'm sorry, strike that."

Capparelli: "I don't follow you on that one."

Black: "Strike that. Strike that, I'm sorry. That they could collect a cost of doing business over and above the interest cap, and that that language is, as far as we know, doesn't include, you know, bankers or lending institutions, automobile dealers. You or I in business, nobody else seems to have that ability to do that. Mr. Speaker, to the Amendment."

Speaker Lang: "To the Amendment."

Black: "I... and... and believe me, I... I think I'd rather have root canal work than to stand in opposition to anything that the Dean of the House would... bring to us."

Speaker Lang: "We'll bring a dentist to your chair."

Black: "Thank you. I'll... accept that. I think all of us know that the Dean of the House, Representative Capparelli, is a

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man of unquestioned integrity. He's well-liked and respected by every Member on this floor, but I would point out to the Members of the Body, that there...-is language in Amendment #4, and that's why we ask that it be separated. That's... I think you'll find is different than what any other business would have access to, and that is, if your... if your costs or there's an interest limitation of any kind, that you can then go around that by just saying part of the costs are imposed upon me by a tax on the transaction or a fee mandated for me to do the background check, before you can purchase a firearm, for example. I'm not sure that that's a precedent that we want to set. I would imagine, and there are many pawnbrokers in my district, and I know many of them and they're... they're very good people. I've done business with one or two. We don't need to go there, but I would imagine this would be very good for the pawnbroker folks. I'm not sure it would be good for the consumer. And... and in all due respect to the Sponsor, and I very seldom oppose anything that he brings to this floor. I think this is something the Members should look at. It appears to be precedent setting. It appears to be giving one segment of the business community some ability to recover costs that other business men and women may not have, and it's for that reason, and I have such admiration and true respect for the Sponsor, I reluctantly ask for a 'no' vote on Senate Amendment #4, and would ask for a record vote, according to the applicable rule and joined by the sufficient number of my colleagues."

Speaker Lang: "Mr. Capparelli to close."

Capparelli: "Well, thank you, Mr. Speaker, and thank you, Mr. Black for the fine words, but this Amendment only allows

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the pawnbroker to collect the costs of any government-mandated inspection. And if the pawn is for \$50, it costs them a hundred dollars to fight the case, they only pay that on the last \$50, not on the whole total 100. It's good legislation, and I would ask for a favorable roll call."

Speaker Lang: "The Gentleman moves that the House concur in Senate Amendment #4 to House Bill 619. This is final action. All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 46 voting 'yes', 67 voting 'no', and 1 voting 'present'. And the Motion fails. Mr. Capparelli, what's your pleasure on this Bill at this point? Do you wish to..."

Capparelli: "Postpone... Postponed Consideration. Thank you."

Speaker Lang: "Well, you... you don't need Postponed Consideration, that's a renewable Motion."

Capparelli: "All right then, I would like..."

Speaker Lang: "Do you want to continue..."

Capparelli: "I would like to remove Amendment #4, and go with the Bill as is."

Speaker Lang: "You want to recede from Amendment #4?"

Capparelli: "Right."

Speaker Lang: "Oh, it's a Senate Amendment, you can't recede, so... You can concur with the others..."

Capparelli: "Then I'll nonconcur? Nonconcur? Send it back for a Conference Committee Report?"

Speaker Lang: "Representative, we'll take it out of the record for the time being. The Chair recognizes Representative Capparelli."

Capparelli: "I asked the Speaker if I can concur on the other

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three Amendments, 1, 2, 3, and 6 and leaving #4 out?"

Speaker Lang: "Sure. The Gentleman moves to concur with Senate Amendments #1, 2, 3, and 6 to House Bill 619 and on that question, is there any discussion? Seeing none, this is final action. The Gentleman moves to concur in Senate Amendments #1, 2, 3, and 6, to House Bill 619. Those in favor shall signify by voting 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Schoenberg 'aye'. Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And the House does concur in Senate Amendments #1, 2, 3 and 6 to House Bill 619. Representative Mulligan, for what reason do you rise?"

Mulligan: "Thank you, Mr. Speaker. I rise to a point of personal privilege. I'd like the Body to take a look at... right above the Speaker's Gallery. This is a group of students from Main South High School, if they'd stand up, in Park Ridge. These students just recently won the nationwide competition for We the People, the Citizen, and the Constitution. They won Illinois and then they represented you amongst 1250 other high schools nationwide, all 50 states and the District of Columbia. These 29 students all competed over three days, so they all were part of the team that won the nationwide competition, this very prestigious competition. They took first place nationwide for Illinois. And I'd also like to introduce two of their instructors, Mr. Pat Feichter, who happens to be from Representative Parke's district, and who has done this with the students for a long time. They give up a year of studying in order to do this and then have questions fired at them over three days in six different panels. So, it's really a team effort, and instructor Nancy Canova, who



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happens to be from my district. So, I'd like you all to give this very prestigious win for Illinois a big hand, from my high school, Main South."

Speaker Lang: "Thank you, Representative. On the Order of Third Reading, Senate Bill 286. Representative Steve Davis. Out of the record. On the Order of Third Reading, Senate Bill 574, Representative Durkin. Please read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 574, a Bill for an Act in relation to capital litigation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Durkin."

Durkin: "Thank you very much, Mr. Speaker. Senate Bill 574 is the work of... much work of the Illinois Senate and also the Members of the Illinois House, and also, this is what we're doing, is that we've... we have an Agreed Bill for the first time on something that deals with the death penalty process between prosecution and defense. What we are... what we're doing with this Bill is creating the Capital Litigation Trust Fund. And what we're doing is we're going to allow members of the public defender, the State Appellate Prosecutor, Attorney General, Cook County State's Attorney, also the Cook County Public Defender, to come down to Springfield and seek appropriations to assist in the prosecution and defense of capital punishment cases. I'm willing to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 574, and on that question, is there any discussion? The Chair recognizes Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Lang: "The Gentleman yields."

Pugh: "Representative, could you elaborate on... on the genesis

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of this piece of legislation?"

Durkin: "Certainly. The genesis of this legislation is what... I think a lot of us in the General Assembly and also with the State of Illinois, has recognized over the past two years is that there are some fundamental process... problems with the administration of the death penalty. What we... our research and what all indications have indicated is that there are... in a number of these cases of people who are on death row, their cases have been reversed, there has been an inadequacy of resources made at the trial level. And so what we are doing is that we are going to set aside a set a separate trust fund to assist defendants who are charged with capital crimes, give them the money to hire witnesses, expert witnesses, and to complete investigations, which I think is necessary for them, to afford them due process and adequate defense."

Pugh: "So, how much money are we talking about?"

Durkin: "The estimate right now is going to be approximately \$18-20,000,000 on an annual basis. But that's going to change, because what is going to happen is that the agencies, the Cook County Public Defender, the State Appellate Defender, the State Appellate Prosecutor, Attorney General and the State's Attorney in Cook County, will come down every year and seek appropriations that will make their case before the General Assembly. But we anticipate that cost will be somewhere between the \$16-20,000,000 range."

Pugh: "And... and so, if we have identified that the major problem that we have with a 50% error rate, relative to the individuals being placed on death row, is the direct result of the lack of money for defense attorneys, then it would be safe to assume that we would spend more dollars in the

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defense part of the case as opposed to the prosecutors. It seems to me that the prosecuting attorneys are well-staffed, well-heeled, and oftentimes overpaid. And the defense attorneys are which is a direct result of the number of individuals or cases that have been exonerated, seems to me that we would be allocating a... amount of dollars to those... to the defense part of the trial that would bring them up to a level that they can receive just representation."

Durkin: "Sure. I... I appreciate your concern. I don't quite look at it that way. I think this is equal funding in which... what... members of the defense bar and also the prosecution, believe in. Like I said before, if for some reason you think that the state's attorneys are receiving too much money, then when they come back down and seek the appropriation, then the... the leaders in those committees will make that judgement. But I think to... to make a point, is that prosecutors in downstate on a number of occasions have not been able to proceed with capital punishment cases, because they've stated that it will bankrupt the county, cause these are very expensive and these are very long trials. So, I think what we're doing is that we are going to allow money for both sides. It's equal funding."

Pugh: "And so, who will administer the trust fund? The Attorney General's Office?"

Durkin: "No. What happened is, is that the money will be taking... the General Assembly will appropriate money which will go into the Capital Litigation Trust Fund which will be administered by the State Treasurer. In Cook County, there'll be a block grant which will go from the State Treasurer down to the Cook County Treasurer in which both

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the state's attorney, the public defender, and also appointed counsel for indigent defendants, will be able to draw from."

Pugh: "So, this does not allow for individual attorneys outside of the court system to participate?"

Durkin: "No, it does. There's specifically provisions in there in which there are appointed counsel, who are for indigent defendants who will be appointed counsel who will be able to draw from that fund, based on certification by the trial court that they need to prepare an adequate defense, they're going to go to the court and they will have a in camera hearing in which they will tell the judge they need 'X' amount of dollars to pursue DNA testing or to find expert witnesses or mitigation witnesses, in which the court will certify and those expenses will be paid."

Pugh: "So, do you see this as the cure to the problem that we're facing with the number of individuals being placed on death row?"

Durkin: "Well, Representative Pugh, if this was a perfect world, I'd say that yes, but the fact is, this is not a perfect world, but the fact is, we have a administration of justice which needs to be refined. I think this is going to go a long way to address some of these fact problems which have come up many years later in which could have been resolved at the trial level. 'Cause I think what this is going to do, it advances the notion that this a truth-seeking process rather than, let's convict, let's get to the truth, let's serve justice."

Pugh: "And you don't see this as a Band-Aid on a cancer?"

Durkin: "Absolutely not. I think this... this... well, let me put it this way, this is the first time, as long as I've been down here, where you have members from both the

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prosecution and defense bar, agreeing on a Bill that deals with the death penalty. And I think everybody agrees that there's a fundamental problem with the way the resources perhaps are not getting down to defendants, in these types of cases at the trial level, and that's what we're attempting to cure, and I think that this is a great start."

Pugh: "Well, Representative, I too, think that it's a great start. Well, maybe not a great start, but it is a good start. And if we begin to identify additional resources to... to deal with the problems that lead to individuals actually being placed in the lockup, of the police brutality, and those kinds of things, then I think that then we'll have a great start. Thank you. I commend you for your work in this legislation."

Durkin: "Thank you very much."

Speaker Lang: "Representative Barbara Currie."

Currie: "Thank you, thank you, Speaker and Members of the House. I rise in support of Senate Bill 574. Representative Durkin, Senator Hawkinson, and Senator Cullerton, are much to be commended for the very hard work and good sense they put into this measure. This does have the support of both the prosecutors and the defense, that is unusual in my experience in this Assembly. I... I was as surprised as Representative Pugh was, to see more resources going to the prosecution side of the issue, but my understanding is, that in fact, with greater resources, the prosecution may be better able to establish the true facts in a case before inappropriate prosecutions are brought further. So, I would hope that the... the prosecution money is in part there so... so as to see to it that inappropriate prosecutions, unwarranted prosecutions, do not go forward.

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This measure has the support of public defenders across the state, as well as state's attorneys. I think it will help us move on a road toward ensuring that when people, in fact, are found guilty of crimes and sentenced to death, that the people would have some security that there actually is adequate evidence to sustain that charge. I urge your 'yes' vote."

Speaker Lang: "Mr. Durkin to close."

Durkin: "Thank you very much, Mr. Speaker. I don't think it's any surprise here that I do support the death penalty, but a number of us have questioned the integrity of the criminal justice system these past two years. And I think what this Bill is going to do, is address some of the fundamental problems and the common themes that we've seen on cases which have come back and been reversed, and that is the inadequacy of funding at the trial level. I think that right now that the... like I said before, the integrity in the criminal justice system has been placed in question, but I think this is going to go a long way to restore the faith in the criminal justice system to the people in the State of Illinois. Like I said before, this is a unique situation where you have members from the defense and also the prosecution that... that agree on an issue dealing with the death penalty. And I believe that this is a great start. We can go further and I think we'll see that this will produ... produce some very good results over the years. I would ask for a favorable vote. Thank you very much."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 574. This is final action. All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'yes', and 0 voting 'no', and this Bill is declared passed. The Chair wishes to announce that we have some deliveries in the front from Bixby's Bagels and some cake from the Illinois Nurses Association. Mr. Clerk, Senate Bill 876. Please read the Bill."

Clerk Rossi: "Senate Bill 876, a Bill for an Act amending the Illinois Procurement Code. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 876 incorporates those two Amendments which we discussed yesterday, relative to the business development training program at Northern Illinois University, and the... and separating the relationship between charitable contributions and consulting contracts, and prerequisites for state businesses... at state business at Illinois colleges and universities. I'd be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 876, and on that question, is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes' and 0 voting 'no', and this Bill having received the Constitutional Majority is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1015?"

Clerk Rossi: "Senate Bill 1015 has been read a second time, previously. Amendment #1 was adopted in committee. No

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Motions have been filed. Floor Amendment #2, offered by Representative Brunsvold, has been approved for consideration."

Speaker Lang: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Speaker, I would like to withdraw this Amendment."

Speaker Lang: "The Amendment is withdrawn. Mr. Clerk."

Clerk Rossi: "No further Amendments have been approved for consideration."

Speaker Lang: "Third Reading. Mr. Brunsvold, do you wish to proceed on Third Reading on this Bill? Out of the record. On the Order of Third Reading, appears Senate Bill 286. Representative Steve Davis. Please read the Bill."

Clerk Rossi: "Senate Bill 286, a Bill for an Act amending the Airport Authorities Act. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Davis."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 286 actually contains four provisions. The underlying Bill that came over from the Senate, would increase compensation for commissioners of airport authorities having a population of not more than 500,000 from a 150 to \$300, and it would be permissive. It would permit them to be able to raise that. House Amendment #1, would lower the term limit of board commissioners, from five years to three years, for an airport authority located in a county of a population of more than 200,000 but less than 250,000. House Amendment 2, has a provision in there that would allow the Metropolitan Water Reclamation District to increase the compensation of their board members. And House Amendment 3, would... has a provision in there to remove the program audit of the Metropolitan



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Airport Authority that is conducted by IDOT. I would move for the passage of this Bill, and would be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 286, and on that question, the Chair recognizes Representative Cross."

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

Speaker Lang: "The Gentleman yields."

Cross: "Representative, as usual, it's chaotic in here, and no one can under... understand a thing you said, but I thought I heard you say this is a Bill to expand or to create Peotone Airport, is that correct?"

Davis, S.: "No. Peotone Airport has absolutely nothing to do with this piece of legislation, Representative Cross."

Cross: "Did I misunderstand you when I heard you say or I thought I heard you say this was to add additional runways at O'Hare?"

Davis, S.: "No. I did not say that, Representative Cross, and that's certainly not contained within this Bill."

Cross: "Did this... if I'm not mistaken, did you mention something about the Hooterville Airport with... where Mr. Haney flew out of?"

Davis, S.: "It does not mention the Hooterville Airport or the Mascoutah Airport. Which I might add, got its first customer just a couple of weeks ago, at \$30 a month. So, I want to get that on record and we want to congratulate them while we're at it."

Cross: "Do you think Mr. Haney's going to want to fly in there and not fly out of Hooterville?"

Davis, S.: "I think he would much rather go into Mascoutah because they have brand new runways there."

Cross: "What about... can Mr. Haney bring Arnold into your

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airport?"

Davis, S.: "I'm sorry, Sir?"

Cross: "Can... Can Mr. Haney bring Arnold with him to your airport? Do you mind?"

Davis, S.: "He most certainly may."

Cross: "In all... in all seriousness, because it is... apparently the Speaker has absolutely no control of this floor, we couldn't hear what you described, Steve. Can you tell us what Bills this... what this actually does?"

Davis, S.: "It has four provisions, Tom. It... it allows current Airport Authorities to increase their monthly stipend from 150 to 300..."

Cross: "All right, that's the first provision?"

Davis, S.: "That's the underlying Bill."

Cross: "All right let's... can we stop there one second? Does that... does that apply to all airports statewide?"

Davis, S.: "It applies to all airports statewide as far as I know. Oh no, wait a minute, wait a minute. It's for airports having a population of not more than 500,000."

Cross: "Airports located in a county of the population of not more than 500,000?"

Davis, S.: "It would be the authority population, not the county. The authority population, the authority district population. It's my understanding."

Cross: "Are you aware of any opposition?"

Davis, S.: "I'm not aware of any opposition that came up in any of the committee meetings on either the underlying Bill or the Amendments."

Cross: "All right. But this Bill, in all honesty, has nothing to do with Peotone, does it? Or O'Hare?"

Davis, S.: "No. Absolutely not."

Cross: "And the Hooterville thing's not accurate, is that... we

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were just kidding? There's no Hooterville Airport in your district, is there?"

Davis, S.: "No, absolutely not."

Cross: "All right."

Davis, S.: "In Representative Hoffman's district, but not mine."

Cross: "Oh, that doesn't surprise me one bit. I think... I think Mr. Haney's a good friend of Mr. Hoffman's."

Cross: "Thank you very much, Representative."

Speaker Lang: "Representative Parke."

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

Speaker Lang: "Of course he will."

Parke: "Well, I am just pleased as punch. Representative, there's no way that this can be used... this only applies to current established airports?"

Davis, S.: "That's my understanding."

Parke: "And it cannot be applied in any way for any new airports?"

Davis, S.: "Well, I guess if the new airport actually would come under the provisions of the law, it would be. But this does not... this only pertains to airport authorities that are currently established. Now, if a new airport authority is established, they would have to come under these provisions of the law."

Parke: "Well, then, how much... what would be applied to it? Is there... would they be collecting money from the new airport?"

Davis, S.: "I'm sorry, could you repeat that, Sir?"

Parke: "I think... didn't you say this is to increase fees at the airports?"

Davis, S.: "It will allow them to increase the commissioners monthly salary from a cap of \$150 to a cap of \$300 per month."

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Parke: "All right, and was there anything else about any other fees in this?"

Davis, S.: "It allows the Metropolitan Water Reclamation District to determine the compensation of their board members. That's... that's the other provision, that's in House Amendment 2."

Parke: "Now, what is it currently? Is there a flat fee?"

Davis, S.: "It's a..."

Parke: "That's built into the Con..."

Davis, S.: "Sir, it says... it in... the salaries are fixed by statute. The Amendment imposes a cap on the cost of living adjustment to the lesser of 5% of the members' salary or the COLA index published by the Department of Labor."

Parke: "And this is for Cook County only?"

Davis, S.: "It's for the Metropolitan Water Reclamation District."

Parke: "Which is... it's only Cook County, right?"

Davis, S.: "It's Cook County."

Parke: "And so we... so, if they didn't have enough money in their fund to pay this agreed increase on the salary, would they be able to raise taxes to... as part of a need to fund and increase salary for the members of the Metropolitan Sanitary District or Metropolitan Water District?"

Davis, S.: "Well, I believe if they have the power now to increase taxes, they would continue to have the power to increase taxes."

Parke: "Okay, thank you, Representative. I appreciate the answers. I think the Body should pay close attention to that aspect of it, and then you'll have to determine what you think is good public policy, whether to vote 'yes' or 'no' on it."

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

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

Speaker Lang: "The Chair recognizes Representative Stephens."

Stephens: "The Gentleman yield? Representative, does this affect the Metro-East Sanitary District?"

Davis, S.: "No, it does not."

Stephens: "Does it affect the St. Louis Regional Airport?"

Davis, S.: "Yes it does."

Stephens: "And increases the commission... compensation for those members from 150 to \$300 per month?"

Davis, S.: "Only if they so choose to do so."

Stephens: "So, it would be by vote of the commission members? They set their salary within the limits, is that right?"

Davis, S.: "That's correct, and... and under this provision, they would have the authority to increase it to \$300 a month or leave it at a 150 a month, which is what they're getting paid right now."

Stephens: "Our... our staff analysis indicates that this Bill would affect 28 small airport authorities, and those counties are delineated in our staff analysis, but I... I think it is in error by... by not mentioning the St. Louis Regional Airport in Madison County, which you and I share. And I... I think that we should know what we're voting on and understand that it would take a vote of those appointed committee members..."

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

Stephens: "...to set their salary and I just wanted to share that information. Thank you, Representative."

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

Speaker Lang: "Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Lang: "Yes."

Johnson, Tom: "Representative, I also notice, I believe it was

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Floor Amendment #3, which is going to eliminate the annual audit for the DuPage County Airport, is that correct?"

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

Johnson, Tom: "Okay, do you know... what have you been told about that in terms of why that's being eliminated?"

Davis, S: "I have been told that every single program audit that has been done by IDOT has never come up with one single problem with the program audits. IDOT I believe is probably neutral on the Bill, however, I don't believe that they are opposed to eliminating that statute."

Johnson, Tom: "Okay. You know, I understand that that's the case also, Steve, and for Members of this Body, as some of you may recall, DuPage Airport had quite a checkered history and it's something that we worked very, very hard on here over the past... beginning about six years ago. And I have to tell you, because of the actions of this Body, DuPage Airport has become one of the finest facilities, I think, in the state, one of the most finely operated airports in the state. And I'm gonna agree with this at this point, but I'll tell you this, if we ever start going back in the direction we had been going in years ago, we'll be requesting this audit once again. But again, I think it's important that the Members know that what they did to bring massive spending under control at DuPage, five or six years ago, has really paid off, and you're all to be commended on that."

Davis, S.: "Thank you, Representative. I also might add that it's my information that the suggestion to eliminate the program audit did come from IDOT district engineers, and the annual cost of the audit's \$50,000. So, will be saving the taxpayers in the State of Illinois \$50,000 per year."

Speaker Lang: "Representative Black."

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

Speaker Lang: "The Gentleman yields."

Black: "Representative, on the pay raise... allowance in the Bill for Metropolitan Water Reclamation District Commissioners, there... there is no... other than the MWRD Board, there's no oversight... that's not the right word... the board itself will determine the salary increase of a Metropolitan Water Reclamation District member, correct?"

Davis, S.: "That's correct. Just like a county board does..."

Black: "Okay."

Davis, S.: "...for their salaries, Representative Black."

Black: "Okay. But..."

Davis, S.: "With the cap and with the COLA cap, that is included in the legislation."

Black: "Okay, but... but there's one difference, a county board member you and I know runs for election, and a MWRD board member is appointed, correct?"

Davis, S.: "It was my information that they ran for elections, so..."

Black: "Oh I, and I honestly don't know. They do run for election?"

Davis, S.: "That's the information I'm being given."

Black: "Okay, I'll stand corrected. I... I know stuff runs downhill, but their stuff doesn't run so far downhill that it gets to my district, be that as it may. But, there's also a COLA provision in the Bill, too, isn't there?"

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

Black: "A cost of living... how... how often would their cost of living salary increase kick in? Yearly?"

Davis, S.: "No, it only... it's up to them, Representative. So, they cannot raise it anymore. If they choose to raise

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their salary in any one year, they cannot raise it more than the COLA or 5%, whichever is less."

Black: "And... and they would be allowed to increase this every year if they choose, correct?"

Davis, S.: "If they so choose and..."

Black: "Okay."

Davis, S.: "...therefore, the voters may not be happy with them..."

Black: "Sure."

Davis, S.: "...if they do that."

Black: "And, rightfully so. Do you... do you happen to know what a term is for a MWRD commissioner?"

Davis, S.: "I... I don't have that information."

Black: "I... I don't know either. I... I heard a guy get up once and say he was in favor of term limits, and... and the reason he was, he... he thought that they should be limited to one term, and the term would be 20 years. I thought it was a creative way to approach the matter, but I... I don't know what their term is. I have no idea whether it's four years, six years, I guess it isn't..."

Davis, S.: "It may be varied, Representative. Like I said, if you wear an earring in your left ear, you may only be able to serve for one year or if you don't wear an earring in your left year, you may be able to serve for five years, but, I'm really not clear on that."

Black: "I'm not either. The pay raise for commissioners of airports... again most of the airports that I'm familiar with, I know the one in my county, they are appointed, and would it take county board action if that's the entity that appoints the commissioner to set the increase or would the Airport Authority members set the salary increase?"

Davis, S.: "The Airport Authority members, the members of the



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Airport Authority Commission, would be the ones setting their salary."

Black: "Okay, fine. Thank you, Representative. I appreciate your forthright answers."

Davis, S.: "You're welcome."

Speaker Lang: "Representative Davis to close."

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

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 286. This is final action. All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Schoenberg, 'no'. Mr. Clerk, please take the record. On this question, there are 45 voting 'yes', 64 voting 'no', and the Bill fails. Representative Monique Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Chair... Speaker. I rise for a point of personal privilege. I take great pride in introducing to this Body, a stalwart Illinois citizen, who really pulled himself up by the boost a... bootstraps, and he's Mr. Bill Garth, the publisher/owner of the Citizen Newspaper."

Speaker Lang: "Welcome to Springfield, Sir. Representative Monique Davis."

Davis, M.: "With him, he has a very poor contractor, Larry Huggins."

Speaker Lang: "On Supplemental Calendar #1, there are various Resolutions. The Chair intends to try to run through these, rapidly. So, if Members have Resolutions listed on Supplemental #1, if you would be in your chairs and ready, we're going to try to go through these in order, and move some of these out of here for you. House Resolution 228, Representative Eileen Lyons. Out of the record. House

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Resolution 229, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman (sic-Speaker), Ladies and Gentlemen of the House. I have House Resolution 229, that in effect, encourages the United State Congress to pass their House Resolution 8, which calls for the Death Tax Elimination Act. It encourages the Congress to amend the Internal Revenue Code to phase out the estate and gift taxes over a ten-year period. So, you don't have to die to be taxed if that's phased out, so, if there's any questions, I'll be glad to answer questions."

Speaker Lang: "Seeing no discussion, the Gentleman moves for the adoption of House Resolution 229. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 229. The Chair recognizes Representative Giglio. For what reason do you rise?"

Giglio: "A point of personal privilege."

Speaker Lang: "Proceed."

Giglio: "To all the Members of the House, I've noticed a bunch of you walk by down at the back here to American Legion Poppy Day, and a number of you haven't noticed. So, please, when you walk by, please be sure and get yourself a poppy. They're right here at the back desk and all the veterans would sure appreciate it. Thank you."

Speaker Lang: "House Resolution 234, Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'm pleased to present House Resolution 234, which I'm introducing with 34 cosponsors. This Resolution attempts to create a regional transit system out of what are currently three transit agencies, the Metra, CTA and PACE. The 35 people who are presenting this are building a coalition between those people who have constituents that

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want to reach jobs, especially in suburban locations, and those... and those Legislators who have employers who want workers. This Resolution encourages the RTA to develop a regional plan that includes more adjoining stations where Metra and CTA lines are only one block apart, and we have identified at least seven such locations. Number two, to have more PACE buses... shuttle buses or vans from key Metra and CTA interchanges to serve job destinations. And again, we have a map that have found 17 employers with 500 employees each, that are within one mile of Metra Stations. So, if PACE buses, shuttle buses could serve these employers, it would go a long way to getting people to jobs. Number three, it calls for universal fare cards and coordinated transfer policies. It's about time that people could carry one fare card in the Chicago region that would allow them to access Metra, CTA and PACE. And finally, coordinated map schedules and signs promoting all three agencies as being part of one regional transit system. And with that, I encourage an 'aye' vote."

Speaker Lang: "The Lady moves for the adoption of House Resolution 234, and on that question, the Chair recognizes Representative Skinner."

Skinner: "Did the Lady say there were going to universal transfers for RTA?"

Speaker Lang: "The Lady yields. She'd be proud to answer your question."

Hamos: "I'm proposing to the RTA that they look at something that is technologically available and feasible, which is a universal fare card. The transfer policies are still something that the three transit agencies should appropriately work out. A card that could be carried among... by all passengers."

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Skinner: "Well, since... since that was promised in 1974 by the proponents of the Regional Transportation Authority, I'm glad you're following up on it."

Hamos: "Thank you. I hope you'll be a cosponsor, Representative Skinner."

Skinner: "I thought I was."

Hamos: "Oh, I think you are a cosponsor."

Speaker Lang: "Representative Black."

Black: "Yes, Mr. Speaker. The noise level in the House was such that I didn't hear any of Representative Hamos' explanation of... of the Resolution. I know it took six minutes, but I wonder if she could just go through it again."

Speaker Lang: "We'd be happy to ask her to do that for you."

Black: "Well, maybe... maybe the Sponsor can yield. Maybe I can clarify something."

Speaker Lang: "The Lady yields."

Black: "Okay. Your... your Resolution only addresses the Metro-Chicago area."

Hamos: "That's right. Correct?"

Black: "You're not asking for a study to do a transportation authority statewide?"

Hamos: "That's right. Correct."

Black: "Okay. Although, could you help us get train service back from the Eastern side of the state to Chicago? We'd... We'd like to have that."

Hamos: "And I believe that we're voting on something similar to that this afternoon."

Black: "Outstanding. And... now, this... this doesn't create... you're not asking for any new tax structure study, you're just asking for a study to coordinate, consolidate perhaps, make ridership easier, how you get from A to B, maybe a map that even a dumb old downstater like me could understand?"

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I... I came up one day, wanted to go to Wrigley Field, and I ended up in Evanston. So maybe, it could be a better map, that would be helpful."

Hamos: "Well, I appreciate you coming to my district in Evanston, Representative Black. But actually you know, this is really the most cost effective way to... without building new trails lines... rail lines, without laying more track, just to coordinate three excellent systems that... agencies that are already trying to serve the Chicago region and to make it better."

Black: "I think it sounds like a great idea. Hope it works. Thank you."

Speaker Lang: "Seeing no further discussion, Representative Hamos, do you wish to close?"

Hamos: "I think I've taken my six or seven minutes of time, so I'd appreciate your favorable vote."

Speaker Lang: "The Lady moves for the adoption of House Resolution 234, and on that question, those in favor vote 'aye'; those op... I'm sorry, those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 234. Representative Eileen Lyons, House Resolution 228. Don't run, Representative, we have plenty of time."

Lyons, E.: "Thank you, Mr. Speaker. House Resolution 228, is similar to the Resolution passed by the US Congress, House Resolution 2. The Resolution encourages the appropriation of funds for education to go to the classroom, to ensure that not less than 95% of all funds appropriated to elementary and secondary education programs, administered by the Department of Education, to be spent on children in the classroom."

Speaker Lang: "Seeing no discussion, those in favor of the

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Resolution shall say 'aye'; those opposed shall say 'no'.  
In the opinion of the Chair, the 'ayes' have it., And the  
House does adopt House Resolution 228. Representative  
Acevedo, for what reason do you rise?"

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

Speaker Lang: "State your point."

Acevedo: "I'd like my colleagues to help me welcome the eighth  
grade class from the Pilsen Community of the Manuel Perez  
School. Welcome to Springfield."

Speaker Lang: "Mr Clerk, Committee Reports."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson  
from the Committee on Rules, to which the following  
legislative measures were referred, action taken on May 21,  
1999, reported the same back with the following  
recommendations: Concurrence Motions approved for  
consideration, Senate Amendment #1 to House Bill 63;  
Senate Amendment #1 to House Bill 521; Senate Amendment #1  
to House Bill 1327; Senate Amendments 1, 2, and 3 to House  
Bill 1622; Senate Amendments 1 and 2 to House Bill 1825;  
Senate Amendment 1 to House Bill 2180. Direct floor  
consideration for House Joint Resolution 26."

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

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

Speaker Lang: "On the Order of Resolutions, on Supplemental #1,  
appears House Resolution 236. Representative Fowler."

Fowler: "Thank you, Mr. Chairman (sic-Speaker), Ladies and  
Gentlemen of the House. This Resolution, what it does, it  
honors the Village of Eddyville, down in Pope County. Due  
to the tremendous economic impact, the trailriders  
contribute to that area, I am proposing by this Resolution,  
that it... Eddyville in Pope County, be designated as the

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trailriding capital of Illinois."

Speaker Lang: "You heard the Gentleman's Motion. Is there any discussion? Seeing none, those in favor of the adoption of the Resolution shall say 'aye'; those opposed shall say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 236. It is the Chair's intention now to do some other substantive matters, we'll come back to the Order of Resolutions. On the Order of Nonconcurrency, appears Senate Bill 652. Representative Currie."

Currie: "Thank you, Speaker. I move the House refuse to recede from House Amendments 1, 2, and 3 to Senate Bill 652, and that a Conference Committee be appointed."

Speaker Lang: "Seeing no discussion, the question is, 'Shall the House refuse to recede from Amendments #1, 2, and 3 to Senate Bill 652?' Those in favor say 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the House does refuse to recede from House Amendments 1, 2, and 3 to Senate Bill 652. And the House requests that a Conference Committee be appointed. On Supplement Calendar #2, there's... there appears House Bill 1327. Representative Cowlshaw. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I apologize for the delay. The... this Bill was amended until it contained nothing, before we sent it to the Senate, and there is was decided by Senator Geo-Karis to add an Amendment which then becomes the entire Bill, to change the Senior Citizens Assessment Freeze Homestead Exemption. This Bill provides that if in any subsequent tax year for which an applicant applies and qualifies, the EAV of his or her homestead property decreases, then that year shall become the base year for

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the purposes of qualification. This is a very well-thought through proposal which is strongly endorsed by senior citizens, both individually and in their various groups. I believe that this Bill, was in fact originally, now this was before Rep... Senator Geo-Karis dealt with this. This Bill was originally a Bill that was sponsored by Representative Susan Garrett. I believe it was known as House Bill 2679. So, this is basically Representative Susan Garrett's Bill, and I think we need to give her credit for that, as well as Senator Geo-Karis. I would be glad to answer... I would be glad to answer any questions, Mr. Speaker. And I would also ask please, if the time comes for someone to close, I believe we should let Representative Garrett close. If you would let Representative Garrett close, I would appreciate it. Thank you."

Speaker Lang: "Seeing no discussion, Representative Garrett to close."

Garrett: "I would ask that everybody support this Bill. It is a very good Bill that has come from my district. It was drafted by senior citizens. They have found a glitch in the law, and they have made a very good law a better law. And I thank you once again for your support."

Speaker Lang: "The Sponsors move that the House concur in Senate Amendment... Amendments #1 to House Bill 1327. 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? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no', and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1327. And this Bill having received the Constitutional



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Majority is hereby declared passed. House Bill 1622, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we concur in the Senate Amendments to House Bill 1622. The... 1622 was commonly referred to as the Cancer Clinical Trials Bill. The Senate Amendments made a couple changes to it that I think we can live with. One was that they mandated that the Department of Insurance would do a cost and benefits study on including these treatments in insurance coverage that would be due on March 1st of the year 2003. They also changed instead of mandating that insurance... that companies would cover this insurance, they mandated that they must offer the coverage of this insurance. The... they also put in a special section there. Seeing how many of these clinical trials are currently covered by pharmaceutical companies. They put in a special section saying that, this in no way is to relieve the sponsors of clinical trials of its financial responsibility. They put in supervisions of which trials would be covered. Basically, once it's approved by the unit... United States Secretary of Health and Human Services or the Director of the National Institutes of Health and they put in a sunset provision of January 1, 2003, for this Bill. So, I would appreciate your continued support."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendments #1, 2, and 3 to House Bill 1622. And on that question, the Chair recognizes Representative Erwin."

Erwin: "Thank you Speaker. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Erwin: "Thank you. Representative McCarthy, I certainly want to congratulate you on your work on the clinical trials issue."

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This House has passed on numerous occasions, I think at least six in the last four years, a Bill addressing the very serious problem of insurance coverage for cancer patients receiving treatment while, also, moving science along so that we can all find better cures and treatments for cancer through clinical trials. Representative Tim Johnson also had a Bill earlier this year on clinical trials. For the purposes of legislative intent however, on (sic-House Bill) 1622, Representative McCarthy, I'd appreciate it if I could ask you a few questions. Do you intend in (sic-House Bill) 1622, that the coverage for the difference between the regular standard care costs and any costs that are pursuant to participation in a clinical trial be covered by the insurance benefit so described in the Bill?"

McCarthy: "Yes, I do."

Erwin: "Also, if companies may include clinical coverage for clinical trial participations which many do today in their regular health insurance coverage or may provide clinical trial coverage in \$10,000 increments ... via an additional rider with the \$10,000 being up to the least amount covered as a result of the additional premium."

McCarthy: "That is the intent of the legislation."

Erwin: "And just... lastly, Representative, thank you, while we understand that the marketplace may ultimately decide the actual price and the amount of coverage needed as a result of insurance covering a patient's participation, is it your intent that this language will be used to set a target as far as the initial premium cost and is not meant or intended to be a cap on the benefits a person may purchase through additional insurance coverage?"

McCarthy: "That is absolutely correct."

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Erwin: "Thank you, Representative McCarthy. I would urge all of my colleagues to support these, this Concurrence Motion."

Speaker Lang: "Representative John Turner."

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

Speaker Lang: "Gentleman yields."

Turner, J.: "Representative, sounds like the Senate did a lot with their Amendments. Did they leave anything in the Bill it was, as it originally was passed?"

McCarthy: "I'm sorry, did you ask for what the changes are since the Bill was initially passed?"

Turner, J.: "Well, not exactly, but that'll work."

McCarthy: "Well, as I had mentioned in my opening, the main thing was that instead of this coverage being mandated for health insurance companies, the... it's now mandated that they must offer the coverage, but they are not mandated to cover it. Which was the changes made by the Senate Republican Leadership."

Turner, J.: "All right. You said... instead of mandating coverage, coverage will be mandated..."

McCarthy: "No, no. That's not what I said."

Turner, J.: "Now, what does that mean? I don't follow that at all."

McCarthy: "Okay. The coverage must be offered. The coverage does not have to be covered by the company, but it must be offered to the employees of the company. The original Bill mandated that the company..."

Turner, J.: "Is that different than a mandate? Okay, explain that to me."

McCarthy: "Yes,... definitely. It means that when they... when they offer you your health insurance they also say, 'this is also available to you, if you want to partake in it.' The original Bill, the way it passed out of here

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unanimously, was that the companies would have to pay for the coverage. Now the companies have to offer the coverage but they don't have to pay for it. It'll be up to the option of the individual employee. Now many, many insurers in our state, including Blue Cross/Blue Shield, is probably the largest of the health insurers, already does cover this in their basic health insurance plan. And we, we encourage others to do that. But for those that don't do that the employer will now have to say, 'this is also available.'"

Turner, J.: "Okay. Then with that in mind, is there now any opposition to the Bill as amended?"

McCarthy: "After the Senate Amendments, I believe all opposition has been withdrawn."

Turner, J.: "I don't think I artfully asked the question. Is there any opposition to Senate Amendments 2 and 3?"

McCarthy: "No. I... there are people who wished they didn't have to add 2 and 3, but they have withdrawn any opposition."

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

Speaker Lang: "Representative Brady. Mr. Brady, please."

Brady: "Will the Sponsor yield?"

Speaker Lang: "Gentleman will yield."

Brady: "Representative, I'm not sure. Could you explain exactly what you are trying to do with this legislation as amended, again?"

McCarthy: "As amended... I'm trying to make sure that the citizens of our state have the opportunity to have cancer clinical trials covered in their health insurance plan."

Turner, J.: "And this is mandating that everyone is offered health insurance..."

McCarthy: "They are offered the coverage, but the... the employer can determine whether it's employee paid for or whether the employer wants to pay for that himself. Which is, was

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amended in the Senate and what... brought the agreement among the groups."

Turner, J.: "Does this, does this affect... I'm told that this affects not only group insurance but individual policies. Is that correct?"

McCarthy: "I think that... that is correct. And the individual, or the underlying Bill also covered the same."

Turner, J.: "Your answer again, I couldn't hear you."

McCarthy: "My answer is 'yes'... the reading says, 'an individual or group policy'..."

Turner, J.: "So you, you are affecting both group and individual policies?"

McCarthy: "Individual or group, correct."

Turner, J.: "Can... can you think of an example of any mandatory offer on individual policies like this? It seems to me that you're providing for something that is relative... that is not relative, is unprecedented, that you are by mandatory offer for individual policies. In fact, I am told that there are two opposing groups, the Independent Insurance Agents of Illinois are opposed to this legislation as are the Life Underwriters. Their reason is, they believe you're putting them in a difficult position by mandating that they offer something that almost provides them with a conflict in how they are to counsel their insured on what to do. And I... I don't want to speak for you or tell you misspoke, but I'm... I'm pretty sure that both the Professional Independent Insurance Agents of Illinois and the Illinois Life Underwriters are opposed to this because it puts them in a difficult position where they're not sure how they can act appropriately as it pertains to individual policies.

McCarthy: "Well, you know you may be correct, but I would say

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that I was advised by the people who dealt with the representatives in the Senate that this agreement was agreeable to both the proponents and the opponents of the original legislation. So, if I misspoke and there's still an opponent, I... I... I'm sorry I misspoke, but I would say that I think that this treatment is necessary. I think the major insurance companies of our state are already including it, which shows that it's necessary and I don't think it's a big deal to expect the employers, if it is a mandate on the employers, I think it's a mandate that's well-deserved."

Turner, J.: "Representative, I'm also told that the Life Insurance Council of Illinois is opposed because of the individual coverage. Not... I don't think there's that much opposition to your group coverage effect, but you have quite a bit of opposition because of the difficult position you're going to be placing these companies in. Would you be interested in at least talking to them about their opposition, since you are unaware that they were opposed?"

McCarthy: "I... I... If they are opposed, I think their opposition is in error. So, I would not be willing to talk to them about it."

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

Speaker Lang: "Representative Mulligan."

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

McCarthy: "Yes, Ma'am."

Speaker Lang: "Gentleman yields."

Mulligan: "Representative, if this is going to be offered as optional coverage, wouldn't there probably be a charge for it?"

McCarthy: "Yes there would be, if it was offered as an option. We would hope that most insurance providers would see the

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wisdom of including it in their basic coverage, 'cause we think it's going to be a very nominal charge, at most."

Mulligan: "So, it's not a mandated coverage that is going to cau... not be covered by additional premiums that insurance companies would receive if the person chose to take this?"

McCarthy: "Correct."

Mulligan: "So, in effect, they might even be making more money for the simple reason that if the patient does not opt for clinical trials, the insurance company would have to pay for the normal cancer coverage anyway, what the treatment would be normally, correct?"

McCarthy: "Correct, and they... as you say, they could actually receive extra premiums if people took this extra coverage, where it wasn't included in the basic coverage."

Mulligan: "So, though I commend you and I certainly commend Representative Erwin who has worked on this issue for a long time, but the Senate significantly watered this Bill down. It's not everything we would like it to be, but it certainly is a step forward. But, we're certainly not placing any added burden on any insurance company under this policy, except to offer the coverage in hope that they will look by this study to see that it really isn't costing them anything and that we should all pass this just to make them step forward."

McCarthy: "I agree with your assessment."

Mulligan: "Thank you."

Speaker Lang: "Representative McCarthy to close."

McCarthy: "... Thank you. I think the issue has been debated in full and I would appreciate your support. I think this is a step forward. It's not as a significant a step as we had made with the original legislation. But I feel confident and the American Cancer Society feels confident that this

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is a step forward and we should make this move. So, I would appreciate an 'aye' vote."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendments 1, 2, and 3 to House Bill 1622. This is final action. All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? (2) not voting. Have all voted who wish? Record yourselves. Mr. Clerk, take the record. On this question there are 116 voting 'yes', 0 voting 'no'. The House does concur in Senate Amendments #1, 2, and 3 to House Bill 1622. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2180, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendment #1, which is... was drafted by the Chicago Bar Association and the Cook County State's Attorney in conjunction with the National Indemnity Corporation to remedy long-standing problems with Cook County's Indemnity Fund. I'd be happy to answer any questions."

Speaker Lang: "Lady moves for concurrence in Senate Amendment #1 to House Bill 2180. On that question, the Chair recognizes Representative Pugh."

Pugh: "Thank you, Mr. Speaker. To the Bill. This piece of legislation is a cooperative piece of bipartisan legislation that has been developed by all parties concerned to deal with a problem that Cook County faces in its indemnity fund. The indemnity fund is designed to allow individuals who have lost their homes to have some kind of recourse, and... and the Cook County Board is the vehicle by which the restitution is made. At this point in time, the indemnity fund for Cook County is broke. And



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there is... there are no resources. The dollars that will be retrieved from the tax buyers and these are individuals that... that buy taxes through the annual sale or the forfeiture sale. The annual sale of properties take place as a result of individuals who have not paid their taxes and they... their taxes are up for sale on an annual basis. If their properties are not retrieved on an annual basis, then it goes into ... the tax scavenger sale. Individuals that buy these properties usually pay a fee. We're asking these individuals to increase the amount of money that they usually pay, so that the tax indemnity fund can be replenished, so individuals that might lose their homes would have an opportunity to regain them. So, it is with that that I stand in full support, strong support of this piece of legislation and I commend its Sponsor, Representative Moore, for working diligently with all parties concerned to bring this to fruition."

Speaker Lang: "Representative Black."

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

Speaker Lang: "Gentleman yields."

Black: "Representative..."

Speaker Lang: "Sorry, the Lady yields."

Black: "Representative Moore, I have a sense of deja vu."

Moore, A.: "Could it be from that glitter on your ear?"

Black: "Oh, it hurts. You... you didn't tell me how much it hurt to get that thing. I'll take that out on you in this Bill. Didn't... I thought we already... I thought we already saw... we've seen this Bill before."

Moore, A.: "Well, you know the motto here."

Black: "What's that?"

Moore, A.: "I mean, if at first you don't succeed, try, try

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again."

Black: "I think that's a wonderful motto. And I have a hunch if we don't pass this Bill you're going to continue to try, just to drive me crazy. Now, let me ask you some questions about this Bill. There is a fee in this Bill, is there not?"

Moore, A.: "Yes, there is."

Black: "But as, Representative Pugh pointed out, the fee is not charged to the taxpayer or the person whose home might be trying to be, the person whose trying to reclaim their home. They don't pay the fee. Who pays the fee?"

Moore, A.: "The tax buyer. The individual buying the delinquent taxes. So, the tax buyer pays the county the tax dollars that are owed and at that time they pay a fee, also."

Black: "Now is there a way... the fee won't be passed on to the person trying to redeem their home, will it?"

Moore, A.: "I don't believe so."

Black: "Okay."

Moore, A.: "The interest is."

Black: "Now this is only... this only pertains to the County of Cook, correct?"

Moore, A.: "Correct."

Black: "See, there was a Representative yesterday who had a... I thought, an identical Bill... and... but it referenced the Torrens Fund and I was never sure whether it was just Cook County or not. This Bill doesn't reference the Torrens Fund?"

Moore, A.: "I don't believe so, but I'm not actually certain. And I think that Bill yesterday actually was process servers."

Black: "Okay. So, this only affects the County of Cook. And as Representative Pugh stated, it is a way to help those who

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have become dispossessed to get their home back, correct?"

Moore, A.: "It's a way to find compensation for them, yes."

Black: "So... so they may not get the property back, but they might get value."

Moore, A.: "Yes."

Black: "Would it be fair market value or whatever the sale..."

Moore, A.: "I think that there... I think there's a process by which they have to go through to prove that they, in fact, qualify for this. And then the amount that they get I... I need to consult to give you the exact."

Black: "Nah, that's fine. I... I think you've done excellent work on the Bill. I appreciate the work you have done. I... I appreciate Representative Pugh clarifying some things that we obviously didn't understand yesterday and I think in this case, if at first you don't succeed, try, try, again is applicable and I think you will succeed. And I intend to vote for the Bill. Thank you."

Moore, A.: "Thank you."

Speaker Lang: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I also rise in support of this Bill. Representative Pugh and Representative Moore have explained this so much, I understand they're going to start a business together after we get done, if we ever pass this thing. But, it's a very good public measure. It's good for the consumer. And I urge an 'aye' vote."

Speaker Lang: "Representative Skinner."

Skinner: "Mr. Speaker, I also rise in support of this Bill. Our analysis says there's \$23.7 million in unsatisfied judgements, which means there are many, many taxpayers in Cook County, probably a lot of them homeowners of... well, fairly naive homeowners, who have been unjustly taken... had their homes taken away from them. The only way this..."

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these people are going to get their money back, is if there's new money. And the new money is coming from the process... from the... the tax sale process, the scavenger sale process. I can't think of any other way to accomplish the goal, which is to pay people that Cook County owes money, the money that their owed. Yes, there's the word 'fee' in this Bill. It's not a fee on the general public. It's a fee on the industry which has taken possession of the properties that really, they shouldn't have been allowed to take possession of."

Speaker Lang: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I also rise in support of this legislation, and... and especially the provision of the Bill which addresses a problem that we're having in a lot of downstate counties on subsequent tax purchasers, where the first tax purchasers secures the sale in error. And basically, what has happened is there was an adverse court ruling on it in the Second Appellate District which created confusion and also created problems for those who wish to redeem their property from some of the tax buyers who would use this loophole in the law. So, it's an excellent piece of legislation. I commend the Representative for bringing it forward and agree with the previous speakers."

Speaker Lang: "Representative John Turner."

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

Speaker Lang: "Lady yields."

Turner, J.: "Representative, I got just a couple of questions. The first one relates to the matter of... just mentioned by Representative Mautino. There is a provision, as I understand that does affect downstate and changes the existing law. Could you explain that to me? 'Cause it's not real clear to me."

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Moore, A.: "I... I think... would you... Representative, would you mind if I deferred to Representative Mautino?"

Turner, J.: "Not at all."

Speaker Lang: "Representative Mautino."

Mautino: "Sure, in the... in the case in the 5th District, known as Galmon 276, Illinois Appellate 3d 1084, 'Galmon held requirement that a property owner that wanted a redeem within a redemption period must redeem under protest.' This created some problems at the... at the county level. And what happened was a lot of people who were attempting to make their redemptions were denied that and then lost their property. This has been pretty rampant around Bureau and Putnam County. It was brought to me by some of our state's attorneys' who've been trying to find a way to have these people not lose their properties. And we've had probably 15 to 18 cases, specifically, from one gentleman and it's... it's been something that's widespread throughout the counties."

Turner, J.: "Okay. So there's been a change to assist persons who wish to redeem. What is that change?"

Mautino: "Let me get to the actual Bill... I'll come back to you in just a moment."

Moore: "It... It leads..."

Turner, J.: "Okay. I'll come back to you then, Representative Moore. My second question is with regard to the fee and it's pretty clear I guess, that the tax purchaser will pay the fee. But in response to a question posed by Representative Black, you said that that fee would not subsequently, be passed upon to the person who is delinquent on their taxes when they redeem. Are you certain? Because that certainly seems to be contrary to any provision of law that I'd ever seen where a fee is paid

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and can't be passed back on to the redeemer."

Moore, A.: "It's my understanding that the redeemer will pay interest, the interest that is charged by the tax buyer when they redeem. But it's not my understanding that that \$80 fee will be passed on."

Turner, J.: "Well, they'll certainly pay interest and they'll probably pay 18% for the first six months and 36% then for the next six months. And as you know how that works. And if they wait a couple years they'll be paying 72%. So the question is, will they also pay that \$80 fee? And I think you're responding and this is the second time you said it, so I assume it is correct. The fee will not be passed through then."

Moore, A.: "It is my understanding that the fee and the percentage that is created by this Act, which is at 5% of the actual tax amount owed, will go into the indemnity fund. And over the next six years, these amounts will continue to go into the... only the Cook County... this is only a Cook County issue now... will go into the indemnity fund to try and bring that fund up to a... a realistic level so that people can be remedied."

Turner, J.: "Okay, Representative Mautino, did you have an answer?"

Mautino: "I had a wonderful conference on that. And it creates also a category which would be the indemnity fund... fraud to discourage people from filing these claims which they would not be entitled to. It also places a cap at 99,000 unless you can prove beyond a... and what's the standard? You have to prove that the tax buyer was at no fault whatsoever, otherwise it places that cap on and that's the changes."

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

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Speaker Lang: "Seeing nothing further, Representative Moore to close."

Moore, A.: "This... well as I said before, if at first you don't succeed sometimes on a very complicated piece of legislation like this one, where there is a fee involved it becomes confusing to the... to the Assembly. This particular piece of legislation has been worked on by the Cook County's State's Attorneys Office to address fraud. The tax buyers have signed off on it because they want the indemnity fund increased and the Chicago Bar Association has tried to facilitate this. This is worthwhile legislation, and I would respectfully ask an 'aye' vote."

Speaker Lang: "Lady moves that the House concur in Senate Amendment #1 to House Bill 2180. This is final action. All those in favor shall vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 80 voting 'yes', 32 voting 'no', and 3 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2180. And this Bill having received the Constitutional Majority is hereby declared passed. On Supplemental Calendar #2, under the Order of Concurrence, appears House Bill 521, Representative Brunsvold. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Senate... I would move to concur in Senate Amendment #1, and it was just a technical Amendment that made reference to another section in the code and I would move to concur in Senate Amendment #1."

Speaker Lang: "There being no discussion, the Gentleman moves that the House concur in Senate Amendment #1, to House Bill 521. This is final action. All those in favor shall vote

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'aye', those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr.... Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no', and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 521. And this Bill having received the Constitutional Majority is hereby declared passed. Chair recognizes Representative Brosnahan, for what reason do you rise?"

Brosnahan: "Thank you, Mr. Speaker. I just would like everyone to join me in wishing, my... my office mate and my roommate down here in Springfield, Tom Dart, a very Happy Birthday. His birthday is tomorrow, and there's cake out here in front for everyone that wants to come down and have some. Thank you."

Speaker Lang: "Happy birthday, Representative. On Supplemental #2, under the Order of Resolutions appears HJR26, Representative Jerry Mitchell. Out of the record. On Supplemental Calendar #1, under Senate Bills-Second Reading appears Senate Bill 251. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 251, A Bill for an Act to amend the State Employee's Group Insurance Act of 1971. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. On the same Order appears Senate Bill 856, Representative Michael Smith. Please read the Bill."

Clerk Bolin: "Senate Bill 856, a Bill for an Act to amend the Illinois Pension Code. Second Reading of this Senate Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. On Supplemental Calendar #1,



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continuing down the Order of Resolutions, on page 2 of that Supplemental, appears House Resolution 239, Representative Bill Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. I move to pass House Resolution 239 and this would respectfully request the Governor to include an income tax deduction in fiscal year 2000 budget for wages earned by a member of the Illinois National Guard while on inactive status."

Speaker Lang: "You've heard the Gentleman's Motion, is there any discussion? Seeing none, those in favor of the adoption of House Resolution 239 say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 239. House Resolution 243, Representative Hoffman. Out of the record. House Resolution 270, Representative Schoenberg. Out of the record. House Resolution 274, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 274 is a initiative to look at the issues regarding road worker safety. What the Resolution would require is that the Illinois Department of Transportation look at the issue of illuminating vests, their effectiveness, whether or not we could improve upon some of those that are being currently used and to expand the program and we are requesting that they return a report to us on May 31, 2000. I'd ask for your favorable vote."

Speaker Lang: "You heard the Lady's Motion, is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution 274?' Those in favor shall say 'aye'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 274. House Resolution 296, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. House Resolution 296 would urge Congress to repeal the part of the US Code that's prohibiting the graduates of Military Service Academies and the ROTC programs from being appointed regular officers of our military services. The Federal Law provided... provided in 1996 that the appointments of any commissioned officer in a... must be in a reserve grade and denied the commission of regular officers to graduate from our country's military service academics (sic-academies) of distinguished military graduates of ROTC units and I ask for the adoption."

Speaker Lang: "You heard the Gentleman's Motion. On that question is there any discussion? Seeing none, the Gentleman moves for the adoption of House Resolution 296. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 296. House Resolution 299, Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Members of the House. House Resolution 299 calls on community service providers of services for the mentally ill and developmentally disabled, to pass along to workers any cost of living increases that the state allocates to the facilities at the same rate as the increase provided by the state. Additionally, the Resolution calls on the providers to certify to the Department of Human Services that such wage increases were provided to employees. The Department of Human Services on or before January 4, excuse me, January 1, 2000, shall report to the House of Representatives the information certified to the Department by disability service providers and I'd ask for your favorable support."

Speaker Lang: "You heard the Gentleman's Motion. On that question, the Chair recognizes Representative Black."

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

Speaker Lang: "Gentleman yields."

Black: "Representative, I appreciate the Resolution, I certainly support you. But, do you have any idea where we are in the budget negotiations to actually bring this about? Or are we just going to be able to pass our Resolution and feel good about it? Or are we making any progress in the budget negotiations to take care of these community-based provider groups and the workers therein?"

Giglio: "Nothing... no new information that you wouldn't be privy to either, Representative Black."

Black: "Okay."

Giglio: "Regrettably, we've... we've all heard promises. And we've heard commitments. And we've heard from our constituents. And hopefully, this will be the year."

Black: "Okay. Fine, thank you, Representative."

Speaker Lang: "Representative Parke."

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

Speaker Lang: "Gentleman yields."

Parke: "Representative, if the money is to go to the workers, what is it... where is it going now?"

Giglio: "Excuse me?"

Parke: "Your Resolution said you want the increases to go to the caseworkers. Where is it going now?"

Giglio: "The... They haven't gotten the increases, that's what we wanted..."

Parke: "I thought we had an increase... cost of living increase, last fall. Didn't we? I think we did last year."

Giglio: "Did we? I'm... I'm not sure Representative, to be honest with you. This is... this is a Resolution to ensure that any new ones that do come out of the General Assembly

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and go to the workers, that the DHS certifies that that is where they go and report back to us."

Parke: "Do you know if anybody is in opposition to this?"

Giglio: "I know of no opposition, no."

Parke: "Okay, thank you."

Speaker Lang: "Mr. Giglio to close."

Giglio: "Thank you. It's just been brought to my attention that the wage that we issued last fall, went to operating expenses and in fact, did not go to the workers and that's where this wage will go. And that's where we hope the wage increases do go, to the wages. That's where they belong. And I'd ask for your favorable support."

Speaker Lang: "Mr. Cross, are you rising on this proposition?"

Cross: "No, I knew he was closing, I'd like to rise afterwards."

Speaker Lang: "Well, I'll acknowledge you..."

Cross: "I'll stay up."

Speaker Lang: "...right after that. Gentleman moves for the adoption of House Resolution 299. All in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 299. The Chair recognizes Representative Cross."

Cross: "Mr. Speaker, there's a little puzzlement, or I guess question out here of whether or not we should check out of our hotel rooms; whether we should keep our hotel rooms for the weekend; whether we should buy some tents; whether we should pitch a tent? Can you maybe lead some guidance here or provide some leadership on what we should... about our... our room situation? I know we're addressing some very meaty issues with these Resolutions, but can you tell us what is going on? What's going on, Lou? What's going on, Lou? What's going on, Lou? What's going on, Lou? What is going on? Please Lou, what's going on?"

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Speaker Lang: "Well, Lou wishes he knew as well, and we'll get back to you on that."

Cross: "Wait, wait, wait Lou, Lou, you are obviously in charge. You're the Speaker and you look darn good up there. So... don't you guys think he looks good up there? Can you... yeah... very, very nice Lou. Speaker Lang."

Speaker Lang: "It wasn't too long ago you had 'Dump Lou' signs on your microphones."

Cross: "Well, Lou, if we don't get an answer on our hotel situation, they may be back."

Speaker Lang: "I have them all in my office, I'd be happy to pass them out for you."

Cross: "Why don't you get them back to us? And then incidentally, can you give us some indication of whether or not we're going act on more of the Motions to Nonconcur or if we're going to continue with these meaningful and important Resolutions."

Speaker Lang: "We will get back to you on that, as well."

Cross: "Yeah. Thank you so much."

Speaker Lang: "The Chair recognizes Representative Joe Lyons."

Lyons, J.: "Thank you, Speaker. I rise on a point of personal privilege."

Speaker Lang: "State your point."

Lyons, J. "Thank you, for those of you who aren't probably aware of it, the Lions International for the State of Illinois has their state convention here. They do this once every three years, so they're spending their weekend here down in Springfield and doing some tours. And I have a couple special guests, Rosemary Zolasko and Angela Hanson. They are working on a couple of statewide projects, for Camp Lion and one in Dixon and one in Bloomingdale (sic-Bloomington)-Normal Area, and I think we all

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acknowledge the wonderful job that the Lion's Club does for the blind and the handicapped children in the State of Illinois. I'd like to give them a warm welcome."

Speaker Lang: "The Chair recognizes Representative Skinner, for what reason do you rise?"

Skinner: "To inquire if the newspaper article I read today is correct. Are you really running for Governor?"

Speaker Lang: "You're out of order, Representative. The Chair recognizes Representative Black."

Black: "Yes, Mr. Speaker. An inquiry of the Chair. A point of clarification, if I might. When Joe said the Lions are meeting here, that makes me nervous. How is that spelled? If I could have a clarification."

Speaker Lang: "Actually, for a while, I thought it was Joe Lyons and Eileen Lyons having some sort of a meeting."

Black: "That's what... that's what I wondered, but there's also another connotation that might strike fear in the heart of Members in this chamber... how is that spelled?"

Speaker Lang: "Representative, do you want to spell it for him?"

Lyons, J.: "It's... as opposed to Eileen's and my name with the 'y', the Lion's is with the 'i', Representative Black, so it is l-i-o-n."

Black: "Okay. Well, see down where I come from, lions may have another whole connotation and I just wanted to set the record straight."

Lyons, J.: "Thank you, Representative, it's the Lions International."

Black: "And a wonderful service group it is. And I appreciate you calling that to our attention. And I assume that they will be serving lunch sometime before the convention is over."

Lyons, J.: "That... that may be arranged, Representative."

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Black: "Well, perhaps breakfast tomorrow could be arranged."

Lyons, J.: "Time is running out on that, we think, isn't it?"

Black: "Thank you."

Lyons, J.: "Any breakfasts tomorrow? Hope not?"

Speaker Lang: "Will the electrician please keep Mr. Black's microphone on? The Chair recognizes Representative Dart for a question."

Dart: "Thank you, Mr. Speaker. I was... my attention was called to that side of the aisle when the previous speaker got up and I got caught... there was this glare coming from the lights from the side of his head and I was wondering if Representative Black tried to get a jump on the... before we... we passed or had the Governor sign the Body Piercing Bill, that he went and got his ear pierced."

Black: "There's no question about it. I... I realize when that Bill passed the procedure would probably go up in price, 10, 15, \$20, so I had to... you know, you have to make hay when the sun shines, so to speak. And by the way, Representative, I want to wish you a happy birthday. And... just for your edification, I have ties older than you are."

Speaker Lang: "On the Order of Resolutions, on Supplement #2 appears HJR26, Representative Jerry Mitchell."

Mitchell, J.: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I bring you House Joint Resolution 26. This is a Resolution to disapprove a waiver request from Elk Grove Township Community Consolidated School District #59 pertaining to the Charter School Funding for Thomas Jefferson Charter School. This is... from my understanding this will be the only waiver denial for this Session. Be happy to answer any questions."

Speaker Lang: "You heard the Gentleman's Motion. Is there any

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discussion? Seeing none, the Gentleman moves for the adoption of House Joint Resolution 26. Those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Joint Resolution 26. House Resolution 301, Representative... the Chair recognizes Representative Jerry Mitchell."

Mitchell, J.: "Mr. Speaker, just a question of the Chair. Since this is a... a waiver request that has to go back to the Senate the same way. Do we not have to have a Roll Call vote on this particular one?"

Speaker Lang: "Well, just to be sure, let's do one. So House Joint Resolution 26, this is going to be a Roll Call. All those in favor of House Joint Resolution 26... the Chair recognizes Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. We're going to have a Roll Call. I prefer to ask the Sponsor some questions."

Speaker Lang: "You're within your rights, please proceed. The Gentleman yields."

Black: "Yes, thank you very much. Representative, I'm just a country boy... a paraprofessional, is that a skydiver who does it for money?"

Speaker Lang: "Mr. Mitchell."

Black: "I see his lips moving, but nothing's coming out."

Mitchell, J.: "That's because I need a paraprofessional."

Black: "Oh, okay."

Mitchell, J.: "I think you're pretty close on that... that description."

Black: "Could you give us a... a concise explanation on what a paraprofessional in the public schools would be?"

Mitchell, J.: "A paraprofessional in a public school, probably would be someone that is a teacher's aide, in a classroom



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or something of that nature. Are you sure that you have the right... I mean, I'm... I'm not sure where this, what this has to do with..."

Speaker Lang: "Mr. Black, is it possible you are on the wrong Resolution?"

Mitchell, J.: "Is this the party to whom I am speaking?"

Black: "Yes. It's entirely possible that I had the wrong Resolution sheet, I was looking at HJR 22, which in it's right, is an interesting Resolution..."

Speaker Lang: "Let's stick to this one, Sir."

Black: "The Clerk threw me off, he had 22 on the board. Yes, now..."

Mitchell, J.: "Mr. Speaker, am I still a part of this conversation?"

Speaker Lang: "No, not at all. We'll let you know when it's your turn."

Black: "You've caused enough confusion already, Representative."

Speaker Lang: "Mr. Black."

Black: "Just sit down for a minute, for heaven's sakes."

Mitchell, J.: "I can go down and eat my lunch, is that all right?"

Black: "You've tried to slip through an HJR with a different number. We caught you. We'll get back to you in a second. Now, Mr. Speaker, what HJR are we on?"

Speaker Lang: "HJR 26, the one on the board, Mr. Black."

Black: "All right. Now that makes a big difference, because as I understand it there's no paraprofessional language in HJR 26."

Mitchell, J.: "Excuse me, Representative, but did that... did your... did your ear ornament come from Bill Mitchell's jewelry shop? I'd like to keep this in the family."

Black: "I don't know, it was... it was a sidewalk vendor last

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night in the Old State Capitol Plaza, wonderful fellow, had an interesting tale to tell, too. He was a paraprofessional, as I recall."

Mitchell, J.: "Well, they have to have sidelines."

Black: "I want to tell you something, the paper punch through your ear hurts, I don't care what they say. Now, I'm trying to figure out why they've give me a Roll Call to speak on, on House Bill 1207. Excuse me, let me talk to staff for just a second here."

Speaker Lang: "Mr. Black, Mr. Black, why don't you have a seat, we'll come back to you. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Representative Mitchell, is this the waiver that District 59 Elk Grove Village or Elk Grove Township requested that would allow them to not have to pay for the Charter School that the state approved over and above what the district approved?"

Mitchell, J.: "That's correct."

Mulligan: "To the Resolution. Those of us that read... represent District 59, some of us went on a Bill earlier. We feel that the law that was passed that allows the state to override school boards that reject Charter Schools is patently unfair to those school districts. The school district in their wisdom sees that there is no need for such a school and then the state board goes over that and does... and votes for that... ability for that school district to have... take it out their school funds, which are limited, as that school district gets very little in state aid... is quite a hardship. And so... District 59, then went ahead and filed a waiver and that's what this is all about. So, if you believe that it's fair for the State Board of Education to overrule a local school district's desire not to fund a Charter School and then that school

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district still has to bear the cost of it, then I suppose you would vote... I'm trying to think... is this Resolution to deny the waiver?"

Mitchell, J.: "Representative, I... and I... certainly understand what happened with... with this particular Charter School, but that was a direction to the school... school board and... and certainly not a part of a mandate and this is not a mandate, therefore it really isn't waivable."

Mulligan: "All right, so but the Resolution is to deny the waiver request."

Mitchell, J.: "You... You... You're correct. Because it's not a section of the School Code that they can waiver because this was a direction from the General Assembly for the state board to... to serve as the last request for a Charter School to be... to be allowed a charter."

Mulligan: "So their waiver would've required the state board to then pick up the cost?"

Mitchell, J.: "No."

Mulligan: "Rather than the school district?"

Mitchell, J.: "No, there's... it doesn't... it doesn't tell anybody what they have to do. It just simply says that... that the Charter School cannot have the funds that by law they are allowed. And I think the problem probably will be cleared up when the Charter School Bill finally passes, so that Elk Grove does not lose this money. My... my only reason for this waiver is simply because it's not a part of the School Code that... that they can waive, when it comes to how to pay for a Charter School that already has their charter. It's certainly nothing against what Elk Grove did and I certainly support their earlier decision. But... but this is really not a part of what the waiver law or what the Waiver Bill allowed to be waivable."

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Mulligan: "I understand, and I thank you for that, it's just that there was so much kibitzing going on about the Bill, that I wanted the Representatives to realize that this was a serious issue. There's a lot of underlying issues behind this waiver request. Certainly, the one that's paramount is that what was put into the school changes at the end of 1997 that we voted on, and the last minute, the inclusion of the ability of the state board to override a school district. I understand that is not exactly what this waiver would do, but it is an issue that it should be discussed about this waiver. Thank you."

Mitchell, J.: "And... and I appreciate that, because that's exactly what we are going to do as we move down the road with Charter Schools. However, we had a problem that nobody... no one was being allowed to start a Charter School, so the whole movement was... was stalled. What we did to solve that, was to allow the state board to make a decision as a last gasp or an appeal process. Once they did that, at our direction, then we wound up with other problems. It... it just goes back to the fact that... that the whole Charter School movement needs a lot of work, it needs a lot of thought and that's the direction that we need to move."

Speaker Lang: "Representative Tim Johnson."

Johnson, Tim: "Representative Mitchell, the Illinois Supreme Court has recently dealt with the mechanism that we employ with respect to waivers. It effectively ruled, that based on the Presentment Clause of the Illinois Constitution, the waiver mechanism that we have in place is unconstitutional. I think for purposes of this and future Resolutions you ought not only to address in this particular case that Supreme Court ruling, but to determine or at least make a

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part of the record that that Supreme Court decision is either applicable or inapplicable to what we're doing. Because if in fact the whole mechanism has been voided, we're conducting an exercise in futility."

Mitchell, J.: "Thank you, Representative, and you're absolutely right. And if... if I may, I will read into the record what happened two years ago. At that time, the Chicago Teachers' Union and the Illinois Federation of Teachers and the AFL/CIO sued Chicago School District 299 and the State Board of Education over a Physical Education Waiver that was granted. On May the 12th, 1999, the Cook County Circuit Court, Honorable Sidney A. Jones, enjoined the State Board of Education and the Board of Education of the City of Chicago, from implementing this Physical Education Waiver, awarded pursuant to the School Waiver Law. More importantly, the court held that the entire School Waiver Law is declared void. The court also suggested that the General Assembly, which was not a party to the suit, could not conduct any further hearings concerning proposed waivers. As to the constitutionality of the Waiver Law itself, the Attorney General is attempting to obtain a stay of the court order pending appeal. If no stay is obtained, the State Board of Education may be prohibited from taking further action under the Waiver Law. As the court did not have jurisdiction over the Board, it has invalidated the Law. However, the General Assembly, as coequal branch of government, cannot be affected by the court's decision. The General Assembly is free to hold hearings and take any other action under the law that it... that it desires. If in fact the Waiver Law is struck down, we may have to revisit that issue. But if you remember, the way the Waiver Law is structured, by not taking any action, we

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actually take action. If we do not deny it, then it is approved. So either way, we're taking action as long as the law has not been appealed. So we still must go through this process to make sure that we have covered those waivers that we want to approve, those that we want to... to deny."

Speaker Lang: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker. A question if I may, Representative?"

Speaker Lang: "Sponsor yields."

Mitchell, J.: "Certainly."

Bassi: "Is this the... is this the Charter School that was turned down by 12 other school districts on educational and organizational grounds as being inappropriate?"

Mitchell, J.: "Representative, I have no idea. I'm getting a nod from one of the Representatives in this district, that this is... this is that school district for that Charter School."

Bassi: "So this is... so this particular Charter School that we would be insisting that the school district fund is one that was turned down by a total of 13 school districts on organizational and educational inappropriateness for... for students. That we would now be forcing the school district to pay for if we vote in favor of your Resolution, or against it?"

Mitchell, J.: "Representative, my... my waiver... the request for the waiver is to hold up funding which is really not a part of that whole appeal. That part of the law is not part of the School Code, therefore, if we don't deny this then we set a precedent that... that some other law, some other parts of the law could possibly be waived. I think this one probably, would not stand up to a court challenge,

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anyway, if we in fact approved it. The reason why we are going through the denial process is to keep intact the Waiver Law that we have pending the appeal of the courts and the ruling by the judge in Chicago."

Bassi: " So, if we vote... "

Mitchell, J.: "This has nothing to do with... with the philosophical beliefs and I'm certainly not up here saying that... that I approve what the board did or I approve what happened with this particular school. All I am saying, is that since they do have a charter we are obligated to fund it, and to deny those funds then puts it in a real quandary because there is no way to fund it."

Bassi: "But... but aren't we saying that the school district has to fund it, not the state board?"

Mitchell, J.: "We're saying that that portion of the funds of those kids that live in that district, per pupil, go with the child for Charter School, which is the way the Charter School Law is written."

Bassi: "So, you want us to vote in favor of taking funding away from public school kids?"

Mitchell, J.: "No Ma'am, that's not what it does. What we're saying is once a Charter School is approved, even if your local school district approved it, the funds for those children, go with that child."

Bassi: "But... but..."

Mitchell, J.: "The child will no longer be in the public school, therefore, they're not allowed to have the funds for that child either."

Bassi: "Thank you, Representative."

Mitchell, J.: "You're welcome."

Speaker Lang: "Representative Brunsvold in the Chair."

Speaker Brunsvold: "Further discussion? The Lady from DuPage,

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Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All hands on deck. Well, at least some of us have wakened, that's helpful. This district is asking to have money sent for each child who is enrolled in that Charter School, twice. Once to the Charter School, once to the school district that no longer has any responsibility for educating this child. We should not pay for children in one part of the state twice, and everywhere else, where all the rest of us live, we pay for that child only once. It was the intention when the Charter School Law was originally drafted that it would require that whatever money there was available from the state would go with the child, not go with the child of the Charter School and then end up also back in the coffers of the local school district where the child was no longer enrolled. This is not fair to every other school district in the state, which is probably 99% of us in this chamber. All hands on deck. Thank you, Mr. Speaker."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Parke."

Parke: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to look at this in another way. We have a Charter School Program that the majority of the Members voted for and the Governor signed and put in place. And what's happening in my school district is that... we're telling that school district that you're going to provide a Charter School opportunity for the children of that school district. And you're going to take it out of the school district's money that they're going to provide for the programs and... and as you know, that means salaries and benefits for teachers and administrators. I want to defeat



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this Amendment and send a... and create a... create a dilemma for the state. Now, what is going to happen, is that they're asking you to pass this. So that we can just sort of sweep this under the... under the rug and ignore the issue that ought to be addressed. And that address is, that if you create a Charter School, the state or the State Board of Education ought to provide the money for that Charter School. It ought to not come out of the backs of the school district that are going to provide those children. I want to create a dilemma for the state. I want to defeat this. I think that we ought to make sure that the money follows the child, wherever that may be, whatever Charter School, whatever program. And if we just simply keep ignoring it and keep saying oh, yeah, we got a problem, yep, we got a problem but we're not going to address that problem, I think that's wrong. I want you to defeat this Amend... this Resolution and I want you to create a dilemma that the state board is going to have to address. Let's force them to address the issue of how do you pay for Charter Schools. Ladies and Gentlemen, I think maybe on the face of it, it might not seem fair to have the school district not have to pay for it and the same time get money for that Charter School and I want to create a dilemma for the State Board of Education. So, I would ask you to defeat this, so that we can now force the education community of this state to address the issue of funding for Charter Schools."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Monique Davis."

Davis, M.: "Mr. Speaker, thank you very much. We don't have a copy of that Resolution and it doesn't seem to pop up on the... on the desktop."

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Speaker Brunsvold: "We're checking, Representative."

Davis, M.: "Thank you."

Speaker Brunsvold: "The Clerk indicates that the Resolution is on your laptop. Mr. Parke."

Parke: "Thank you, Mr. Speaker. Point of clarification."

Speaker Brunsvold: "State your point."

Parke: "I do not want them to disallow what my school district's request is. How does the Body vote to support my position? Do they vote 'no' on this Resolution or do we vote 'yes' on this Resolution?"

Speaker Brunsvold: "Mr. Mitchell."

Mitchell, J.: "Just to explain the voting process with a Waiver Law and it certainly is, is a tough one. If you vote 'yes', you are voting to deny Elk Grove Township. If you vote 'no' you are voting to allow the waiver. Okay? A 'yes' vote is denial, a 'no' vote is a 'yes' vote."

Parke: "So, on my request would be the Body to vote 'no' on this Resolution. And you're asking them to vote 'yes'?"

Mitchell: "Terry, in your case you would want to vote 'no'."

Parke: "Thank you."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Speaker. I also join with some of the previous speakers in urging a 'no' vote on this waiver. I think the reasons have been laid out. But if, indeed, there is support on local control and a belief here that the decisions of an elected school board should be upheld, then the proper support in this case would be for a 'no' vote. I reiterate that and ask the support of the chamber that we vote 'no' on this waiver."

Speaker Brunsvold: "Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "State your point."

Black: "The previous speaker said if you vote 'no'... we need some direction from the Chair. And we get into this every time we get into school waivers. If you vote 'no' on this Resolution, the way I see it's drafted, then you are approving the waiver. If you vote 'yes' on the Resolution, you are voting to disapprove the waiver. It's because of the way these school waivers are written and we get into this every year, and we're going to need some direction from the Chair, because a 'no' vote may not be what you want. You want to vote 'yes' to disapprove, as opposed to voting 'no' to approve. And I think we need direction from the Chair before we vote, so that we all know exactly what we want our vote to do."

Speaker Brunsvold: "You are correct, Mr. Black. A 'yes' would disapprove, and a 'no' would approve the waiver. You are exactly correct, Mr. Black. Members should beware of that and the situation on this vote. Further discussion? The Lady from Cook, Representative Bassi."

Bassi: "Thank you, Mr. Speaker, and I appreciate the Chair's indulgence. I would like to clarify an issue here. One of the things that has come up with this discussion, is the need for Representative Krause's (sic-Senate) Bill 648 to get out of Conference Committee. That would resolve the issue that we're speaking about here of funding for local schools. The problem with this particular waiver is that we absolut... the waiver request is probably inappropriate. So from a legal standpoint we probably should be voting 'yes' to disapprove the waiver. The problem is, that philosophically in so doing we are forcing a local school district to have to pay for something that they did not

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choose to do. So the appropriate thing to do is probably to vote 'yes'. To disapprove the waiver. Philosophically, I'm going to have a problem with that I will have to vote 'no', as I was involved with the Charter School process and the disapproval of the particular school district involved. Thank you, Mr. Speaker."

Speaker Brunsvold: "Further discussion? Seeing none, Mr. Mitchell to close."

Mitchell, J.: "Thank you, Mr. Speaker. Again, we have to understand how we're voting on this issue. First of all, a 'yes' vote denies the waiver. That says to Elk Grove, doesn't say we agree with your fight over the Charter School, doesn't have anything to do with that philosophical argument. What a 'yes' vote says, is yes we are going to deny this waiver, because if you approve it, you're forcing the Illinois taxpayer to pay twice for the same child. The decision on whether or not the Charter School is here, has already been made. It's here. Somebody is going to have to pay for it. If you say 'yes' to the waiver that means that we'll only pay once. The money will be kept and given to the Charter School. If you say 'no' that means that you're going to give the same per people cost to Elk Grove, even though they don't have the kids anymore, and then you're going to have to take state money and pay for the children in the Charter School, because the right to a free public education says that you will pick up the tab with taxpayer's money. Now, you know, let's don't get into the philosophical argument that we had with Elk Grove. I respect their decision. The problem we have with this, is it's not part of the mandate waiver, it's not part of what's waivable. The problem with this one is, is that it's a request for a double payment. Now, you're going to

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look pretty silly if you vote 'no' and tell the taxpayer's we're going to pay twice for these. Elk Grove's going to get the money and they don't have the kids, and then we're gonna pay the Charter School who does have the kids. And on this one, Ladies and Gentlemen, let common sense rule, because you've got to separate from the emotional feeling, and... and Terry Parke is absolutely right. We must address this problem. We must address it and we have a Waiver Bill that Representative Krause has used and she's working on that problem. We all are. We need to step back and examine that whole Charter School movement, but we can't do it at the expense of the taxpayers. And a 'no' vote on this issue, would be you telling the taxpayers they're going to have to pay two times for the same child. That makes no sense. You have to vote 'yes' on this for common sense, and then we'll work the problem out, with the state board and everyone else. Now, if that doesn't explain it, I'm not sure how else to. A 'yes' vote denies the waiver, you pay one time. A 'no' vote approves the waiver, and you're gonna pay two times. That's as simple as it gets. Thank you, Mr. Speaker."

Speaker Brunsvold: "The Gentleman has moved for the adoption of House Joint Resolution 26. The Sponsor has explained the vote on the Bill, and the Motion is, 'Shall House Joint Resolution 26 be adopted?' All in favor should vote 'yes', all opposed should vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourself. Mr. Clerk, take the record. And on that Adoption Motion, there are 102 voting 'yes', 13 voting 'no', 0 voting 'present'. And House Joint Resolution #26 is adopted. Mr. Cross."

Cross: "Thank you, Mr. Speaker. Inquiry of the Chair."

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Speaker Brunsvold: "State your point."

Cross: "Many of us are very concerned that we're nearing the end of Session, obviously the more substantive issues are at hand. It's now Friday afternoon at 12:47 p.m. and we have not had the opportunity to address Representative Hoffman's Resolution HR 243, dealing with spring breaks. Can we get an answer from the Chair, as to why we haven't had the opportunity to debate House Resolution 243? (243) can you please call it? Can you at least tell us why we've neglected House Resolution 243 so long? We're going to be into the next spring break if we don't talk about it."

Speaker Brunsvold: "Mr. Hoffman has not chosen to call that Resolution."

Cross: "I think we want the opportunity to debate House Resolution 243, and it's an insult to all of us who want to go on spring break not to discuss House Resolution 243, that's unfair to all of those kids and adults who want spring break. And I don't know why Representative Hoffman won't pursue this and won't call the Resolution. Can he at least tell us why?"

Speaker Brunsvold: "Well, you may... you may talk to Mr. Hoffman in private, Mr. Cross."

Cross: "Jay, do you want... I think there are those people on your side of the aisle that want to help you. I think Representative Dart, Representative Scott are standing up saying please call it. Representative Scully, oh I see, Representative McCarthy, Representative Reitz, Representative Mautino. I think by accla... I think everybody wants you to call the Bill, Jay. Call the Bill."

Speaker Brunsvold: "Thank you, Mr. Cross. House... House Resolution 301, Representative Kosel."

Kosel: "Thank you, Mr. Speaker. House Resolution 301 urges the

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EPA to have official inspection stations operating vehicle emissions testing facilities to post complaint claim procedures in the waiting room in an obvious and visible manner, and to keep records of all complaints and claims against them and report them to the Representatives who serve that area. I would ask for the approval of the Assembly."

Speaker Brunsvold: "The Lady has moved for adoption. Is there any discussion? The Gentleman from Cook, Mr. Durkin."

Durkin: "Mr. Speaker, will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Durkin: "Representative, will this apply to college students who are home on spring break?"

Kosel: "I believe so."

Durkin: "Oh, wrong Resolution, I'm sorry."

Speaker Brunsvold: "Further discussion? The Gentleman from Madison, Mr. Stephens."

Stephens: "Inquiry of the Chair."

Speaker Brunsvold: "State your point."

Stephens: "Mr. Speaker, if we're going to go to the Order of Hoffman, I would hope that we would get to the Senate Joint Resolution having to do with the renaming of the Poplar Street Bridge to be the Mark McGwire Bridge. To heck with Spring Break, let's talk baseball."

Speaker Brunsvold: "Thank you, Mr. Stephens. Further discussion? Seeing none, the Lady has moved for the adoption of House Resolution 301. All in favor say 'aye'; opposed 'nay'. The ayes have it. And the House does adopt House Resolution 301. Mr. Clerk, House Resolution 303, Representative Julie Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. House Resolution 303 simply supports Governor Ryan's decision to

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engage in dialogue with the Director of the US EPA regarding the Phase II Reformulated Gasoline Act, which will begin in the year January of 2000. It encourages the Governor to discuss the issue of allowing or continuing the use of ethanol in the Phase II program, currently there are 400,000,000 gallons of ethanol that are... are made and sold in the State of Illinois every year and more than 50,000 jobs would be affected... affected if ethanol was not produced. So I would ask the Body to support this Resolution."

Speaker Brunsvold: "The Lady has moved for the adoption of the Resolution. Is there any discussion? The Gentleman from Kankakee, Mr. Novak."

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

Speaker Brunsvold: "The Sponsor yields."

Novak: "Representative, Representative Curry, it's so nice being so close to you. But anyway, I wanted... I wanted to ask you a question. You and I had discussed this very important issue before. Do you think it's a good idea if the House Energy and Environment Committee had some hearings on this over the summer, so we can push this issue to the forefront?"

Curry: "Absolutely, this is a very important issue that... that we should be discussing. It's not only the issue of ethanol, but other very important issues that are going to come about because of the Phase II RFG Program."

Novak: "Okay, so I... I agree with you, agree with your suggestion and I think once we adjourn for the rest of the year, I think that we will follow suit with that and make some specific recommendations to hold hearings over the summer. Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady



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from Macon to close."

Curry: "I would just ask the Body to support this Resolution.  
Thank you."

Speaker Brunsvold: "The question is, 'Shall House Resolution 303  
be adopted?' All in favor say 'aye'; opposed 'nay'. The  
'ayes' have it. And the House does adopt House Resolution  
303. Mr. Clerk, House Resolution 304, Representative  
Erwin. Representative Erwin? Mr. Clerk, House Joint  
Resolution 19. Mr... (Ms.) Howard. Connie Howard. House  
Joint Resolution 19, Representative Howard."

Howard: "Yes, thank you very much, Mr. Speaker. House Joint  
Resolution 19 urges the Board of Higher Education to review  
the dependence on part-time and nontenured track faculty in  
Illinois Colleges and Universities. Requires each public  
university and community college governing board to provide  
a report to the Board of Higher Education regarding use and  
compensation of part-time and nontenured track faculty.  
The Board of Higher Education would then compile the  
reports and provide them to the General Assembly. The  
Resolution would also require that the Board of Higher  
Education consider policies designed to discourage over  
reliance on part-time and nontenured track faculty and to  
make recommendations concerning the establishment of  
minimum salary and fringe benefits provisions. I will  
ask... answer questions of my colleagues."

Speaker Brunsvold: "The Lady has moved for adoption. Is there  
any discussion? Seeing none the question is, 'Shall House  
Joint Resolution 19 be adopted?' All in favor say 'aye';  
opposed 'nay'. The 'ayes' have it. And the House does  
adopt House Joint Resolution 19. House Joint Resolution  
20, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. This has absolutely nothing to do with Representative Turner's spring breaks. This has to do with... the Illinois military bases and making sure that we as a state, put forward a joint effort with regard to ensuring that the next BRAC, which is the Base Closing Commission, that will be appointed I believe in either the year 2000 or the year 2001 to look at base closures throughout the entire... entire nation. That we put our best foot forward to make sure that... that facilities such as Scott Air Force Base, the Mel Price Center, the Rock Island Arsenal, and the... Great Lakes facility in Chicago, are not subject to the base closure provisions. Other states have indicated that they are going to jointly work with the State Government to put their best foot forward to show the economic benefit and the military benefit of their bases. This is just a Resolution that... it's my understanding is supported by the Governor's Office, and is going to be carried by Frank Watson, Senator Watson, over in the Senate, saying that we will ensure that the... that we as a state put forward our best effort to make sure that the BRAC knows about all of the positives of these... these bases."

Speaker Brunsvold: "The Gentleman has moved for the adoption of House Joint Resolution 20, and on that issue... on that Motion, Mr. Stephens."

Stephens: "Just briefly. I hope that the Governor's Staff is listening. The area Legislators that are most affected by the military bases in the State of Illinois have met on several occasions this spring to address the most serious issue of base closure and in meeting with the Governor's Staff, I think we all feel to a Member, that we had a commitment for an appropriation, an... an appropriate

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amount to deal with the very serious issue of base closure. It's... it's more than just passing a Resolution, which we obviously support, but it's putting people to work, to work the Halls of Congress to make sure that President Clinton and ... and the current administration don't take further steps for base closure, that our congressional delegation is very much aware of the significance of the financial commitment that the Federal Government has made to Illinois, and the importance of those bases to our infrastructure and to our... to our economic structure. And I hope that those members of the Governor's Staff that might be listening to this, will come and meet with us and tell us how they're going to meet the demands that we made in those meetings and I thought we had an agreement. And in these closing hours of Session, it appears that not everybody is on the same page. So I hope that we can garner some attention with the passage of this Resolution."

Speaker Brunsvold: "Further discussion? Seeing none, Mr. Hoffman to close."

Hoffman: "Thank you, Mr. Speaker. I agree with Representative Stephen's comments and I... I thank him for those... those kind remarks. Essentially, what we're saying here, this is not an appropriations though, this is just saying that we as a state are concerned about these bases. We want to put our best foot forward to make sure that we work together as a state to maintain these very important economic engines in military bases. I ask for a favorable vote."

Speaker Brunsvold: "The question is, 'Shall House Joint Resolution be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And House Joint Resolution is adopted. House Joint Resolution 20 is adopted. The Chair would like to go back to House Joint Resolution 19, which

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may require the expenditure of some dollars and we'll take an electronic vote on that, please. Mr. Clerk, House Joint Resolution 19. Those in favor of the adoption of House Joint Resolution 19 should vote 'yes'; those opposed should vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there were 108 voting 'yes', 3 voting 'no', 1 voting 'present'. And the House does adopt House Joint Resolution 19. House Joint Resolution 22, Representative Sharp."

Sharp: "Thank you, Mr. Speaker. House (sic-Joint)Resolution #22, is for task force paraprofessionals, defined as an employee other than a teacher, in a school whose position is either instructional in nature or who delivers other direct services and who serves in a position for which a teacher or another professional has ultimate responsibility. And I ask for your favorable support."

Speaker Brunsvold: "The Lady has moved for the adoption of House Joint Resolution 22. Is there any discussion? Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Isn't this the Resolution that Jerry Mitchell must have just given to you a while ago in the midst of the confusion?"

Sharp: "No."

Black: "I think Representative Mitchell had it, because we were talking about paraprofessionals and then he bailed out into Elk Grove Township and this created all kinds of problems. But this is the one on the paraprofessionals correct?"

Sharp: "Yes."

Black: "Okay. And I think what we... this was a House Bill at

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one time wasn't it?"

Sharp: "Yes it was."

Black: "Okay. And I think I argued with you... well, it's a strong term, I think I tried to convince you... "

Sharp: "To do this."

Black: "... that we probably should do this by Resolution rather than by legislation. And... I noticed that I couldn't convince you until I got a diamond earring. And if that's what it takes to bring you to my way of thinking, Representative, now that you've seen the light, I stand in absolute support of House Joint Resolution 22."

Sharp: "Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady to close."

Sharp: "I just ask for your favorable support."

Speaker Brunsvold: "The question is, 'Shall House Joint Resolution 22 be adopted?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does adopt House Joint Resolution 22. On Supplemental Calendar 2, appears House Bill 63, Mr. Granberg. Mr. Granberg, are you prepared to do a Concurrence Motion on... no? Take the Bill out of the record. Excuse me, Mr. Clerk, put the Bill back in the record. Mr. Granberg, House Bill 63, Motion to concur."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Senate Amendment reflects a request by the Illinois Department of Transportation to add suburban airports to this low-interest revolving loan fund. O'Hare and Midway are not included in this Senate Amendment, this

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is at the request of the Illinois Department of Transportation."

Speaker Brunsvold: "The Gentleman has moved for Concurrence on Senate Amendment #1. And on that issue, Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, is there anything in the underlying Bill, if I could go back beyond the Senate Amendment, is there anything in the underlying Bill that would prevent land acquisition or the... research, development, et cetera of Peotone?"

Granberg: "No. No, the underlying Bill, Representative, provide... initially we had a disclosure provision..."

Black: "Right."

Granberg: "...that was removed at the request of the Department of Transportation after we discussed the Peotone issue with them. We allowed the Bill to be used for downstate airports to access and receive low-interest loans from the Department of Transportation in an effort to access federal funds and then they would be repaid. The Bill went to the Senate, IDOT had a request to expand that provision to some other airports. We exempted O'Hare, we exempted Midway, and we exempted Peotone."

Black: "The exemption of O'Hare, was that asked for by the City of Chicago or would that be the Suburban O'Hare folks, that didn't want O'Hare included?"

Granberg: "No, O'Hare excuse me, we exempted O'Hare because we had this big debate in the House. Representative Parke, asked a question about O'Hare being in the Bill. At that time, I was informed it was not, but that the Amendment that we were dealing with reflected that it was. So, I

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didn't want to change my commitment on that issue, so I took O'Hare out."

Black: "Of course, we have... we have created a... a third airport commission, and it's in Gary, Indiana, as I recall. Isn't it? Didn't we do that two years ago? The City of Chicago, I think entered into an agreement..."

Granberg: "I know you're very familiar with the Indiana issues, Mr. Black, given your prox... I know you're very familiar with the Indiana issues..."

Black: "Yes. Yes."

Granberg: "...given your proximity, so, I will take your word on that."

Black: "I... I believe when we were talking about Peotone, as I recall, the Mayor of Chicago entered into an agreement with Gary, Indiana, for a possible site of a third international airport in the Chicago area. So, could we amend the Bill on its face to just simply close O'Hare? I... it's probably surplus property now."

Granberg: "I think what we could probably do, Representative Black, is maybe amend the Bill on its face to move O'Hare to Danville."

Black: "And... and may I say, we would take it. And the jobs that come with it. No question about it. Might keep some hogs and cattle awake, but send her down if you would. The Senate Amendment that we're concurring in, does it exclude any airport other than O'Hare and Midway from the loan provision of the revolving fund? So wha..."

Granberg: "Mr. Black..."

Black: "Al... al..."

Granberg: "Mr. Black, you're looking at the language..."

Black: "Okay."

Granberg: "...so, my understanding would be, O'Hare was exempt."

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It was Midway and we made sure the provision that any airport facility built at Peotone could not have access. So it excludes Peotone, Midway, and O'Hare. Those are the only three that I know of, Mr. Black. The other ones would be... would have access to these funds."

Black: "All right. So tho... it appears though that Senate Amendment #1 does exclude O'Hare, Midway, and since Peotone is obviously won't be in operation until after 1999. Peotone, assuming that it ever gets built, it would not be eligible for these land loan acquisitions, would it?"

Granberg: "That is correct."

Black: "All right. Thank you very much, Representative. I appreciate the forthright answers to your questions, and thank you, Mr. Speaker."

Speaker Brunsvold: "Thank you, Mr. Black. On the issue... Further discussion? The Gentleman from Cook, Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield?"

Brunsvold: "The Gentleman yields."

Morrow: "Representative Granberg, I just want to be clear on this language. Would this language, basically, state that before we can buy a lot of... a parcel of land, that the state would have to disclose the beneficiary of the trust?"

Granberg: "That's a... this Bill has been amended, Representative Morrow. This strictly is limited now to giving airports access to low-interest rates for airport expansion. They would have access to federal funds. It has nothing to do with beneficial interests or disclosure of beneficial interests in real estate."

Morrow: "Okay. Now, you said that Peotone was not in this Bill, right? What about Meigs Field?"

Granberg: "No."



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Morrow: "Meigs Field is not in there either? Shucks, I was trying to keep that airport open. Thank you."

Granberg: "Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman from Clinton to close."

Granberg: "Thank you. I simply ask for your vote in concurrence with Senate Amendment #1 to House Bill 63."

Speaker Brunsvold: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 63?' This is final action. All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 115 voting 'yes', 0 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 63. And this Bill having received a Constitutional Majority is hereby declared passed. On Concurrence, Motions to Concur, is House Bill 1825. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendments 1 and 2, reflect the same language that we passed out of this House earlier this Session by overwhelming vote. Unfortunately, that Bill did not come out of the Senate Rules Committee. We had to change Bills. It reflects the agreement between the Department of Conservation, the Illinois Environmental Council, and in the original Bill, it is a compromise in dealing with the acquisition of real estate, providing for a mitigation process, similar to that at the federal level for economic development efforts and other public health efforts."

Speaker Brunsvold: "The Gentleman's moved for the... moved to concur in Senate Amendment #1 and 2. Is there any

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discussion? Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, do... does Senate Amendment #2 have the endangered species... is that where the endangered species language can be found?"

Granberg: "This... this is the compromise language that the Illinois Environmental Council and the Department of Natural Resources requested. So, that would be reflected in that Amendment. You are correct."

Black: "All right. So, if... if a development was planned and... and was being held up by an endangered species, such as one was in my district, because they thought the wide-eyed (sic-big-eyed) chub lived there, and Tim Johnson wrote them and said he thought I was the wide-eyed (sic-big-eyed) chub, but we could then go ahead and develop it?"

Granberg: "You could not definitely develop it, no. It would be strictly up to the Department of Natural Resources whether they should allow this mitigation. After considering the habitat, what type of species, the availability of the species or how plentiful it was, but it would allow them this procedure to deal with that and hopefully, find a balance in order that that development could go through without jeopardizing the species."

Black: "Okay. Now, is the environment community... you mentioned that this was their... this was not agreed language, you didn't use that word, but I... I thought I read a news article yesterday, time escapes me, that one of the environmental groups still had significant and strong opposition to this because they wanted it based on scientific evidence rather than a mitigation factor. Was

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that..."

Granberg: "Mr. Black, when we did this Bill in the spring, we put on language at the request of the Illinois Environmental Council. They then removed their opposition."

Black: "Staff informs me that he has talked to the Sierra Club and that they still stand in opposition to the Bill as amended."

Black: "Mr. Black, that might be the case. No one, no one... Representative Woolard informed me that that is true. The Sierra Club is in opposition."

Black: "Okay."

Granberg: "The Illinois Environmental Council removed their opposition when we added their language in the spring. I have... I know of no other group... the Sierra Club has not contacted me. The Illinois Environmental Council has not contacted me."

Black: "Okay, all right. After we vote on this, would you have our endangered species, Representative Ryder, come back to our side of the aisle?"

Granberg: "I wish you'd come over here and bring him back with you."

Black: "Thank you. All right. Thank you. Thank you very much, Mr. Speaker."

Speaker Brunsvold: "Further discussion? The Gentleman from Williamson, Mr. Woolard."

Woolard: "Yes, will the Sponsor yield for a couple of questions or clarification?"

Speaker Brunsvold: "Sponsor yields."

Woolard: "Representative Granberg, I... I think the original language that we had in this Bill, beginning with (sic-House Bill) 2243, that's all gone, is it not?"

Granberg: "You're exactly correct, Representative Woolard. You

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were instrumental in removing that language and coming up with the compromise which is embodied in Senate Amendments 1 and 2. So, this reflects that compromise at the request of the Department of Natural Resources and the Illinois Environmental Council."

Woolard: "So, as far as Representative Black's question is concerned, this would address a concern that he might have in his region, that maybe something is stopping progress in that area, and there would be the possibility of incidental taking if the procedures are followed as laid out in this plan. Is that right?"

Granberg: "This could assist Mr. Black with his wide-eyed (sic-big-eyed) chub issue, and hopefully, the department will address that and take care of Mr. Black, as they always do. But this would certainly give them that option, where they could actually deal with that issue. And that I think, that's what we're all about, bringing balance to the system, Representative Woolard."

Woolard: "There was some question early on, as to whether there would be best scientific methods utilized and... in the language as it is written now, is there a best scientific approach to any incidental taking that might occur?"

Granberg: "Yes there is, Representative Woolard."

Woolard: "So, in fact, we have addressed every issue that was brought before us, as far as the original language is concerned, and we have now in place, something that truly could impact and affect future growth and economic development for every Member of this Legislature if there was some incident that took place, that there was a possible endangered species there, the endangered species board would help in determining as to what the plan would or could be, is that right?"

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Granberg: "That's correct. As you... you're aware, Representative Woolard, that language was added at the request of the Illinois Environmental Council. So it helps to seek... address their problem. Apparently it did address their problem, since they removed their opposition at that time. This would simply allow the mitigation process to move forward in the hopes of bettering our communities, in regards to public health and economic development."

Woolard: "To the Bill."

Speaker Brunsvold: "Proceed."

Woolard: "You know, I think that probably everyone wants to be the greatest environmentalist they possibly can. I know that I do. I know that everyone that lives in rural America today, wants to protect and ensure that the environment stands tall for everyone of our children and grandchildren. But also, we want to see each and everyone of us have the opportunity for economic development. If there's a way that this can be accomplished, and I really commend the Sponsor, Representative Granberg, in the lead that he has provided here. This gives us a chance through a plan that can be approved to incidentally take and successfully proceed with development that can make a difference. Without question, I believe that we have addressed all of the concerns that have been brought forth to us. And I think that without question, you should be standing with us to ensure that we proceed in a fashion that allows each and everyone of us to see economic development happen, if in fact, the endangered species department chooses for us to proceed by using the best scientific methods to make those decisions. You know, it's kind of curious to me, for me to believe that there should

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be 150 or so endangered species in the State of Illinois and less than 30 in the entire nation of the United States. You know, less than 30 on the federal U.S. endangered species list, and in excess of 150 in the State of Illinois. I believe that we need the right to find a way to remove those barriers when it does not impair the future continuance of any species but would encourage each and everyone of you to stand with us and support economic development in the State of Illinois."

Speaker Brunsvold: "Further discussion? The Lady from Lake, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. There is some confusion about this legislation, because it is my understanding that the exact same legislation with a House Bill, act... this House Bill actually came through here, and I'm not understanding what... what changes were made in the Senate."

Granberg: "None."

Moore, A.: "So, the Bill that Representative Woolard sponsored earlier, you were the Sponsor? Maybe he presented it for you that day or I recall him doing all of the... the floor debate. This is the exact same Bill and the one... the department is neutral on it. The Nature Conservancy is neutral."

Granberg: "The Department of Natural Resources is a proponent of the Bill."

Moore, A.: "Okay."

Granberg: "And the Illinois Environmental Council is neutral. They removed their opposition when we added their language."

Moore, A.: "Okay. And then it... it is yet just the Sierra Club that is opposed?"

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Granberg: "Yes."

Moore, A.: "But this has been through the House before?"

Granberg: "Exact same language came out with an overwhelming vote of the House. Unfortunately, it laid stagnant in the Senate Rules Committee along with Representative Black's Bills. And so, we took a Senate Bill and put the exact same language on it it's back in this House for concurrence."

Moore, A.: "Thank you very much."

Speaker Brunsvold: "Further discussion? The Lady from Peoria, Representative Slone."

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

Granberg: "Yes."

Speaker Brunsvold: "Gentleman yields."

Slone: "Mr. Granberg, can you tell me how much additional funding DNR is going to need to implement the legislation? Do we know?"

Granberg: "The department did not indicate to us that they would need additional funding of if there are any costs involved, they would have access to at least deal with potential developers to offset that cost."

Slone: "Who would be doing the work? Would it be DNR employees? Would it... Would DNR employees be doing... be doing the work on... with respect to these permits?"

Granberg: "DNR would be doing the approval process in conjunction with the Illinois Endangered Species Board. And with public input."

Slone: "And would the permits, these incidental take permits, would they be approved by the board?"

Granberg: "Representative, I can't hear you."

Slone: "I'm sorry. Would the incidental take permits be approved by the board, by the Endangered Species Board or by some

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administrators in DNR?"

Granberg: "Representative, I'm sorry. I couldn't hear you. I'm getting this clarified. Ultimately, DNR has the responsibility to grant or deny that permit."

Slone: "What is the role of the Endangered Species Board, then?"

Granberg: "They... they supply the advice, as they do currently."

Slone: "And... but the agency will have the final decision, is that right? The board has the expertise, but the agency will have the decision? Are there any provisions for administrative review of this at all?"

Granberg: "Representative, you have to speak into the microphone, I can't hear you."

Slone: "Are there any provisions for administrative review?"

Granberg: "They have to provide a written decision, Representative. So, I would assume that would come under the Administrative Review Act."

Slone: "Okay. And do we know if there are experts on the DNR staff, currently who are familiar with the species population issues?"

Granberg: "Well, a number of the experts on the Endangered Species Board, I've certainly heard from them. So, they will be advising."

Slone: "Okay. Now, my understanding is that the applicants have to do a conservation plan, is that right?"

Granberg: "Yes."

Slone: "Okay, and is there any penalty for failing to do a conservation plan?"

Granberg: "If they don't... if they don't comply with that process, they certainly wouldn't have any chance of receiving the permit that... that they're requesting."

Slone: "What about mitigation commitments? Do we have any information on that request?"



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Granberg: "Yes, they have to put up bonds."

Slone: "I beg your pardon?"

Granberg: "They have to put up bonds."

Slone: "They do have to put up a bond. Was that something that was... a bone of contention previously? The documents that I have from the Sierra Club say that they don't have to post a bond. Can you correct me if I'm wrong here?"

Granberg: "Yes."

Slone: "Yes, what?"

Granberg: "Yes, you're wrong."

Slone: "Good."

Granberg: "On page 2, line 5, there are... there are provisions... let's see... the steps the applicant or other... I'll just read it to you. 'The steps the applicant or other parties will take to minimize and mitigate that impact and the funding that will be available to implement those steps, including, but not limited to, bonds, insurance, or escrow.' So, it mandates bonds. But it can be... there can be other options available at the departments request."

Slone: "Okay, so, that deals with... with that objection. And I'm still not clear on, again, what the role of the board is in these incidental take permits. They have to be approved by the board or the board is out of the picture?"

Granberg: "No, they would be..."

Slone: "Or they're offering advice...."

Granberg: "They would be... they would serve in an advisory capacity. DNR has the ultimate responsibility on the decision-making promise on the granting of the permits. But obviously, the Endangered Species Board would be invaluable in soliciting, or actually making recommendations in regards to that permit."

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Slone: "Okay, what about like nearby land owners and other people who might consider themselves affected by... adversely affected by the issuance of a permit? Can you hear me? Do they have judicial review available to them? Judicial review."

Granberg: "Anyone could do that. Anyone... that's current law. Anyone could do that, anytime."

Slone: "Thank you. To the Bill."

Speaker Brunsvold: "Proceed."

Slone: "This is certainly a long, far away from the original Bill that we heard in the Agriculture and Conservation Committee. It is indeed also a ways from the original version of your Bill, and it is improved, but, really there are... there are not as many protections as we might need. These little critters that are perceived as... to some, as standing in the way of... of economic development, may have many positive contributions to make to Illinois, that are not perhaps as well-documented and spoken for by... by people with... with power around here. So, it would be nice to see better protections for those portions of our natural resources that are unable to speak on their own behalf and I would urge a 'no' vote."

Speaker Brunsvold: "Further discussion? The Gentleman from Jo Daviess, Mr. Lawfer."

Lawfer: "Thank you, Mr. Chairman (sic-Speaker). To clear up a little on that, this Bill does not deal with the cemetery or the Nature Preserve Commission, is that correct? If the Sponsor will yield."

Speaker Brunsvold: "The Gentleman yields, Mr..."

Granberg: "That is absolutely correct."

Lawfer: "This... this Bill..."

Granberg: "Representative Slone would like to see this Bill die,

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but that's as close as we're going to get."

Lawfer: "Well, but it now deals with the Endangered Species Act, is that correct?"

Granberg: "That is correct."

Lawfer: "It has nothing... just for points of clarification, it has nothing to do with the Nature Preserve Commission Act?"

Granberg: "No."

Lawfer: "I think... I think you know, the Bill originally went out of the House and dealt with the nature preserve areas and I think that language has all been stripped out of that and has served its purpose."

Granberg: "Yes, Representative, you were nice enough to allow me to use your Bill for this vehicle and so we removed the language on the underlying Bill."

Lawfer: "And it now has the endangered species action that had... had previously passed the House, is that correct?"

Granberg: "That is correct."

Lawfer: "I think you... you've alluded to that and that Bill as well as the original Bill, passed out of the House Agriculture and Conservation Committee with strong support, is that correct?"

Granberg: "That is correct."

Lawfer: "I think that... Mr. Chairman (sic-Speaker) to the Bill."

Speaker Brunsvold: "Proceed."

Lawfer: "This Bill was debated in length in the Agriculture and Conservation Committee and there was strong support of that and I intend to vote 'yes'. Thank you very much Sponsor for your answers to those questions."

Granberg: "Thank you, Mr. Lawfer."

Speaker Brunsvold: "Further di... further discussion? The Gentleman from Kendall, Mr. Cross."

Cross: "I... no questions."

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Speaker Brunsvold: "Thank you, Mr. Cross. The Lady from Cook, Representative Coulson."

Coulson: "Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Coulson: "As I've been told the... this actually authorizes the killing of threatened and endangered wildlife, is that true?"

Granberg: "This... this allows for the mitigation where the species can be protected. The intent is to protect the species, that's why we added the language from the Illinois Environmental Council. We want to protect the species."

Coulson: "So, how would you mitigate and protect it based on this Bill?"

Granberg: "In the mitigation... in the mitigation process, they have to make sure and there have to be assurances that the species is not endangered, that the species will be protected. That is the intent."

Coulson: "Okay then, could you explain what the incidental take permit means then? That... the way I understood it was that in a development, if they incidentally take a habitat for rattlesnakes that..."

Granberg: "Yeah, Representative, sure. Representative Coulson, what it also... if you had a situation... oh, just take my situation, where you have a lodge that would like to be built there, and you have a rattlesnake there. The Department..."

Coulson: "Or a population of rattlesnakes."

Granberg: "Well, in my situation, it's a parking lot, and I know those snakes are, I'm very sure, are very happy on this parking lot. This is very good government that we would worry about a parking lot taking. But... so, this would allow the department with the advice of Illinois Endangered

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Species Board to make sure that that population would not be endangered. In fact, there would have to be assurances made during that permit process that there would be no reduction in the population. They would have to provide alternate sites to maintain the population and allow for its increase."

Coulson: "So, they might move that rattlesnake from your district to my district?"

Granberg: "Well, probably, maybe 50 yards."

Coulson: "Okay."

Granberg: "It might be a real... very difficult for the animal to move 50 yards, I'm not sure, we'd hate to inconvenience it."

Coulson: "They usually go back to their home, I think. Thank you very much."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Harris."

Harris: "Thank you, Mr. Speaker. Point of personal preference, please."

Speaker Brunsvold: "State your point."

Harris: "To the House, I have with us today, the Honorable Jerry Genova, of the Village... Mayor of the Village Calumet City."

Speaker Brunsvold: "Welcome, welcome Mayor. The Members are advised again, to make your introductions between the Bills... between the debate on the Bills. Mr. Granberg to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, thank you Representative Lawfer for allowing me to use his Bill, and Representative Woolard for his efforts in the negotiating process with the Department of Natural Resources and the Illinois Environmental

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Council. That is how we've arrived at this compromise. In fact, Representative Coulson, you brought up a good question. This legislation is actually stronger than the legislation at the federal level because we provide for increased habitat. So, this is actually stronger than the legislation that is currently in effect at the federal level. This is a better piece of legislation. We tried to address everyone's concerns. We sat down to arrive at this balance. This Bill is now supported by the Department of Natural Resources who will receive, solicit, and receive advice from the Illinois Endangered Species Board. The Illinois Environmental Council removed their objection. We allowed their language to be placed on the Bill to address their serious concerns. We have done our best to provide a mechanism to bring balance to this process. When we have a public health issue or public safety issue or an economic development issue, this provides a mechanism which to address those issues and allow a process to allow local people, the individuals most impacted by this policy to have an input on that process. And I think that's what we should be about. People should have input into this process where they are the ones that are going to be dramatically affected. This is a good Bill, it brings balance, and I would simply ask for your support."

Speaker Brunsvold: "The Gentleman has moved to concur in Senate Amendments 1 and 2. The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1825?' This is final action. All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... record yourself. Record yourself, please. Mr. Clerk, take the record. And on that question, there are 74

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voting 'yes', 38 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 1825. And this Bill having received a Constitutional Majority, is hereby declared passed. I'd like the Body's attention for an announcement. I'd like everybody's attention, please, for an announcement on the schedule for the rest of the weekend. The intention of the Chair is to vote on the Governor's Illinois First Plan today; adjourn late today; convene again on Monday at 4 p.m. That would be the schedule. Once again, we are going to vote this afternoon on the Governor's Illinois First Plan. We will adjourn late today, return again on Monday, at 4 p.m. Mr. Novak."

Novak: "Yes, Mr. Speaker, an inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Novak: "Prior to the... prior to the... to the deliberations on the Governor's Illinois First Program, will we have a caucus? Is it our intentions to have a caucus? 'Cause I think many Members on our side of the aisle would like to have a caucus, prior to the vote."

Speaker Brunsvold: "Mr. Novak, we will check with the Speaker and get back to you."

Novak: "Well, I am making an official request. Thank you."

Speaker Brunsvold: "Representative Kosel."

Kosel: "Would the Chair be so kind as to define 'late today'?"

Speaker Brunsvold: "I don't think we can, Representative. Discussion may go on and on, you never know. So, I don't know if we can put a time on it. Mr. Clerk, what is the status of Senate Bill 890?"

Clerk Rossi: "Senate Bill 890 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Capparelli, has been approved for

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consideration."

Speaker Brunsvold: "Mr. Lang on Floor Amendment #1."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 890 represents an agreement between all the financial institutions in Illinois, the Trial Lawyers Association and many others. It's an Amendment that recognizes that financial institutions have done more to prepare for the year 2000 computer problem than any other industry. It provides reasonable protections of financial institutions to ensure they will not become involved in frivolous and costly litigation over Y2K problems. At the same time, while not a perfect Bill, it provides consumers with significant protections when their ability to repay debts to financial institutions are affected by the year 2000 problem of any given person. These consumer provisions are due in large part to the hard work of the Chairwoman of our committee, Representative Connie Howard, who has worked long and hard hours, along with Members of that committee, the financial institutions, the trial lawyers and consumer advocates who have much in this Bill, although there was much else they would like. All of them are integral to the negotiation and passage of the amended Bill's liability provisions. We need to emphasize that this Bill still provides that a financial institution will be liable for damages of its customers if it has a year 2000 failure. In other words, the Bill does not affect the rights of bank customers. It only protects a bank from actions brought by or damages incurred by persons who have no relationship with the bank. These folks have worked very hard on what this... this so-called privity provision. These protections are meant to recognize the extraordinary efforts that regulated



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financial institutions have made to prepare for the year 2000 while making sure they remain accountable to their customers. The related consumer provisions are equally important. They provide that if a consumer has a problem making a loan repayment because of a Y2K failure of any person, of any person, the financial institution must hold off collection efforts for 30 days and it must waive the first late fee that would otherwise be charged. This will give consumers the time they need to work out a year 2000 problem and to get back on track with their payments without being penalized. For longer term problems the Bill also ensures that consumers can attach an explanation of the year 2000 problem to any negative credit report that might be given to third parties. These are significant consumer protections that will exist side by side with the protections given to the financial institutions. This is an important Bill that provides real benefits to consumers, as well as important protections to the financial institutions that are the heart of our economy. It is the well-balanced result of 15 months of negotiations involving many interested parties and industries. I urge you to vote in favor of this significant agreement which will impact everyone in the State of Illinois."

Speaker Brunsvold: "The Gentleman has moved for the adoption of Floor Amendment #1. On that question, is there any discussion? The Gentleman from Logan, Mr. Turner."

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

Speaker Brunsvold: "Sponsor yields."

Turner, J.: "Representative, that was a lengthy explanation and I don't know where to start. Actually, there was so much that you covered, but I thought maybe with financial institutions would be a proper place. Now, what kind of

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liability and responsibility does this Amendment place upon a financial institution?"

Lang: "It creates no new liability."

Turner, J.: "Okay. Where are the existing liabilities then?"

Lang: "Representative, most, if not all, financial institutions in Illinois and that's banks, credit unions. Most, if not all, are going through their second or third rounds of checking their computer systems to determine if there are Y2K bugs. We won't know what possible liabilities exist until we get to December 31, 1999, or in fact, in some cases, there may be some problems but I think not, on September 9, 1999, because as you know, that 9999 number is a difficult one for computers. So we won't know what the potential liabilities are until we get there. My information is... the testimony in this committee for months, has been that all financial institutions seem to be in a good place now preparing for Y2K. I don't believe there will be any problems."

Turner, J.: "Assuming that there is some type of problem that occurs at a financial institution which is detected as you suggest, on New Year's Eve or New Year's Day, is there a period of time that the Amendment provides for the financial institution to cure any defect or error?"

Lang: "I missed the part, the question part, Representative."

Turner, J.: "Question is, is there a period of time which allows the financial institution to cure any defect or error?"

Lang: "Representative, customers would be required to give the financial institution 60 days notice before pursuing a claim. That would give the financial institution that period of time to cure any problem."

Turner, J.: "All right. And... and do they put the financial institution on notice by writing? Is that required and

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then they're precluded from actually suing in court for 60 days from the date of receipt of notice or is that how it works?"

Lang: "The Bill requires written notice and then they would have to wait 60 days to give the bank an opportunity to cure. In the meantime, in the initial stages of this, the bank could not charge consumers late fees for the failures that are resultant from Y2K."

Turner, J.: "Are the... and I presume that they are, the financial institutions, banking associations, are they in favor of this?"

Lang: "This is the product of 15 months negotiation with all the financial institutions, the trial lawyers and consumer groups."

Turner, J.: "Trial lawyers are in favor of this as well, then?"

Lang: "I believe the trial lawyers are technically neutral on this, but this Amendment was drafted in part with their input."

Turner, J.: "Under what situations will banks be required to waive late fees?"

Lang: "Representative, an individual who cannot make timely payment of a debt obligation to a bank because of a Y2K problem may obtain a onetime waiver of a late fee, if written notice is provided within 30 days of discovering the problem."

Turner, J.: "Is... is there something in the Amendment that provides immunity to financial institutions, and if so, in what circumstances does the immunity apply?"

Lang: "There is no immunity relative to the customers of the bank. There is some immunity relative to third parties who could frivolously sue a financial institution for a Y2K problem that has really nothing to do with them at all."

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Turner, J.: "Okay, Representative, that's all the questions I had."

Lang: "Thank you. Mr. Speaker. Mr. Speaker. Mr. Speaker."

Speaker Brunsvold: "Yes, Mr. Lang."

Lang: "For purposes of legislative intent, Representative Bugielski has a question he needs to ask me. Could we recognize Representative Bugielski?"

Speaker Brunsvold: "Yes, Mr. Lang. We can do that. Mr. Bugielski."

Bugielski: "Thank you, Mr. Speaker. For legislative intent, what would happen under the Bill if a person were to lose a deposit that is made at an ATM machine due to the year 2000 failure?"

Lang: "I'm glad you asked that question, Representative."

Bugielski: "Thank you."

Lang: "The Bill does not change that person's rights in any way. Section 30 of the Bill is intended to include ATM transactions by making sure the current law will continue to apply. In cases like this, the customer goes to his or her own bank and that bank works it out with the bank that owns the ATM. Thank you very much."

Bugielski: "Thank you, Mr... Representative Lang. And again, just as I... to reiterate what you've mentioned before, that many of the banks have gone two and three and four times already over their computers. Many of the banks are very confident that they have tackled this problem. In fact, many of the banks in the Chicagoland area that have already made announcements that they all will be open on January the 1st of the year 2000 to assure the customers that everything is under control. Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook... the Lady from Cook, Representative Connie Howard."

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Howard: "Thank you, Mr. Speaker. I voted 'yes' for this Amendment in committee a couple of nights ago, and I plan to do the same today. However, I do so with a great deal of reluctance. Many of you are aware that I sponsored House Bill 487 for the purposes of gaining protection for consumers, who through no fault of their own, are negatively impacted by a potential year 2000 failure. I'm very proud of the fact that that legislation contains substantial consumer protections. Unfortunately, although that Bill was successfully passed out of the House, the Senate Sponsor was not... has not allowed it to have a fair hearing in that chamber. I've heard rumors that he intends to not call the Bill, and to hold hearings during the summer, after which he will possibly pursue legislation in the Veto Session. Certainly, it is always possible that good consumer legislation will be the result. However, I've received no such assurances from him. It is in the interest of the consumers of this state, that I have attempted to amend Senate Bill 890, so that it offers the same level of consumer protections contained in House Bill 487. Sadly, I have only had limited success. To say the least, I am disappointed that despite the many hours of meeting with all interested parties, throughout this process, there appeared to be little willingness on the part of the financial institutions to do what I and consumer groups feel is necessary to add sufficient language to make con..., to make this Bill good legislation, not only for the bankers, but for consumers as well. I am hopeful that the intentions of the Senate Sponsor are, that his planned summer activity will produce a Bill that focuses substantially more on the best interests of consumers. Meanwhile, I am reluctantly forced

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to accept the old adage, 'that a half loaf is better than none'. Thank you."

Speaker Brunsvold: "The question is, 'Shall the House adopt Floor Amendment #1?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note, a state mandates note, a judicial note, and a correctional budget impact note have been requested on the Bill as amended by Floor Amendment #1 and those notes have not been filed."

Speaker Brunsvold: "Leave the Bill on... Mr. Lang."

Lang: "I move that all those notes be ruled inapplicable."

Speaker Brunsvold: "The Gentleman has moved that the notes read by the Clerk are not applicable. Mr. Clerk, what's the status of the Bill?"

Clerk Rossi: "Senate Bill 890 was held pending the filing of... of various notes. That note request has been withdrawn."

Speaker Brunsvold: "Any more Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 890, a Bill for an Act to create the Illinois Financial Institutions Year 2000 Safety and Soundness Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. You heard a thorough discussion of this Bill. This deals with Y2K. We hope that none of these problems will come to pass. But should they, this is good protection for both the financial institutions and consumers. I would ask for your support."

Speaker Brunsvold: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 890... 'Shall the House... excuse me... 'Shall Senate Bill 890 pass?' All in favor

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vote 'aye'; opposed vote 'nay'. The voting is open. Have everyone voted that wish? Have all voted who wish? Have all voted who wish? Has everyone recorded themselves? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 86 voting 'yes', 24 voting 'no', and 5 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. On nonconcurrency, House Bill 452. Mr. Hannig. Mr. Hannig on House Bill 452."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move that the House not concur in Senate Amendments #1, 2, and 3 to House Bill 452."

Speaker Brunsvold: "The Gentleman's moved to nonconcur in Senate Amendments 1, 2, and 3. Is there any discussion? Seeing none, the question, 'Shall the House concur in Senate Amendments 1, 2, and 3 to House Bill 452?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House does not concur in Senate Amendments 1, 2, and 3 to House Bill 452. Representative Mitchell, for what reason do you rise?"

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

Speaker Brunsvold: "State your point."

Mitchell, J.: "Ladies and Gentlemen of the House, I'd like to direct your attention to the gallery, where we have you surrounded I believe, or pretty nearly surrounded, by a group of students from Ronald Regan (sic-Reagan) Middle School in Dixon, Illinois. They're down here with... they've come to Springfield on their annual school trip with Mrs. Hubbard, Mrs. Cashman, Mrs. Wolfe, Mr. Schrock, Mrs. Stoker, Mrs. Robbins, Mrs. Bartlett, Mrs. Plock, Mrs. Delhodle, Mrs. Hardin, and their teachers, Ms. Glessner,

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Mrs. Chase, and Mrs. Wagoner. And I don't think there's anybody left in Dixon. Welcome students. Thank you."

Speaker Brunsvold: "Welcome to Springfield. Thank you, Mr. Mitchell. Representative Hultgren, the Gentleman from Du Page."

Hultgren: "Thank you, Mr. Speaker. I want to just take a moment of person privilege here to introduce my family. My wife Christy is down visiting us today, along with my son Karsten and daughter Kylie, and my brother Tim and nephew Anders. So, if you could welcome them with me as well. Thank you."

Speaker Brunsvold: "Welcome to Springfield. On Third Reading, appears Senate Bill 43. Mr. Parke. Senate Bill 43. Mr. Parke. On the Resolution Calendar, appears Senate Joint Resolution #3. Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Again, coming out of committee this morning was Senate Joint Resolution 3, which designates to the Illinois Department of Transportation, a trail that will be marked with signs, if this chamber joins with me, to honor one of our great presidents, Ronald Reagan. As you all know, Ronald Reagan was born here in Illinois, in the fine city of Tampoco. Moved from there to Dixon, Illinois, that was his hometown. Spent many of his teenage and early 20 years at Eureka, and went to college in Eureka, Illinois. And I move that we designate sections of several Illinois routes and U.S. Route 24 as Ronald Reagan Trail. I would request an 'aye' vote. Be happy to take any questions."

Speaker Brunsvold: "The Gentleman has moved to adopt Senate Joint Resolution #3. Is there any discussion? Seeing none, the question is, 'Shall the House adopt Senate Joint Resolution #3?' All in favor vote 'aye'; all opposed vote 'no'. The



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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Resolution, there are 114 voting 'yes', 1 voting 'no', 0 voting 'present'. And the House does adopt Senate Joint Resolution #3. Mr. Clerk, Senate Bill 827. Mr. Clerk, have we read this Bill a third time? Read the Bill."

Clerk Bolin: "Senate Bill 827, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. This is the Bill we went over last night. It says that before the water reclamation district can service an area, it has to have its boundaries changed by the General Assembly. This is the Bill we do each year for Members who have individual initiatives. It is approved by the water reclamation district. I know of no opposition."

Speaker Brunsvold: "Any... the Gentleman's moved to adopt... to pass Senate Bill 827. Is there any discussion? Seeing none, the question is, 'Shall the House pass Senate Bill 827?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does pass Senate Bill 827. And this Bill having received a Constitutional Majority is hereby declared passed. On the Resolution Calendar, appears Senate Joint Resolution 21. Representative Silva."

Silva: "Thank you, Speaker. Essentially, Senate Resolution 21, urges the U.S. Department of Housing and Urban Development,

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to use its fair housing and enforcement authority to create a balance of conventional and FHA lending in communities, monitor home purchases, so that communities are not adversely affected through boarded up vacant properties. We want to improve the targeting and operations of the FHA programs and consider as part of their lending, to do home inspections in order to prevent that. We have sponsorship from different groups. The City of Chicago is on board with this. And I would like your favorable support."

Speaker Brunsvold: "The Lady's moved for the adoption of Senate Joint Resolution #20 (sic-21). And is there any discussion? Seeing none, the question is, 'Shall the House adopt Senate Joint Resolution #21?' All in favor vote 'aye'... all in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and the House does adopt Senate Joint Resolution 21. Senate Joint Resolution #28. Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker. Senate Joint Resolution 28, would create a commission composed of 11 members appointed by the four legislative Bodies by the Central Management Systems, by the Secretary of State, the City of Chicago Police and the State Police. This would survey and examine security provisions in state buildings. The Secretary of State is in charge of security for the Capitol Building, the Stratton Building, and the Howlett Building. And CMS is in charge of security for the Thompson Center and the State of Illinois building in Chicago. This Resolution does not advocate any particular form of security such as metal detectors, but it wants to look at the whole range. I know that the Senate Sponsors are interested in the feasibility of installing cameras in the building to re... to record those entering and exiting,

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and that's something that they would be looking at, as well as how to back up existing security. And I would ask for your support for this Resolution."

Speaker Brunsvold: "The Lady's asked for adoption of Senate Joint Resolution 28. Is there any discussion? Seeing none, the question is, 'Shall Senate Joint Resolution 28 be adopted?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does adopt Senate Joint Resolution #28. Mr. Clerk, House Resolution 304. The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. House Resolution 304, simply asks the State Board of Higher Education, State Board of Education, and the Illinois Community College Board to in light of serious labor shortages in many markets in the state, including manufacturing, technology, retail, many, many others, to examine the issue of adult education and the appropriate venue for where adult education should fit in our educational system in this state. We... we believe this is something that the State Board of Education and the Board of Higher Education has on their plate to do anyway, but this Resolution we hope will prompt them to work on it as quickly as possible."

Speaker Brunsvold: "The Lady's moved for adoption. Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution #304?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House does adopt House Resolution #304. On page 2 of the Calendar, appears Senate Bill #43. Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 43, a Bill for an Act concerning cancer

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research. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Parke."

Parke: "Yes, thank you, Mr. Speaker. As amended, this Bill now affects only the City of Chicago, and it was put on by Representative Currie and perhaps she could address the Body, as to what this Amendment does for the City of Chicago in setting up a special fund that will take care of the needs of one of the departments of the City of Chicago."

Speaker Brunsvold: "Mr. Parke yields to Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Bill merely sets up a fund in the Department of Public Aid. No dollars are allocated. The point is that there may be an opportunity for intergovernmental transfers from federal Medicaid funds to local public health service activities that could be matched. We don't know whether that's a little money or a lot of money, but this does not require any state expenditures. It's merely putting in place a mechanism so that if federal matching dollars are available, we're able to capture them for local public health use."

Speaker Brunsvold: "Is there any discussion? Seeing none, the question is, 'Shall the House pass Senate Bill 43?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 112 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does pass Senate Bill 43. And this Bill having received a Constitutional Majority is hereby declared passed. On Supplemental Calendar #1, under concurrences, appears House Bill 1134. Representative

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Crotty."

Crotty: "Thank you, Chairman (sic-Speaker). We've... we've discussed... we've discussed the 'double whammy' Bill. We passed it out of the House. That is the underlying Bill. What I'm asking today, is to concur with Senate Amendment #1. What that Amendment does, is take that 'double whammy', to the first year of (sic-House Bill) 452, the reform Bill that went out of the House in December of '97. I ask that I have a favorable vote on Senate Amendment #1, and I will be more than happy to answer any questions that you may have on that."

Speaker Brunsvold: "The Lady has moved to concur in Senate Amendment #1. Is there any discussion? The Gentleman from Kendall, Mr. Cross."

Cross: "Thank you, Mr. Speaker. In the event it gets the requisite number of votes, we request a verification. Will the Sponsor yield?"

Speaker Brunsvold: "Yes, the Sponsor will yield and your request has been noted."

Cross: "All right, Representative..., "

Crotty: "Yes."

Cross: "... there are always concerns in this Body as rightfully should... as there rightfully should be of people that propose special legislation. This Amendment appears to be limited to a certain segment of this state. Is that correct?"

Crotty: "That's correct."

Cross: "Why do we want to propose, potentially, unconstitutional legislation?"

Crotty: "What this leg... what this Senate Amendment does, is in effect, allow the South Cook and the Western Cook areas to have the full impact of the 'double whammy', taking it back

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only one year. This only a one time boost. When we had the tax caps and when we had the 'double whammy' legislation, it comes in an untimely fashion for all of those school districts in the South and the Western Cook area. So, what the Senate Amendment is doing, is allowing us, when we say we've made a mistake with the underlying Bill, to correct that mistake from the very beginning of House Bill 452, which was the reform."

Cross: "Well, Representative, what is this do... how does this help Representative Franks' district?"

Crotty: "Is Rep... I don't know for sure if Representative Franks' district is a capped district, then the underlying Bill is very, very important to his district. If you..."

Cross: "So, you think Representative Franks should vote for this?"

Crotty: "I'm not... I'm not here to tell anyone how to vote for it."

Cross: "Well, don't you think that you ought to... he ought to be doing something to help his district like you're doing to help yours?"

Crotty: "I think everybody needs to vote their conscience and their district."

Cross: "But if he cares about his district, he should be doing the same type of special legislation that you're doing, don't you think?"

Crotty: "If that's what he feels his district needs, absolutely."

Cross: "All right, now..."

Crotty: "If he feels differently, then he needs to vote his conscience."

Cross: "So, this is just for a little part of the state and no... no one else in this state benefits except this little portion, right?"

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Crotty: "On the... everything you see on the board or just the Senate Amendment?"

Cross: "All right."

Crotty: "Everything on the board, it's a big picture, Tom."

Cross: "It sure seems to be a pretty small universe. Now, does this help Representative Garrett's district?"

Crotty: "I don't know if that hel... I don't know if that helps her district or not. It's the same thing, I don't know everybody's district. They need to know their own district. Some of them will... will... I think all of them know what they have to do here with the legislation that's on the board, Tom."

Cross: "All right. Well, don't you think Representative Garrett if she cares about her schools, should be doing a Bill comparable, should have done one? The Session's almost over and she hasn't filed anything like this, neither has Representative Franks. Don't you think they should, if... if they care about their schools?"

Crotty: "I think... I think they'll vote their schools, Tom. They've been elected to do that and my concern right now..."

Cross: "But they're not... they're not introducing special legislation like you are. They must not care."

Crotty: "Oh, I'd never say that, because there's a lot of people in this House that isn't introducing this legislation, and I know that they care, Tom."

Cross: "I guess the proof's in the pudding, Representative."

Crotty: "I guess so."

Cross: "The proof's in the pudding and there is no pudding for their districts, cause they don't care. Now, Representative, Representative, can you explain, can you explain the triennial reassessment issue for us from this

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Bill?"

Crotty: "I'm sorry. I... I didn't hear the question, Tom."

Cross: "Pardon me?"

Crotty: "No, I'm saying pardon me. Would you... would you ask your question again?"

Cross: "Now, my understanding is the State Board of Education estimates this is... this is a first year loan cost of \$60 million, isn't it? Do you agree?"

Crotty: "The Amendment is 'no'. I'm speaking to the... are we... are we going to speak to the Amendment, Tom?"

Cross: "Well, actually the Amendment deals with... if we concur, then we're talking about the whole Bill."

Crotty: "Okay. Well, the whole Bill went out of here 100 to something."

Cross: "All right. But does the whole Bill with the Amendment, cost the state an additional \$60,000,000?"

Crotty: "This whole package is around \$60,000,000. The Governor has put the money in the budget for everything you see on that board. The Bill itself and the Senate Amendment. And it's appropriated for that. I have double checked that. I've even taken my friends with me to double check that."

Cross: "Representative..."

Crotty: "I'm sure some people will stand up and attest to that, Tom."

Cross: "Representative, we've just talked to the State Board, maybe you better take this out of the record, 'cause the State Board says it is not in the budget. Who's told you from the State Board it's in the budget? I'd like to know where in the state budget it shows 60 more million dollars for your school district? I mean, why do this if... if it's not in the budget, then that just seems a bit disingenuous."



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Crotty: "The State Board has put in \$25,000,000 for a 'double whammy' for all of the State of Illinois. Members of both caucuses have met along with the Governor and they have appropriated the dollars for the 'double whammy', and if we should concur on this Senate Amendment."

Cross: "Well now, wait a minute. A minute ago, you told that the State Board had put in \$60,000,000 and now you're saying it's only \$25,000,000. What is it?"

Crotty: "It is... it is 60 for... the state board put in 25, the Governor has put in the rest to see to it that this 'double whammy' and the Senate Amendment is funded."

Cross: "Are they eliminating a line item then for the adjustment grant, Representative?"

Crotty: "My understanding is no."

Cross: "And then... well then, all you're doing is following the current law?"

Crotty: "Pardon me?"

Cross: "You're then... All we're doing is following the current law. Yeah, if it's not a line item, where does it come from? Do you have a special appropriation for it?"

Crotty: "The Governor already has appropriated for that. Tom..."

Cross: "Representative, everyone..."

Crotty: "Tom, I double checked this inside and..."

Cross: "Well, I think you better, before you move this, 'cause... you better find out if it's in there. We're told it's not."

Crotty: "I have found out it's in there."

Cross: "We were told just recently this morning, it's not in there. A half hour ago, the State Board."

Crotty: "Well, I found out and it was in there yesterday. And it was in there this morning, and I have just left the rail and it is still there."

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Cross: "So.. all I have to do is go out to the rail and I'll see the 60,000,000 or is it just floating around out there..."

Crotty: "Well, if it is I'm..."

Cross: "...sitting over in a corner."

Crotty: "And if that's the way we handle our money, I'll go out there with you."

Cross: "I'll tell you, maybe this is how we can answer the question. Give us the budget number or the Bill number where where that it shows it's in the Bill. Why don't you do that and then maybe you can verify for us, 'cause I don't think you're going to find it. You can't give us one."

Crotty: "We know right now, that this budget is still being talked about. I'm only..."

Cross: "Well, wait, is it being talked about or is it in the budget?"

Crotty: "It's being negotiated and that money has already been appropriated."

Cross: "Representative, I just talked to the person from our side that deals with the budget, who has obviously, I don't think has been out to the rail, but has been in all the budget meetings, he says it's not there. It is not there. So, we have a gross... we have a miscommunication problem..."

Crotty: "Yes."

Cross: "...and I think..."

Crotty: "Yes, you do, because you need to..."

Cross: "... to be fair to this Body... I mean, first of all, we're talking about special legislation, now we don't even know if it's been appropriated. You ought to take this out of the record until you are sure it's... it's in there."

Crotty: "The Governor has given his word, this money has been

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appropriated, Tom. And I am gonna stand by the Governor. With all due respect, with... with all due respect to our staff, I'm gonna stick with the Governor."

Cross: "Can you show me, get me a document that shows me where it is? Is there a document that exists? It's very simple, Representative, we just need a document, cause we kn... 'cause there isn't one that exists."

Crotty: "If the Governor... Tom, call the second floor if you... if you wish. That's what we've done. So, if.. I mean, that's the only thing I can tell you, is call the second floor and find out from the Governor himself. We... we have already asked that question. Thanks, I'll wait for your answer."

Speaker Brunsvold: "Mr. Cross, could you bring your questioning to a close, please?"

Cross: "Well, Represen... I will, Mr. Speaker, I'm incredibly confused right now, because we're getting mixed signals. You can, without a doubt, without any hesitation, say that you know that it's in the budget? You've seen it?"

Crotty: "With no doubt."

Cross: "Okay. Can you... "

Crotty: "I believe that the words that were given to me by the Governor's Office and by everyone else that has sat down and talked to the Governor about the 'double whammy', that's the underlying Bill and this Senate Amendment, I will tell you, I trust their word, yes, Tom."

Cross: "Okay, just so we know, so we can collect our thoughts, give me the Bill number that it's going to be in."

Crotty: "You don't... Tom, you don't know what the final budget is going to be. I'm telling you that those dollars are allocated for this... for this Bill."

Cross: "So, we haven't approved the budget, so, we don't know if

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it's going to be appropriated or not, is really what the bottom line is. We haven't approved a budget."

Crotty: "Tom, I don't know how else to keep explaining the same thing over and over. This... this 'double whammy' is important, as important to the Governor as it was for a hundred Members of this House. He has appropriated the dollars for the funding of that. In the Senate Amendment that you see up there, he has put in another ten to make sure that this legislation, is in fact, law if we so choose it to be."

Speaker Brunsvold: "Mr. Cross, your time has expired."

Cross: "Well, it's painfully obvious we're getting some misinformation here and it's sad."

Crotty: "That, I will be in agreement with you. It is sad about some misinformation that sometimes is given around here."

Cross: "I'd all..."

Crotty: "And I'm hoping to be able to clear that up as much as I can."

Cross: "Well, maybe we ought to pull this Bill out of the record, do an Amendment so we can all, 117... the rest of the 117 of us, put \$10,000,000 more dollars into our budgets for our schools. This obviously is special legislation, Mr. Speaker. We'll see a court suit filed the day we get out of Session and I think the Representative could solve this if she'd simply pull it out of the record and get her facts straight. Thank you, Mr. Speaker."

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

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on May 21, 1999, reported the same back with the following recommendation: 'to the floor for consideration' House Resolution 266. 'Be adopted' Floor

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Amendment #2 to Senate Bill 311; Floor Amendment #3 to Senate Bill 369; and Floor Amendment #3 to Senate Bill 618."

Speaker Brunsvold: "Thank you. Further discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. It's my understanding that there is \$60,000.000 in the budget today that has been approved at least by the negotiators for each chamber, and the Governor's office. What happens later, of course, is beyond my control, our control, until we have a chance actually to vote upon it. The 'double whammy' is very important to anybody who lives in a school district with property tax caps. As I understand how this works, that the Bill, the underlying Bill, creates the 'double whammy' dollars as part of the school aid formula, and it should. And anyone who lives in any community where there is a property tax cap, would be well advised to make sure that his or her school district is not left without funds at the end of the day. Now Senator O'Malley, Republican Senator from the South Suburbs, decided that it was important to make sure that the 'double whammy' provisions kick in from the beginning of our passage of House Bill 452, the Bill that created the floor... that created a whole new way of funding public education in the State of Illinois. He thought it was very important that we go back and begin at the beginning. That to me is a legitimate point of view, a legitimate perspective, and for that reason, I think we should concur with Representative Crotty, in his Amendment to this Bill. I think that we should be very concerned that our failure to do so, would jeopardize the whole idea of 'double whammy' as part of the state school-aid formula. There is money in the budget.

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There will be, as part of the new formula, House Bill 1134 as we see it on the board right now, and that means that we have a responsibility to continually appropriate those dollars. This is very important to my community, Chicago. It is critically important to Naperville, to many communities in the State of Illinois where property taxes are capped. If we don't do this, we put the kids in those school buildings at risk since the locals can't raise their property taxes and the state will not kick in the additional dollars, we put at risk a variety of the programs in those school buildings, that all of us agree are critically important to the education of our young. Representative Crotty has worked long and hard with Senator O'Malley, to make sure that the 'double whammy' becomes part of the formula. I think she's done a good job and I think this Bill deserves support from each and everyone of us."

Speaker Brunsvold: "Further discussion? Mr. Black. ...darers turn the timer on."

Black: "Gee, thanks a lot, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

Black: "Thank you. Representative, let's make one thing very clear, I'll get back to it. Would you be willing to file a Motion to nonconcur in Senate Amendment #1?"

Crotty: "I know there's a limit, but I would like to at least be able to respond."

Black: "No, just answer. Would you be willing..."

Crotty: "No."

Black: "...to file a Motion to nonconcur? All right."

Crotty: "No, I can't."

Black: "Mr. Speaker, Mr. Speaker. To the Bill."

Speaker Brunsvold: "Mr. Black."

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Black: "Ladies and Gentlemen of the House, do not be swayed by the arguments that you've heard about the 'double whammy'. That's in the underlying Bill. I'm not opposed to that. That's why it came out of here with a hundred votes. The underlying Bill addresses the impact of property tax caps and 'double whammy', and that's fair. That's why I voted for it. But Ladies and Gentlemen of the House, Senate Amendment #1 has nothing whatsoever to do with the 'double whammy'. Senate Amendment #1, and excuse me, I apologize, but it is special legislation for those school districts in Southern Cook County. It's all... that's all Senate Amendment #1 does. According to the State Board of Education, let me tell you how it'll work. It provides an additional \$10,000,000 in state-aid to those districts in Southern Cook County. Nothing to do with the 'double whammy' in the original Bill. I'm talking to the Senate Amendment #1. Now, I could go on and tell you about the triennial reassessment and how this happened, but I want everybody in this chamber to focus on why I stand in abject opposition to concurring with Senate Amendment #1. I'll vote for the underlying Bill again, and again, and again. I taught school for 20 years in this state. I know a little bit about the state-aid formula. Senate Amendment #1 takes \$10,000,000 from the general state aid formula and redirects it to certain districts in Southern Cook County. Now, Ladies and Gentlemen of the House, doesn't make any difference what the budget does or does not say, it doesn't make any difference what appropriations are or are not, it doesn't make any difference what allocations may be or may not be. You all know if you've been here longer than six hours, there is a finite amount of money in the general state-aid formula. And if you redirect \$10,000,000 of that

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formula money, in all due respect to the Sponsor who works very hard for her district and who I have the utmost respect for, my district will lose some money. There's only a finite amount of dollars in the general state-aid formula pot. The 'double whammy' is different. I support that. Senate Amendment #1 is, for a lack of a better term, a raid on the general state-aid formula, shifting it to some districts in Southern Cook County, now that takes money away from my districts in Vermilion and Iroquois County. Is it a great deal of money, no it is not. It is not. That's not why I'm opposed to the Amendment. The Senate Amendment is a fundamental error in public policy in my humble opinion. You cannot redirect general state-aid money to where it well... it may very well may be necessary and vital to your districts. But, I would submit to you, it's no less vital to my districts or any Legislator's district in here. Now, if you want to go home and explain why you're willing to take money out of the general state-aid formula pot and redistribute it, then your districts, rightfully so I would imagine, would ask you to do the same thing for them next year, and next year, and next year. Ladies and Gentlemen, I take no pleasure in opposing Senate Amendment #1 to this Bill. And if the Sponsor comes back at anytime today, whether it's an hour from now or at midnight with the underlying Bill that addresses the 'double whammy', I will not only vote for it, I'll speak in favor of it, as I've already done. But Ladies and Gentlemen of the House, don't be swayed by arguments on the 'double whammy'. Senate Amendment #1 takes money away from the general state-aid formula, that impacts every school district in the State of Illinois. It's bad public policy. It will be a bad vote for you.



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Vote 'no'."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My words are not necessarily directed toward House Bill 1134, but towards some of the comments some of my colleagues have made today about special legislation. And that word 'special legislation' is a very tricky word, 'cause I hear that word only brought up when it comes to taking care of the 'have-nots'. But this Session has been special legislation for the 'haves'. All right. We voted on two Bills yesterday that took care of two rich guys that didn't need our help. We're going to be considering other legislation possibly today or before we leave Session, that takes care of another rich guy. That if that Bill passes, takes money out of the State General Revenue Fund. So, people can conveniently use special legislation, but they seem like they have selective amnesia when it comes to taking care of the guys that they want to take care of. This is a odd place to be in, Ladies and Gentlemen. I think there's time that I tell you what, the only special legislation that we need to do, is the legislation for the people. Let's vote on the Illinois First budget, let's vote on the budget and let's go home. Let's go home. All these other guys out on the rail, their contracts'll be renewed. They'll be happy. I have not been home in two weeks. I don't need to stay down here for special legislation to take care of rich guys. We've already done it for the last four months. When are we going to take care of our people? The people who elected us. When? I've been here 13 years and we've never taken care of the people who we're sent to. We tell them, take half a loaf.

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Two years ago, we voted on the right Bill for school funding. People said, 'you ought to be satisfied with half a loaf.' Well, we ought to tell that to the fat rich cats we've taken care of this Session. Let's take care of the children of the state. Let's take care of the senior citizens of this state. Let's take care of the physically and mentally handi... challenged people of this state. I'm tired of hearing legislation, special legislation to help the 'have-nots'. But you don't say it to take care of the 'haves' who don't need our help. We should vote on this Bill and then vote on the Governor's First plan, vote on the budget, let's go..."

Speaker Brunsvold: "Bring your remarks to a close."

Morrow: "I've told my people that the state runs better when the General Assembly's not in Session. And for 13 years, we've proved my words correctly."

Speaker Brunsvold: "Further discussion? The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I would like to address my words to the... the Motion that we have before us. Let me make it very clear. I have the honor of representing our caucus in budget negotiations. That's my job. I take it very seriously. We're not done. The budget is not finished. But we have recognized that there is a pressure for this concept called the 'double whammy'. And so, we are agreed to put money in that budget. It is a single sum of money. The underlying Bill is one that I support and will address that issue. What happens, if we agree to this Amendment, is that some school districts will be more equal than others. Some school districts will be able to carve out their \$10,000,000 and say, 'That's all mine, I'm not gonna share. The rest of you deal with whatever the crumbs are

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left.' But we don't have enough money, even in this time, in this budget for some school districts to be in that behavior. We can't afford to be that selfish. Because what is happening, is that if this Amendment passes, then that money that is designated, that is taken, goes to some school districts and our school districts get less. Our school districts get less because there's only a certain amount of money that you put in to address the 'double whammy'. When you take it out for some special groups, then it's not there to address all of the folks that are dealing or have to deal with the 'double whammy'. Now, there's a lot of folks that are in support of the underlying Bill, including a State Representative on this side, John Jones, who was a Sponsor of the underlying Bill, but when this Amendment came over, he removed his support, because, he said, 'What's fair for the state, is what's fair for us all.' But, in this case, you are identifying some special school districts and they say, 'We get ours first, and whatever is left is shared by everybody else. But we get ours first.' That's what happens. That's not the way we can solve the budget problem. That is not the way that we can address 'double whammy'. It is not the way that we should be financing the State of Illinois. Now, we're going to do our best to provide a budget that works. We're going to do our best to put money in the budget that addresses all of this issue. But we cannot do that adequately if we're going to pass Amendments such as this, that say off the top, 'double whammy' money goes to a specific area, and the rest of the money has to be divided by everybody else. Does that make sense to you? Does that help your school district? More importantly, does that help the State of Illinois? And the answer is, no. Let us

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not concur in Senate Amendment #1, and let us pass House Bill 1134. The underlying Bill makes sense, the Amendment is just plain selfish."

Speaker Brunsvold: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you Mr. Speaker, will the Lady yield?"

Speaker Brunsvold: "The Lady yields."

Hannig: "Yes, Representative Crotty, it's my understanding that the underlying Amendment that the Senate sent over, actually if it would become law it would become part of the formula, or the foundation, is that correct or am I mistaken?"

Crotty: "That is correct."

Hannig: "So, that foundation level, the way I understand it, is a number that's... that's guaranteed in law that we have a continuing appropriation to ensure that whatever we do in this Body at the... at the budget table that that will be funded, is... is that not correct?"

Crotty: "You're absolutely correct. Those are some of the notes that I'm taking when I hear this discussion. That is correct."

Hannig: "So, even as we talk about what may or what may not happen at the budget table, and I agree with Representative, the Gentleman from Jersey, my colleague at the budget table, that we have put money on the table for the 'double whammy', but in any respect, whether that money is there or not there, in the end the foundation level will drive the distribution to our respective schools and the formula, including this little piece... if this should become law. Is that not right?"

Crotty: "Absolutely correct, that's everything I've heard."

Hannig: "So, I guess it's fair to say that under this proposal, that there are no losers and that perhaps I'm not sure

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then, why all the problem that we see out here from... from some of the Members of this House. It seems to me that we have a proposal, as we so often do, where someone comes to the General Assembly. They try to talk about a problem that exists in their district, they try to set forth a proposal to try to solve that problem as Senator O'Malley did over in the Senate. They sent it over here by a near unanimous vote, I believe. And now, we're over here looking at the legislation in the House and I would suggest that the Lady is simply doing what we always try to do ourselves, address a problem that exists in her region and do it in a way that doesn't hurt the rest of us, and that's what the Representative is doing. And I think she should be applauded for her effort and I hope that she does well on this Bill and I'd ask for an 'aye' vote."

Speaker Brunsvold: "Further discussion, Lady from Cook, Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker. In all due respect, to... to some of the Legislators who have talked on this issue and talked about this being selfish legislation, I must object strongly. I remember voting for House Bill 452, because as a suburban Legislator, I had struggled with that decision because it was not going to help my school districts directly, but it was going to help down (sic-downstate) school... school districts. There's a disparity in this state in the funding... in the way schools are funded. And if you don't have enough property tax... tax value, it is very difficult to fund the schools in that method. And I remember voting for that Bill being the biggest... coming from the Chicago suburbs and being the biggest tax exporter of dollars, voting for that legislation because it was going to help downstate schools. This legislation,

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although some see it as a special interest, it's correcting an injustice. It's making something more equitable. The South Suburbs, because of the timing of (sic-House Bill) 452 and the tax caps, were victims of an inequity and this is trying to remedy that. You know, they talk about this is going to take money away from other schools, which is not true. That would mean that every line item in the budget is going to take money away from schools. Again, that's not true. My understanding, as Representative Crotty's understanding is, this money has been appropriated, it's passed the Senate with that understanding that this money has been appropriated for this particular cause. And because of that, your school districts are not going to be hurt by this legislation. We passed (sic-House Bill) 452 to help downstate school districts. And I urge you to pass this legislation with the Senate Amendment, because it's going to help those school districts in the Southwest Suburbs and make it more equitable and help school children and that's what we're all about. I urge an 'aye' vote."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Erwin."

Erwin: "Thank you Speaker. I, too, rise in strong support of this concurrence. You know, I remember back when, and not many do I suspect here, when there were serious problems in downstate Illinois, with the value of farmland and so there were impacts on the income as there is still today with family farmers. But in the late 70's and early 80's what the colleagues, the Legislator's from Chicago and Cook County and every part of the state agreed to do was change the way we assess farmland, to assist not only the farms in the state but also to keep our state whole. Keeping the

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agricultural economy in good stead was important to the whole state. You know, back when Governor Edgar kept the Legislature in Session over the tax cap issue, until July 19th in 1990, and fought that out, we have learned that with tax caps it has been a process. There have been issues and problems that have developed and yes, I agree with Representative Lyons, it is incumbent upon us to understand the problems that are represented in all of our areas. I think many of us are attempting to do that. I would argue strongly, that my colleagues on the other side of the aisle should not politicize this issue. As one who voted for Cook County property tax caps under some duress, and as the only Chicagoan who voted with my Republican colleagues for Chicago School Reform, let me urge you to support this concurrence and let us work through the problems that all of our areas have and try and treat every district equitably. I urge a strong 'aye' vote."

Speaker Brunsvold: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I guess I've learned something today. I've been here quite a while and tried to be attentive, learned something and also heard another kind of repetitious thing. For one thing, I've learned that this brand new Governor of ours, George Ryan, can appropriate money. Now, you know, I've known a couple of other Governors, none of them could ever appropriate money. Only the General Assembly supposedly could do that, but I congratulate you, Governor Ryan, you're the first Governor I've ever known who could appropriate money according to the Sponsor of this Bill. So, congratulations, Governor, that's real power. Secondly, in all the time I've served here, I have never

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heard any appropriation that took anything away from anywhere or actually cost anything. It's all free money. We print it in the basement of this building. Haven't you been down there and seen those beautiful presses? Now some people claim that's forgery. We all know better. What did they send us here to do? We have free money. This is not taking \$10,000,000 away from anywhere else, it just comes from that little press in the basement. It's not taking money away from the school districts that don't happen to be in Southern Cook County, why of course not. It's the \$10,000,000 that comes off the press at the end of the day. And another example of the free money we pass out down here. This Bill is a Bill... the underlying Bill which is not what we're voting on, by the way, that's another kind of interesting thing, how we're always voting on things that aren't what the vote is on. The underlying Bill is for those areas that have tax caps. If your school districts don't have tax caps, we're taking money away from you and we're proud of it. Secondly, the Amendment, which is what we are voting on, involves \$10,000,000 for a very limited number of school districts. That's 10,000,000 in addition to what it's going to cost you for the 'double whammy'. So, let me tell you, if you live in the suburban area or anyplace where there's a tax cap you got to be for that underlying Bill, 'cause it's a way for us to get some of that extra forged money out of the basement. And if you live in the Southern Suburbs, you really better be for this Amendment, 'cause you're getting \$10,000,000 worth of free money. The best kind. And once again, congratulations to the Sponsor for her new interpretation of the Constitution, and congratulations to Governor Ryan for his unprecedented power."



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Speaker Brunsvold: "Further discussion? The Gentlemen from Cook, Mr. Giglio."

Giglio: "Thank you, Mr. Speaker and Members of the House. Representative Crotty... Does the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Giglio: "Representative Crotty, did... House Bill 452, did that have anything to do with why we have Senate Amendment #1 today?"

Crotty: "It has something to do with it, of course."

Giglio: "How so? Briefly."

Crotty: "Well, if... if you're talking about... there's a lot of reasons why we..., I think we have Senate Amendment #1. It's the timing in which legislation has been passed in those areas from Springfield. It was first the tax caps. We never were able to capture our... our true EAV because of a triennial assessment, in order to get the most dollars before the tax caps went in. Only because of the way this area was assessed. And then, now the 'double whammy' comes into effect and again in an untimely fashion for those areas. That's what Senate Amendment is doing, Senate Amendment #1 to this Bill is doing. What the... the... what the Sponsor of this Amendment has said, and rightfully so, is it's time that... that this area is treated fairly. And, if in fact, we've all said, in the underlying Bill that there was a mistake in the formula and we're gonna correct it with the 'double whammy', then we should be correcting that mistake from... from the time that the big reform (sic-House Bill) 452 went into effect. So that's why (sic-House Bill) 452 sort of correlates with this Senate Amendment."

Giglio: "Thank you. Ladies and Gentlemen of the House, I... I rise in support of Senate Amendment #1. For all of you out

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there that have claimed that this is special legislation, well... well... tell you what, that's just bogus. This is anything... everything but that. What this is about, it's about fairness. What this is about, is not taking money away from other districts and giving it to some districts. What this is about, is ensuring that all districts get the same amount of money. We talk about fairness, we talk about the Constitution, we talk about right and wrong everyday of the week the 'haves' and the 'have-nots'. This Bill is about leveling the playing field, that's what it's about. If any one of you had a district that got shorted, you'd be down here with the same legislation. If any one of you represented other districts that had these problems, you'd be down here with the same Bills. Regrettably... or in favor... fortunately for you though, you'd probably have your Senator helping you. Regrettably, we haven't had any help here in this chamber. But we're going to move forward with it, with your support, to level the playing field for all of those involved in public education, in the State of Illinois. Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Whiteside, Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. And I have the greatest respect for the Representative and her underlying Bill, again, and I know that's been said before. But if the previous speaker think this is... is leveling the playing field, he's... better get a new calculator. This does not do anything to level the playing field. And I am not opposed to special legislation, when my area needs it, I certainly understand that you got to go after it for your folks back home. But, Representative Cowlshaw, I'd sure like our downstate schools to get some of that money out of

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the basement, because if you have seen your printouts, downstaters, you will know that the funding formula is not giving you the same amount of money as last year, in fact, my district alone, is losing over a million dollars. Now, I'd be more than happy to vote for this if Representative Crotty would put me in that mix somehow and just say, 'Well, Representative Mitchell, we'll just give your districts a million bucks, for no reason other than the fact that your assessors did things wrong.' That's not what this is about. You cannot take the pie and divide it again some other way without the portion that's left being smaller. Representative Black did a wonderful job of explaining that. It is gonna take money from downstate, there's no way to get around it. Folks, we're gonna... we're gonna fully fund the categoricals this year, for the first time... that's wonderful, until you look at your GSA amount... numbers downstate. You're not gonna get enough in those categoricals for... to make up for the money you're losing. Now, I worked on appropriations for... for education this year, frustratingly so. I tried to get something in there, some kind of safety net for... for folks like us and folks in Decatur that are not going to get the amount of money that we need to operate on. And I was told there's not enough money in the budget to do that. Now, where are we going to get \$10,000,000? I'll tell ya downstaters, you're gonna give a portion, and I'm gonna give a portion and it's gonna hurt. And if you vote for this, that's what you're telling your folks back home, yeah I went down there and I fought to equalize things for the South Suburbs. And I'm sure your folks are going to say, 'Thank you very much.' Vote 'no' on the Amendment, save the Bill. Thank you."

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Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Schools in the State of Illinois... Mr. Speaker, Ladies and Gentlemen of this Body, schools are funded first with a portion of local property tax. If a student happens to be born in an area where the tax base is low, they receive... their schools receive a smaller portion of dollars from the local area from taxes on property. If a student happens to have been born in a very rich area, and they give a large portion of their income or home tax... property tax to the school, then their schools are much better off. Now, last year, (House) Bill 452 was trying to bring schools up to some parity. We had some downstate schools that were way below Governor Edgar's proposed base level for funding education. So with (House Bill) 452, we brought many of them up to a level that their property tax would never have brought them up to, but it brought them up to a base level of per pupil expenditure. When we did that, we caused some harm to some suburban districts. Those districts voted with us and were told we will take care of you and make it up later. They actually lost. This is righting a wrong that was done about a year ago. It's righting a wrong and for those who think they get free money, you couldn't be further from the truth. They have to apply for a grant based upon, I think their EAV, but the grant has to be applied for and approved by the Illinois State Board of Education. There's no gift here. They're... they're really taking a chance, 'cause they're going to trust the Illinois State Board to do the right thing and be fair. Maggie Crotty, I'm supporting you, because I don't make a difference with children. I don't care if the children live in a rich district or a

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poor district, I believe the state should still provide and protect them. I believe that children who don't come from property-rich areas deserve a balanced, good, fair education, just as those who come from property-rich areas are getting. How could any Legislator stand here and attempt to halt an adequate, fair, equal amount of dollars to a district that helped you get yours last year? Now, this ought to be a 'yes' vote and if not you should resign your seat. Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from DuPage, Mr. Daniels."

Daniels: "Well, you also should resign your seat if you misrepresent. This money, called the O'Malley Amendment put on in the Senate, is not in the budget. And I just talked to Steve Snorf, the budget director, and to the Governor, it is not in the budget. What the Sponsor of this Motion is trying to confuse us with, is that the 'double whammy'... the underlying language of House Bill 1134, is in the budget. It was 25,000,000 originally put in the budget and an add on of 41,000,000 for a total of \$66,000,000 to cover the 'double whammy'. Let's not forget about what's trying to be done here. Everyone of us in tax cap areas would like to have this special piece of legislation to cover us, because what they're trying to do is to avoid the impact of it. I don't blame someone for doing that. But if you think that by voting for this you help your constituents, then you have to ask yourself where are you from. If you're from the South Suburbs you want to vote for this, Republicans and Democrats, I agree. But if you're from the North Suburbs of Cook County, this does not work to your benefit. You have to come in and do the same thing, or from the Western Suburbs of Cook County. If

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you're outside of Cook County this will not... will not help you. This is called the O'Malley Amendment that is specifically guided towards the South Suburbs, it is not in the budget. So, what happens if you pass this Bill? That means you have to find \$10,000,000 from somewhere else in the budget. You must cut 10,000,000 out of the budget to cover this. Do you want to cut nursing homes? You want to cut police protection? You want cut other education funds? That's what you're voting for if you vote in favor of this Amendment. Those are the facts and that's what's before us right now. Vote against this, but support the underlying Bill for the 'double whammy'."

Speaker Brunsvold: "Representative Crotty to close."

Crotty: "Thank you very much. We've certainly brought up a lot of good issues. And the one thing that I can tell you, is that we don't have a budget right now. I have the word of the Governor that this entire House Bill and Senate Amendment #1, will be funded and would be appropriated for; I have checked on that for two days. I don't want to stand here and tell you anything that would be wrong. I'm only telling you that everyone who has talked to the Governor, has been working on this, has said that the dollars are there for the underlying and if the Senate Amendment should come, they're putting the \$10,000,000 in there for it. I'm only telling you what I know. Sometimes, there's always the wrong timing. When we implemented the tax caps for Cook County, the South Triad was the only area not reassessed since moving to prior year EAV, and as that result this area in Senate Amendment #1, started with a lower tax base because of that lower EAV. And again, with House Bill 1134, Senate Amendment #1 tries to, again with the 'double whammy' language in this area, make the

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legislation effective for the South and the West Cook area. Fairness dictates that this Amendment be concurred. I often... I've talked to so many of you in the last two days. When we... when we did House Bill 1134, we all said that there was a problem. We need to correct it. We did that. This entire House did that. It would be like me saying to my seatmate Brosnahan here, oh by the way that \$5 that you're missing, I took it. And I'm... I'm sorry, but with Senate Amendment #1 it would make sure that I give that \$5 back. I made a mistake. I took his \$5 'double whammy' made a mistake, it's coming back and correcting itself through Senate Amendment #1. It's a onetime bump. It's not ongoing, that's why I would assume the Governor said that he would support this. As far as taking money away from any of the downstate districts, or any of your other districts, I most certainly would never do that. And when that was brought to my attention, that's what made me go and inquire about the budget process and where... where would these dollars be coming? Will it be coming from any of this... the districts and hurting them? I was told no, that the 'double whammy' money has been appropriated for and so has the money appropriated set-aside, whatever. But that Senate Amendment #1, is also going to be funded without taking money from you districts. It's true, this can be called special legislation, and I most certainly stood up and spoke many times. I know and... and Senator Novak for his school district. I spoke for a special legislation to help that district out. We are elected as Representatives in our district, but more so we're elected as a State Representative and because of us, being a State Representative looking at the full picture of education, I ask you to give me an 'aye' vote on this Bill. And in

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closing, I want to say two things. Number one, I know how important House Bill 1134 is to many of your districts. I was told unless this is passed in it's entirety, that we will not have that underlying Bill. That's why I'm standing here begging you to give me that vote on that Senate Amendment, not just for me, but for each and every single one of you that represent a tax cap school district. Because if we do not get this out of the House, it goes nowhere and all of your school districts that were so happy a few months back with (sic-House Bill) 1134 are going to be awfully disappointed that we ended this Bill this way. And I... lastly, I want to thank all of the people, prior to their voting 'yes', that have helped me in the last two days get this point across, because there's nothing worse than voting on misinformation. And I thank the House very much for their 'aye' vote."

Speaker Brunsvold: "Mr. Cross has requested a verification. So vote your own switches, please. The Lady moves to concur in Senate Amendment #1 to House Bill 1134. All in favor vote 'aye'... and this is final action. All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 62 'ayes', 50 'noes'... 61 'ayes', 50 'noes', and 5 'presents'. Mr. Cross. Verification, Mr. Clerk. Read the affirmative."

Clerk Rossi: "The poll of those voting in the affirmative Representatives: Acevedo. Boland. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Barbara Currie. Dart. Davis, M. Davis, S. Delgado. Durkin. Erwin. Feigenholtz. Flowers. Fritchey. Garrett. Gash. Giglio. Giles. Granberg. Hamos. Hannig.



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Harris. Howard. Jones, L. Jones, S. Kenner. Kosel.  
Lang. Lopez. Lyons, E. Lyons, J. Mautino. McAuliffe.  
McCarthy. McGuire. McKeon. Morrow. Murphy. Novak.  
O'Connor. Parke. Persico. Pugh. Ronen. Saviano.  
Schoenberg. Scott. Scully. Sharp. Silva. Stroger.  
Turner, A. Woolard. Younge. Zickus. and Mr. Speaker."

Speaker Brunsvold: "Mr. Cross."

Cross: "Representative Woolard."

Speaker Brunsvold: "Representative Woolard? Is Representative  
Woolard in the chamber? Has anyone seen Mr. Woolard? Mr.  
Woolard has just come in the back, in the door."

Cross: "Representative Flowers."

Speaker Brunsvold: "Representative Flowers, Mary Flowers.  
Representative Flowers. Mary Flowers. Mr. Clerk, remove  
her. Mr. Cross."

Cross: "Representative Granberg."

Speaker Brunsvold: "Representative Granberg. Representative  
Granberg. Mr. Granberg. Representative Mary Flowers has  
returned and she's at the rear of the chamber. Restore her  
to the roll. Mr. Granberg. Remove Mr. Granberg. Mr.  
Cross."

Cross: "Representative Garrett."

Speaker Brunsvold: "Representative Garrett's in her chair."

Cross: "Representative Bugielski... Bugielski."

Speaker Brunsvold: "Representative Bugielski is over by the  
press."

Cross: "Representative Kurner... Kenner."

Speaker Brunsvold: "Mr. Kenner. In his chair... Gentleman's in  
his... in his chair. Mr. Granberg has returned to the  
chambers, in the center aisle. Restore him."

Cross: "Representative Currie."

Speaker Brunsvold: "Representative Currie, which Representative

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Currie?"

Cross: "The one that's not here."

Speaker Brunsvold: "They're both in their chair... chairs."

Cross: "Julie Curry."

Speaker Brunsvold: "Julie and Barbara Currie are both in their chairs."

Cross: "Oh, Julie Curry made the right vote, I'm sorry. I see she voted 'no'. Representative Davis."

Speaker Brunsvold: "Mr. Steve Davis, standing in the back of the chamber."

Cross: "Representative Lopez."

Speaker Brunsvold: "Representative Edgar Lopez. Standing here by the Speaker."

Cross: "Representative Sharp."

Speaker Brunsvold: "Representative Sharp is in her chair."

Cross: "Representative Lang."

Speaker Brunsvold: "He's here at the podium."

Cross: "Schoenberg. Representative Schoenberg."

Speaker Brunsvold: "Representative Schoenberg... back, and he's in the back of the chamber, on the Republican side of the aisle."

Cross: "Representative Giglio."

Speaker Brunsvold: "Representative Giglio is standing at the back of the chamber."

Cross: "Representative Lou Jones."

Speaker Brunsvold: "Representative Lou Jones. Representative Lou Jones. Representative Lou Jones. Remove her... remove her from the roll."

Cross: "Representative, make sure I pronounce this correctly, Fi... Fa... Feigenholtz."

Speaker Brunsvold: "Representative Feigenholtz, she's in her chair."

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Cross: "Representative McKeon."

Speaker Brunsvold: "McKeon. Mr. McKeon's in his chair."

Cross: "Representative Delgado."

Speaker Brunsvold: "Representative Delgado is on the side of the chamber."

Cross: "Representative Saviano."

Speaker Brunsvold: "Representative Saviano. Representative Saviano has just come in the door."

Cross: "Representative Harris."

Harris: "Representative Harris is next to his chair."

Cross: "Representative McAuliffe."

Speaker Brunsvold: "Representative McAuliffe. Where is Representative McAuliffe? Representative McAuliffe. Representative McAuliffe."

Cross: "You're not acting dilatory are you, Mr. Speaker?"

Speaker Brunsvold: "Not any more than you are, Mr. Cross."

Cross: "Tell you what, let's call it a day, drop off McAuliffe, we'll quit."

Speaker Brunsvold: "Mr. McAuliffe? Is Mr. McAuliffe on the Republican side of the aisle? I don't see him. Please remove him from the roll. Representative Mautino. Representative Mautino wants leave. Mr. Cross. Mr. Mautino has leave. Representative Monique Davis..."

Cross: "Representative Saviano."

Speaker Brunsvold: "He's been... he's been verified. Representative Monique Davis..."

Cross: "Where is he? I didn't... I don't... I don't see him."

Speaker Brunsvold: "He was in the side door, Representative. He was here."

Cross: "I don't... I don't remember anyone asking for leave, Mr. Speaker."

Speaker Brunsvold: "Representative Monique Davis requests leave."

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Cross: "By all means."

Speaker Brunsvold: "Representative Calvin Giles..."

Cross: "Well, Repre... Mr. Speaker, I... if we can let's go back to this issue of Representative Saviano. I didn't grant leave to Mr.... Representative Saviano, at least no one on our side did. And there was no verification that I saw."

Speaker Brunsvold: "Representative Saviano was down here. I saw him personally."

Cross: "We... I didn't see him."

Speaker Brunsvold: "He came in and talked to Mr. Capparelli and waved, and then left the chamber."

Cross: "Well, I didn't know that's how we conducted verifications."

Speaker Brunsvold: "Well, the Chair saw Mr. Saviano in here."

Cross: "Well, is the Chair about to take... take a... a record?"

Speaker Brunsvold: "If you're completed with your questioning."

Cross: "How soon are you going to take the record?"

Speaker Brunsvold: "Representative Barbara Currie."

Currie: "Thank you Speaker, Representative Saviano has been verified."

Speaker Brunsvold: "Yes, he has."

Currie: "The failure of the person challenging this Roll Call to pursue the issue when Representative Saviano was clearly in the chamber, means that it is now a dead issue. Verified is verified is verified. Once verified on a Roll Call..."

Cross: "Well, what happened to him?"

Currie: "...no one needs leave to disappear again from the chamber."

Cross: "Well, Mr. Speaker, are we going to take the Roll Call?"

Speaker Brunsvold: "Mr. Cross, Representative Saviano was in the chamber. I saw him and he did wave and left the chamber, so... "

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Cross: "Take the record, please, Mr. Speaker. I think it's pretty obvious what's going on here."

Speaker Brunsvold: "Mr. Scully, be verified. Mr. Scully wants to be verified."

Cross: "Mr. Speaker are you going to take the record? Mr. Speaker?"

Speaker Brunsvold: "Mr. Novak. Mr. Novak."

Cross: "Mr. Speaker... "

Speaker Brunsvold: "Mr. Novak wants leave to be verified."

Cross: "Mr. Speaker, this is redic... this is absurd. Mr. Speaker are we gonna conduct the House in an orderly manner? Are we gonna do this properly? Mr. Speaker, let's take the record."

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

Cross: "This is dilatory, Mr. Speaker."

Lang: "Thank you Mr. Speaker, thank you. Thank you Mr. Speaker, I think we should go through this whole business of how a verification is done."

Cross: "I don't need a lecture from Lou Lang on how to conduct a verification..."

Lang: "I have the floor. Do I have the floor?"

Cross: "Now, let's take the record."

Lang: "I have the... Mr. Speaker do I have the floor? Do I have the floor, Mr. Speaker?"

Speaker Brunsvold: "Mr. Lang."

Cross: "Mr. Speaker, he's out of order. We're conducting a verification."

Speaker Brunsvold: "Mr. Lang, Mr. Lang."

Lang: "Do I have the floor?"

Speaker Brunsvold: "Mr. Lang has the floor."

Cross: "Mr. Speaker, we're conducting a verification, he's out of order."

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Speaker Brunsvold: "Mr. Lang has the floor. Mr. Lang has the floor."

Lang: "Do I have the floor, Mr. Speaker?"

Cross: "Mr. Speaker, he's out of order."

Speaker Brunsvold: "Mr. Lang."

Lang: "Thank you. Do I have the floor?"

Speaker Brunsvold: "Yes, you do Mr. Lang."

Lang: "All right. As soon as the other side of the aisle allows me to be heard, I'll proceed."

Cross: "Well, Mr. Speaker, I'd like to know for what purpose..."

Speaker Brunsvold: "Proceed."

Lang: "I intend to keep the floor until they let me be heard, so if the Speaker would let me know when you want me to proceed, I will."

Speaker Brunsvold: "As soon as the chamber has settled down, Mr. Lang..."

Cross: "Mr. Speaker? Mr. Speaker are we going to take this verificat... or conclude this or are we going to let Mr. Lang give us a speech? We don't need a civics lesson from Mr. Lang. Let's conclude this. Let's conclude the Roll Call."

Speaker Brunsvold: "Mr. Cross?"

Cross: "What."

Speaker Brunsvold: "I'm going to take the record."

Cross: "Thank you, are we going to take it now?"

Speaker Brunsvold: "Yes."

Cross: "Thank you."

Speaker Brunsvold: "On that question, there are 59 voting..."

Lang: "Mr. Speaker? Mr. Speaker, I have the floor."

Speaker Brunsvold: "... 'aye'. Mr. Lang..."

Cross: "Well, now who's the Speaker, Mr. Lang or you, Mr. Speaker?"

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Speaker Brunsvold: "Mr. Lang, I'm gonna take the record. You do not have the floor, Mr. Lang... 59 voting 'yes', 50 voting 'no', 5 voting 'present'. And the House does not concur in Senate Amendment #1 to House Bill 1134. And this Bill having not received a Constitutional Majority is hereby declared lost. On page 14, appears House Bill 2163. Representative Erwin. Representative Erwin, that Motion has not come out of Rules yet. Mr. Clerk, take that Bill out of the record."

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

Speaker Brunsvold: "On Supplemental Calendar #3, appears House Resolution 266. Mr. Clerk, announcements."

Clerk Rossi: "Attention Members, the House Revenue Committee will meet at 4:00 p.m. in Room 114. The Revenue Committee will meet at 4:00 p.m. in Room 114."

Speaker Brunsvold: "Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 305 offered by Representative Silva, House Resolution 306 offered by Representative Schoenberg, House Resolution 307 offered by Representative Schoenberg, House Resolution 308 offered by Representative Osmond, House Resolution 309 offered by Representative Scott, House Resolution 310 offered by Representative Erwin, House Resolution 311 offered by Representative Leitch, House Resolution 312 offered by Representative Leitch, House Resolution 313 offered by Representative Leitch, House Resolution 314 offered by Representative Leitch, House Resolution 315 offered by Representative Tenhouse, House Resolution 317 offered by Representative Dart, House Resolution 318 offered by Representative Pugh, House Resolution 319 offered by Representative Durkin, House Resolution 320 offered by Representative Durkin, House Resolution 321 offered by Representative Acevedo,

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House Resolution 322 offered by Representative Acevedo, House Resolution 323 offered by Representative Acevedo, House Resolution 326 offered by Representative Garrett, House Resolution 328 offered by Representative Brady, House Resolution 330 offered by Representative Acevedo, House Resolution 331 offered by Representative Acevedo, House Resolution 332 offered by Representative Granberg, House Resolution 333 offered by Representative Pugh, House Resolution 334 offered by Representative Silva, House Resolution 335 offered by Representative Curry, and House Resolution 341 offered by Representative Coulson."

Speaker Brunsvold: "Both sides have reviewed the Resolutions. Representative Lang now moves the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Agreed Resolutions are adopted. The House will stand at ease until the hour of 4:30. Committee will meet at 4:00. Mr. Clerk, committees at 4."

Clerk Rossi: "The House Revenue Committee will meet at 4 p.m. in Room 114."

Speaker Brunsvold: "So the House Revenue Committee will meet in 114, and the House will stand at ease until the hour of 4:30."

Clerk Rossi: "Attention Members, the House will convene in five minutes."

Speaker Hannig: "The House will be in order. The Members will be in their seats. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative Coy Pugh, Chairperson for the Committee on Revenue for which the following measures were referred, action taken on May 21, 1999 reported the same back with the following recommendations: 'be adopted Short Debate' Conference Committee Report #1 to Senate Bill 1018, Conference



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Committee Report #1 to Senate Bill 1028, and Conference Committee Report #1 to Senate Bill 1066. Supplemental Calendar #4 is being distributed."

Speaker Hannig: "On Supplemental Calendar #3 is House Resolution 266. Representative Cross."

Cross: "Thank you, Mr. Speaker. I have before the House, House Resolution 266 and I'm carrying it on behalf of Representative Daniels. This Resolution is part of the Republican, or I should say, I will say the Republican 12 Point School Safety Plan. And it addresses the rise in inappropriate and some perceived even hateful symbols and clothes students are wearing to school today. I think most of us understand and agree that it's tough for children to learn in a hostile environment. Imagine one of our children having to concentrate or trying to concentrate in a classroom while sitting next to a student wearing a swastika, or your daughter having a lab partner who wears the colors and symbols of his street gang to class everyday. This Bill recognizes or acknowledges... this Resolution I should say, the time has come to take a stand for decency for safety and for our children. I think most people agree that there is a direct correlation between strict dress code, safe schools, and a conducive environment for learning. School districts around our country that have implemented school dress codes report a substantial reduction in school violence, truancy, and vandalism. These schools have also reported improved student discipline. We recognized this back in 1996, when many of you joined us in supporting our quality first initiative that granted local school boards the authority to impose stricter dress codes. This Resolution will encourage school boards to again consider stricter dress

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codes, and I am pleased to add Speaker Madigan as a cosponsor to this Resolution. And I would appreciate an 'aye' vote or appreciate your support. Thank you."

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

Lang: "Thank you, will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Lang: "Mr. Cross, you indicated that the purpose of this is to encourage school districts to consider dress codes, is that what I heard you say?"

Cross: "The Resolution, or... Lou, I think if I misspoke, I meant to say would again, to again consider stricter dress codes."

Lang: "In fact, the Resolution says that local school boards institute strict dress codes. You're requiring that they institute dress codes, are you not?"

Cross: "Well, Representative, this is a Resolution as you know, advisory in nature and encouraging that school boards take a look at implementing dress codes. I don't think a Resolution... I don't think, I know as do you, that a Resolution is not mandatory and would not force them to do that but certainly encourages it."

Lang: "And so the purpose of this is to make it the... the stated philosophy of the Illinois House of Representatives that all school districts in Illinois have a dress code, is that correct?"

Cross: "I think Representative, the point here is that... we create an awareness or up the awareness if you will, on the issue of dress codes. Right now, I believe, in the... the law provides that school boards have the authority if they so choose to enact dress codes. This Bill reinforces that and suggests, or this Resolution that they impose some form of a dress code policy. They don't have to, they could

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ignore this Resolution if they want to, that's certainly a district by district issue. But it seems to be proof... There seems to be proof that around the country where school boards have done that there's been a positive effect."

Lang: "Well, if districts can do this now, on a district by district basis, and you're a believer in local control of schools which I've heard you talk about on this floor over and over again. Why would we want to state the obvious to them?"

Cross: "Well, Representative, I think and I know that you are aware of what's been going on around the country in the area of violence. There's the belief by many, that dress codes do make a difference. And we all struggle on a day to day basis with what works and what doesn't work in the area of violence, in the area of gangs, in the area of stopping or preventing youth, our youths from committing crimes. And this is one more tool, one more initiative, one more step toward trying to prevent further acts of violence. There may be people on this floor that don't agree with dress codes and that's certainly their prerogative. But we're simply saying to school districts, 'you might want to take another look at this. You have the ability. You have the authority to do it and we would ask you to take a look at it.' Other places have, around the country and it seems to be the evidence, at least suggests that it works in the places that have tried it."

Lang: "Thank you, Mr. Cross. To the Resolution, Mr. Speaker. I rise in opposition to this Resolution for a couple of reasons that I think are very valid. First, we believe it here, at least we always talk about our belief in local control of schools. We say that local school districts

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ought to handle their own problems. Local school districts ought to figure out what to do in their districts. We're always talking about the waivers they want, and we say maybe the State Board of Education shouldn't be acting on those things. We ought to be allowing local school districts to make their own decisions. Today, in the law of the State of Illinois, a school district can have a dress code if they wish to and I think accordingly, that this Resolution is superfluous. But more than that, although it certainly can be shown in some districts that there has been some value to dress codes and I wouldn't dispute that point. The fact is, that having a dress code makes all kids the same. It says in a given school district, which might install uniforms and require all children to wear the same uniform in school, it says you're all gonna look the same, maybe tomorrow we'll say you're all gonna act the same, and maybe the next day we'll say you'll all have to think the same. I have a real problem with this kind of uniformity. I have a real problem with making everybody in a school district do the same thing relative to what they wear. Will we all require them to use the same color pencils next, or draw their pictures the same way when they're in art class? Because we're worried about the images they'll portray and the pictures they draw. I don't think this is an appropriate exercise for the Illinois General Assembly. And so Ladies and Gentlemen, I know there are those of you who think this is a good idea, but let me just state again two very good reasons. One, if you believe in local control, this is absolutely inappropriate. And second, if we want our children to have a full, well-rounded education where they're encouraged to be independent, where they're

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encouraged to have independent thought, where they're encouraged to be themselves, when they're encouraged to excel, we should not be putting them in situations where we then require them to be uniform, to require them to be the same. Ladies and Gentlemen, it's inappropriate to say to children when they get dressed in the morning, 'you must look the same', and then say to them when they get to school 'but when you're here, although you'll look the same, be different, strive to excel, strive to get those A's, strive to learn something, strive to do it better than someone else, strive to be different.' If we put all children in the same clothing, district by district, perhaps someone will next say, 'well, maybe every public school in the State of Illinois had to have one dress code, maybe every student in the State of Illinois, every boy wear one set of clothes, every girl wear another set of clothes. 'Because, if you take away local control by requiring dress codes, then the next thing you can do is say that the state board should mandate all dress, in all schools in the State of Illinois. For these reasons, Ladies and Gentlemen, I would urge 'no' votes."

Speaker Hannig: "Representative Rutherford."

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

Speaker Hannig: "He indicates he will."

Rutherford: "Representative Cross, does this mandate... is this a mandate on schools?"

Cross: "Of course not, Representative, and thanks for pointing that out."

Rutherford: "Very good. It is absolutely not a mandate. Does this require that this study or this recommendation be for school uniforms?"

Cross: "No, Representative, obviously you've read the Resolution,

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it does not."

Rutherford: "Absolutely, I have read the Resolution and I do not stand for state mandates. This does not do that and I stand in support of yours, Speaker Madigan, and Leader Daniels's Resolution."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A few years ago, I would say perhaps before '96, I passed a Bill that allows each and every school board, including local school councils to decide if their students should wear uniforms. Now the purpose of that Bill was, first of all, to immediately identify people who should not be in your building. If you have some kind of code in which children dress that must be followed, you can immediately tell if a stranger has entered the building. Today, more than ever, I believe our children need guidance. They are being bombarded through the music industry, through the music industry, and through the video games, that life and limb is not important. I believe that setting standards for dress coincides with standards for behavior. We no longer in this society will be productive with our young people if standards are not set. All of this belief of 'you do your thing and he does his thing', is creating a chaotic environment in which young people must grow up. The reason they have parents and authority is to help guide them into correct behavior. Very frequently, a child will behave based upon the way he or she is dressed. We all know that the world of work requires a certain dress. We all know that most people who are about the business of the day are in some kind of uniform, an airplane pilot wears a uniform, a police person, a fireperson, a nurse, doctor, these people wear

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the dress that helps you to identify that they are about the serious business of whatever the endeavor may be. And I believe that our children will be much better off if they are given guidance of a dress code for school or a uniform. Those schools that we hold up as models, their children wear uniforms. And I believe requesting that each school board provide information to the State Board of what that dress code or uniform is for that school, is not asking for anything but help to provide safety and a good environment for learning. I will support this legislation. Thank you."

Speaker Hannig: "Representative Fritchey."

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

Speaker Hannig: "He indicates he will."

Fritchey: "Tom, some time ago we had a discussion when it came to gang symbols et cetera. Like your colleague, I guess you've read the Resolution. And I see that we're asking schools to institute strict dress code policies in an effort to eliminate inappropriate symbols. And I think by virtue of that language, we are perhaps leading these schools down a litigious road. Some of the things I'm wondering about for example, what is an inappropriate symbol is something of determination. A crown, if it's a Los Angeles Kings' jersey, may not be an inappropriate symbol, if it's part of a gang... subliminal gang uniform it might be. So maybe we can say that they can't wear team colors. Let me ask something you're all... what about a Star of David, Tom? A Star of David, inappropriate symbol?"

Cross: "Well, I certainly don't think so, Representative."

Fritchey: "Inappropriate if it is openly flaunted and worn as a gang insignia?"

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Cross: "Representative, I think we all know what we're trying to do with this Resolution, to let local school boards take a look at this again. They have the authority now to make a decision whether or not they want to impose some form of a dress code. This doesn't mandate it. It doesn't mandate uniforms. It says... apparently it's working in some places. We're all struggling with how to fight violence and if you want to take a look at a school board, maybe you ought to take a look at what other places are doing around the country. And certainly there's some places it's probably not needed. But I think there's some areas where it could be helpful, whether it has to do with hats or T-shirts or side arm or side bands... yeah know, arm bands whatever the case may be. And certainly, there's some expressions of speech that we all want to protect. I do, I think as much as you. But to merely suggest to local school boards that they ought to take a look again at dress codes... we're not trying to tell them specifically what they can or cannot or should or should not do this is mor... morely merely a move to take a look at it."

Fritchey: "As is most often the case, I think that we both have the best of intentions, but I'm still wondering though, and I'm not... I don't mean this argumentatively, I'm really trying to... I think the purpose obviously is laudable. Could... could a school board prohibit somebody from wearing a Star of David? And could this school board prohibit one person from wearing that star because they interpret it to be a show of gang affiliation, but yet, let another person wear it for religious reasons?"

Cross: "I guess, Representative, that's going to be up to a local school district. They can make that decision how far they want to go or not go. And I know and thank goodness, and



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actually, I support a lot of what they do, by no means do they support everything. There's certainly groups that will be right there with that child, fighting the local school district in court. But... "

Fritchey: "But, I don't think either one of us wants to see more school dollars going towards attorney fees as opposed to educating the kids. And that's one of my concerns."

Cross: "Certainly not, certainly not."

Fritchey: "Well, let me ask you another question then. We... We talk about something that should be a given and that's eliminating gang-related clothing. Gang-related clothing can mean much more than somebody wearing a shirt that says 'Gangster Disciples' or something else. Gang-related clothing could be the colors that they wear. Do you envision schools prohibiting kids from wearing certain color combinations because there may be a gang somewhere that uses those colors to show their affiliation?"

Cross: "I'm sorry, I didn't hear the question, Representative."

Fritchey: "It was some... somewhat long-winded, I apologize. Do you envision schools being able to prohibit certain color combinations because some gangs may use purple and yellow or black and yellow as their afilli... as their symbols? So, should people be allowed from perhaps wearing black tennis shoes with yellow gym... yellow shoelaces?"

Cross: "Representative, I... I don't really think that's up to us to decide how they implement it or what they do. I don't think we're trying to do that with this Resolution. That's up to each Rep... each local school district on how... how they want to handle it. I think, contrary to what a previous speaker said, we are recognizing and respecting the wishes of local school boards. They can do what they think is best in their particular area. I think when I was

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in... back in high school, we were prohibited from wearing college T-shirts because of the concern that it would, because of rivalries or we... I think we were outright... they prohibited it. I don't know if it was good or bad back then. I don't know that anyone thought much about it. But school districts that have their own problems, in their own communities, can treat this however they want to. And some communities have gang problems and some don't. Some communities need to react to this and handle this problem, some don't have to and thank goodness that they don't. But the school districts that do have severe gang problems might want to say, 'you don't need to wear hats in school with gang symbols and we're gonna prohibit that.' And I don't see a problem with it."

Fritchey: "And, you know, maybe I'm getting hung up on semantics, but I think this is the place to do that. But we are resolving that the school boards institute strict dress code policies in an effort to eliminate inappropriate symbols. I... we're not really giving anymore guidance than that. And it... it seems to be such... this is a situation while by trying to give them more flexibility we may be doing more harm than good. And I'm trying to get a sense of what an inappropriate symbol is when and what is we're resolving that they do."

Cross: "Representative, I don't know if this is responsive to your concern, and I... and I... know you're being very sincere about this. Right now there are exemptions in the law and I'll read it to you, 'a student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code, shall not be required to comply with that policy.' So, I think there is... and you make a good point

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John, there is the recognition that this could be abused or taken too far. So, we have attempted to do that in the current law. And certainly, we don't want lawsuits. I mean, we want to avoid them. And that's gonna have to be up to the local school district to be discreet in how they implement a plan."

Fritchey: "Do you think that this may be a situation where going further may be easier and if we said that school was to require dress... should require uniforms as opposed to certain policies, if we say everybody has to wear a blue shirt or blue pants and a white shirt, that's a little easier to enforce than saying, 'you can wear a Star of David, you can't, you can, you can't' and opening up a Pandora's box here?"

Cross: "Well Representative, if I'm not mistaken, I think court... courthouses have prohibited certain types of dress in courtrooms and I think a courtroom is identical to a school room in that it's a... ya know, you would think that people shouldn't be prohibited from exercising their freedom of speech or freedom of expression. But from what I understand, courts have withheld, in effect, dress codes in court rooms and I... I think they've been able to struggle with and come out with appropriate programs and I think local school districts can do the same thing."

Fritchey: "Well Tom, I... I, as I said, I meant it sincerely, I think you're... we're on... we're on the right path here. I... I do envision, unfortunately, this leading to some litigation, this leading to some arbitrary implementation of uniform requirements that some color combinations are okay. A baseball hat may be okay, unless it's tilted one way or the other, certain color shoelaces may or may not be permissible and I just want to make sure that when we do

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this, we do it in a manner that is equitable, that's not trampling on constitutional rights. I just hope that everybody gives that thought whichever way they go on this Bill. Tom, I appreciate you giving me the time and consideration on my questions. Thank you, Speaker."

Speaker Hannig: "Representative Lou Jones."

Jones, L: "Thank you, Mr. Speaker and Members of the House. I rise in support of this Resolution. I think a lot... I've... I've heard both sides of it and they're very good arguments, but I think there's some couple of things you might have not... that you might've forgotten. I don't know how many of you remember the Starter jackets, and how children was losing their lives over the Starter jackets when they were wearing them to school. They lost their lives over a \$150 gym shoes that was taken away from them from other children. I think when children are uniformed in school... at least in my district it works. In my district it works and it saves lives in my district. And it... and it saves a lot of peer pressure, one child against another because this child has this and the other child doesn't have it. I have always supported the uniforms and I just would like to say that I urge a 'aye' vote."

Speaker Hannig: "The question is, 'Shall the Resolution be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have and the Resolution is adopted. On Supplemental Calendar #4, Senate Bill 1028, Representative Currie."

Currie: "Thank you, Speaker and Members of the House, I invite your support for the First Conference Committee Report on Senate Bill 1028. This is the first of the measures to implement the Governor's visionary Illinois First Program. This is the Bill that would provide substantially increased

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funding to the Illinois Department of Transportation so we can make some headway on the 1500 bridges that need either rehabilitation or complete restructuring in order to provide safe passage for our people. It would substantially increase funding for our highway road program, provide additional dollars to all of our local governments. So that they too, can work to solve problems of road and highway disrepair. It would increase funding for the Grade Crossing Protection Program, would give substantial new dollars to the RTA, the CTA, and other Mass Transit Districts across the state, enabling us to garner federal funds that otherwise would be unavailable to us. The measure also provides for increases in car license plate and truck license plate fees, as well as additional fees for title transfers and other items. You should note that for your low-income seniors who are part of the state's Circuit Breaker Program, there would be no increase in plate fees. I would be happy to answer your questions and I would urge your 'yes' votes for this important initiative to rebuild the transportation network that is so critical to the economic well-being of the State of Illinois."

Speaker Hannig: "The Lady has moved for adoption of the First Conference Committee Report on Senate Bill 1028. Is there any discussion? Representative Skinner."

Skinner: "Mr. Speaker, I rise to put in the record, the cost benefit ratio for the six county Chicago Metropolitan Area. The six county Chicago Metropolitan Area will pay approximately 57% of the increase in fees, but the six county Chicago Metropolitan Area will only receive approximately 43% of the increased highway projects in the next five years. In 1989, the deal that was cut when the

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gas tax increased, gave the six county Metropolitan Area 45% of the total project. So, indeed with this Bill, we are moving backwards. This is not the direction that I wish to go. It seems to me that highway funding should follow cars, not acres."

Speaker Hannig: "Representative Rutherford."

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

Speaker Hannig: "She indicates she will."

Rutherford: "Thank you, Mr. Speaker. Representative Currie, in the... you'd said something in regards to the senior citizen circuit breaker opportunity. Could you walk us through that, the present opportunity and then what this new Bill will do?"

Currie: "Indeed, thank you very much. Today, senior citizens who are part of the state's Circuit Breaker Program, that means they are in families with incomes of \$16,000 a year or less. They, today, pay a reduced rate for their automobile license plates. That rate today is \$24. Under this measure, those senior citizens on limited, fixed-incomes will continue to pay only \$24, there will be no increase in the license plate fees for that particular group of Illinois citizens."

Rutherford: "Terrific Representative, thank you. There's... and this may be a little more technical for some of your support team over there, but there is a category in here called, under the Secretary of State's Fee Program called farm machinery, large trucks, farm exempt vehicles, farm fertilizer implement, farm truck and owner's machinery only, and then we go into the category on... where we actually get into the weights for farming trucks. What's the difference in these?"

Currie: "The fertilizer truck is the one that actually goes in

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the field, and it's my understanding that the farm trucks are those other little vehicles that go between one farm and another or take the produce to market, do other kinds of activities around and about our important farmlands in the State of Illinois."

Rutherford: "Now, just to verify that since you and I both are involved in the conferees on this that we have read this 134 page Conference Report... okay just... do we have a copy of the Conference Committee Report over there with you?"

Currie: "Yes, we do."

Rutherford: "If you would look on page 114, please."

Currie: "Page 114."

Rutherford: "On page 114 there's a sentence in there that specifically reads this section, and we're talking about the senior citizen part of it up there, then when it goes down in regards to, it says, 'this section does not apply to the fee paid in addition to the registration fee for motor vehicles displaying personalized license plates under Section 3-806.1.' See where it says that on the top of page 114?"

Currie: "First of all, we have a slight problem, your page 114 is our page 113. So, we'd have to find out exactly where we are."

Rutherford: "Okay, I appreciate that."

Currie: "If you're a circuit-breaker eligible senior citizen, but you want a vanity plate, you don't get it for \$24."

Rutherford: "Right. Well, but that's my... that's exactly what I'm going to, because I did discuss this with the Bureau of the Budget people and the Governor's Office on this, and I just want to make sure why we didn't change this word."

Currie: "But we thought... "

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Rutherford: "On that it says 'displaying personalized license plates' and then if you go to 3-806.1 nowhere does it identify personalized license plates. It speaks to vanity. So, perhaps we should look to legislative intent, since this Bill was not amended to change that word."

Currie: "Okay, we can... That's right, it does not amend or change that word."

Rutherford: "Okay."

Currie: "And we do believe that we are referencing vanity plates. And I believe as a matter of public policy that low-income seniors who can afford vanity plates ought to pay for them."

Rutherford: "Absolutely, and I'm... I'm with you 100%. So, if I could frame the question succinctly, looking at that sentence that says 'displaying personalized license plates', in 3-806.1, and I go to 3-806.1 and I read the entire paragraph. Nowhere in that does it refer to personalized license plates. So, Representative Currie, for legislative intent, shall we per... shall we assume that the word 'personalized license plate' refers to vanity license plate?"

Currie: "Yes, you are... it refers, it refers absolutely to vanity plates and you are very, very wise and we find it very helpful of you to have raised this point, so we can clarify for the record that 'personalized plates' on your page 114 really means 'vanity plates'... "

Rutherford: "In that one specific section?"

Currie: "In that specific section."

Rutherford: "I appreciate it. And I as I highlight those folks that are counseling with you that that was brought up during the drafting stage and they could have perhaps made this legislative, legislate this law proper, and then we



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didn't have to go through this whole exercise of legislative intent."

Currie: "But, I know they're grateful to you for doing so."

Rutherford: "I am confident of that. If we could go ahead and perhaps, just assume a few more opportunities of clarification here. Replating, how many plates... I mean, what are we talking about in the magnitude of replating here?"

Currie: "I believe over time, all license plates will be replated, but they will not all be done in year one..."

Rutherford: "Okay, and I understand..."

Currie: "It will be a phased-in approach and let me see if I can give you the actual specifics."

Rutherford: "It's a five-year period, Representative, I believe."

Currie: "It is over five years. It's a \$50,000,000 program. Let me just get for you the number of automobiles that will be included..."

Rutherford: "Great, if it's... if it's convenient."

Currie: "It looks to be about a million, a million plates a year."

Rutherford: "So, approximately a million plates a year..."

Currie: "Million with an 'm'."

Rutherford: "'M' as in million, okay..."

Currie: "Yes."

Rutherford: "That we will replate over a five-year period..."

Currie: "Over the five-year period, yes."

Rutherford: "...per year, over a five-year period. And it's my understanding, Representative, that under our new fee structure of \$78 per the individual plate, how much of that is actually going into the replating fund?"

Currie: "It's actually the title fee that will pay for the replating."

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Rutherford: "I apologize, you're right, you're right."

Currie: "And I believe it's \$4 for each vehicle... each title transfer."

Rutherford: "Okay. Will there be a ceiling to that, so by the time we reach a certain year that that \$4 will cease going through if they... if the thought is all plates will be replated in that five year?"

Currie: "It goes right back to the road fund."

Rutherford: "Right back to the road fund."

Currie: "So we can continue to work on the backlog. You know, Representative, that even under this very substantial improvement, we will continue to face backlogs, both with rapid transit and with the highway program in the State of Illinois, although this will enable us to make major inroads on those problems."

Rutherford: "Okay, continuing to look for opportunities to share, what is the... if one is to be vain and wanted to buy a personalized, I'm sorry that's not right, if they wanted to buy a vanity plate, what would that cost them now as opposed to prior?"

Currie: "Total of 118, \$24 plus \$94."

Rutherford: "And the 24 is by?"

Currie: "The 24 is for the low-income senior."

Rutherford: "Okay, so if a... you and I who are neither one seniors, what would it cost us?"

Currie: "Forty-eight plus 94, unless we were low-income seniors... no, no, no, 78 plus... plus 94 unless we were low-income seniors and then it would be 24 plus 94."

Rutherford: "So, my notes say it's a total of \$94?"

Currie: "You pay \$78 for your regular plate, and then you add \$94 to that number, or if you're a low-income senior..."

Rutherford: "Ninety-four on top of..."

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Currie: "Ninety-four on top of the 78."

Rutherford: "Okay, okay, very good..."

Currie: "Except if you're a low-income senior, you pay 24 for your base plate and then you pay 94 for the vanity plate."

Rutherford: "On top of that. Okay."

Currie: "And then there is a renewal fee for the vanity plates of \$12 a year."

Rutherford: "I see, okay. Something that's very important to many of us that have township road commissioners and county engineers, of course, is the amount of share revenue they receive from the process. And I... And they... our local officials receive their funds from the Motor Fuel Tax Pool recognizing that we are not, right, Representative, we are not raising Motor Fuel Tax in this state?"

Currie: "Right."

Rutherford: "Recognizing... correct. So, how does this... dialogue with us a bit on how our locals participate in this revenue opportunity for the state to help enhance their local opportunities."

Currie: "In our generosity to our local governments and our recognition of our important partnership with local governments, this program will more than double the funding available for the Consolidated Assistance Program for counties outside of Cook. That means 132%, increase a 132% in that program, 21.8 million rather than 9.4. It also will increase the annual funding for needy townships and road districts, in fact double that program and double the annual funding for high-growth cities. It will also substantially improve state assistance for local development projects that create or retain jobs and it will provide 40% more funding each year for the Truck Access Route Program and in addition, it'll provide 33% more

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state-matching funds every year to counties that are unable to raise enough at the local level, local match for federal dollars. So, that'll be a \$4,000,000 program. Today it's a \$3,000,000 program. So we are going to help the local governments access federal funds. We're going to continue our general assistance to them, even though as you point out, this is not an increase in the MFT."

Rutherford: "I think there's opportunity yet, for us to have some discussion. The... to kind of... kind of clarify then, for our... to understand that today, out of the Motor Fuel Tax the local units had been receiving 45, approximately 45%. And because of this increased pool of money coming into the state, that what your Bill would do, Representative Currie, would provide... that now the locals increase percentage would take them up to a 54% of the total motor fuel?"

Currie: "That is exactly right and that represents a 17% increase over the allocation from MFT they get today."

Rutherford: "Okay, so as I... as I quickly run through my calculator here, the total pool of money onto which the... the increase... it looks as though it would be for the... over the base year, the spending growth for the state would be about 13% and for our locals it would be about 11.6, so about 12. So... so actually, proportionately, we're going up about the same. So, all of the different pools we are drawing from, the local road commissioners, our township and county officials, and the road program should be pleased that we are keeping proportionately the same track record."

Currie: "That's right and as I say, I think that we believe it's very important to retain those partnerships with our local governments... \$435,000,000 in additional revenues for local governments over the five-year plan."

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Rutherford: "You know, and I think an interesting thing, an interesting thing too, to make very clear out here is why are we stopping the sales tax portion from GRF going into the Motor Fuel Tax Fund?"

Currie: "So we can return the money to general revenues, the General Revenue Fund, and that money will be used to help fund mass transit. As you know, we have problems with a deteriorated mass transit system, just as we have problems with deteriorating roads. My recollection is that some of the systems in Chicago are as many as 80 years old. The elevated trains, 80 years old is pretty old for that kind of structure and they need substantial help."

Rutherford: "So... so just to clarify for some of us then. Those revenues will not be going into the Motor Fuel Tax account, but those revenues will be used to help us with our mass transit needs?"

Currie: "They'll go into general revenues and then be used for mass transit."

Rutherford: "Terrific. And the RTA bond authorization, could you kind of give us a little exercise on the increase we're going through on that?"

Currie: "Yeah. It is a.... It'll... It'll increase the limit of the amount of bonds RTA can issue from 500,000,000 to 800,000,000. These are general obligation bonds of RTA, they do not involve any state debt. But there also will be a \$1.3 billion strategic capital..."

Rutherford: "Say that was a 'b' or 'm'?"

Currie: "...improvement. This one was with a 'b'."

Rutherford: "With a 'b'."

Currie: "'B'. But these are Strategic Capital Improvement Bonds, SCIP bonds, and this will enable the authority to do the kind of long-term bonding that many of these individual

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transit projects require."

Rutherford: "Thank you, Representative. Representative, talking and something that's very important to all of us throughout the state, of course, is railway safety and the crossing safety portion. I know that this Body will have the opportunity to look to increase the rail crossing safety programs. Can you kind of share with us a bit on where we are and where we're going with that?"

Currie: "This will provide a substantial...substantial shot in the arm for grade crossing protection activities. The monthly transfer will increase to 2.5...22.5 million. That's a \$9,000,000 increase in this fund, a total of 27,000,000. So we have very substantially increased by a third the amount of money that's going to go into grade crossing protection activities."

Rutherford: "You know, as we're all looking at our analysis here, there's something in here called SCIP bonds. What.... there's something in here called SCIP bonds. Are those.... What has SCIP got to do with these bonds?"

Currie: "Those.... I think I mentioned those in answer to your earlier question, Representative. Those are the Strategic Capital Improvement Project Bonds and if you think about what I've said, strategic 'S', capital 'C', improvement 'I', project 'P', SCIP, the acronym. And this will... will enable them to fund and refund their bonds and notes for the substantial infrastructure improvements."

Rutherford: "Now this one may be a little fair 'cause it's coming from left field, but I know that you've got some excellent opportunities to provide us. In that, you talk about the Strategic Capital Improvement Project. Within this Conference Committee Report is a category called Strategic Capital Improvement Program. What's the difference between

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a 'program' and a 'project' dealing with strategic capital improvement?"

Currie: "I believe they are the same, but in my analysis somebody used the wrong word."

Rutherford: "Oh, no, this was in the Conference Committee Report, itself. There was a very specific definite... there was a specific definition for 'project' category, but it does not have a definition within 'program'. And that was something else during the drafting stages of this Conference Committee Report that was highlighted to those that were the drafters, and I see they've left the definition out of this. So perhaps we should get on the record for legislative intent with the folks around to have them put it actually on the record now."

Currie: "The programs have worked very well without the definition for ten years. Effectively, what they are, are the individual projects that are funded through this measure."

Rutherford: "I think it's important for DOT and those that draft this to know that there are some of us that read this and do recognize that there are cross-references that don't tie back to original language and that perhaps, as we do go through this, we can maybe tighten those up. Representative, I've got just about another minute of questions, I think, if all goes well. Talk to me about the demonstration projects. Many people in my district have said, 'Why have the roads not lasted as long as they could or should have?' And I know that in this... in this Conference Committee Report, we're going to look to possibly have some demonstration projects. Could you share with us about that?"

Currie: "Yeah. In fact, there have been many complaints about

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the quality of road building in the State of Illinois. In my part of the world, they were particularly loud in the period after the very severe winter weather that followed upon the first of the year. So there are questions about what's the best material to use and what kind of requirements can we impose upon our contractors to make sure that the roadways last a longer time. There will be a demonstration project in this... in this program. Twenty projects will be built utilizing performance-based warranties of at least five years. At least ten of the projects will be designed for a 30-year life cycle. So, the point is to try to find a better way of building and rebuilding Illinois roads."

Rutherford: "I'm glad you highlighted that and, Representative Currie, I appreciate the opportunity to discuss this with you."

Speaker Hannig: "Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hannig: "Yes, she will."

Johnson, Tom: "Representative, I have just a few questions and then I'd like to make a couple of comments. I understand that, you know, we're giving a break, evidently, on the license plates for those seniors who are covered under the circuit-breaker. Is that correct?"

Currie: "That is correct. It is the same break they enjoy today."

Johnson, Tom: "Okay and what is the dollar sum to qualify for circuit-breaker?"

Currie: "It's \$16,000 a year income, annual income of \$16,000 or less."

Johnson, Tom: "Okay. Do you know how many in the State of Illinois qualify under the circuit-breaker, currently, are



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seniors?"

Currie: "I believe it's under a million. I believe it's in the.... the cost of the program is less than a million and I do not have the exact number of seniors."

Johnson, Tom: "I think it's very significantly less and I think we need to be very plain and up-front about that, that this break is only for circuit- breakers and does not give much of a break to the vast majority of our senior citizens in this state."

Currie: "That is correct."

Johnson, Tom: "Okay. Just so that we're sure on that. The bonds for asphalt that will be sold and for the roads on this. Can you tell me the life of those bonds?"

Currie: "Twenty years."

Johnson, Tom: "How many years?"

Currie: "Twenty."

Johnson, Tom: "Twenty years."

Currie: "2-0."

Johnson, Tom: "Twenty years. Do you know what the average life of asphalt is on our roads, currently?"

Currie: "That's exactly the length of time for which our roads are supposed to be designed. You'll have noted in my answer to Representative Rutherford, that we will be funding demonstration projects through this program looking to see whether we can anticipate 30-year life cycles for roads depending on the materials that are used."

Johnson, Tom: "Well, my understanding from word that I've had from IDOT over the years and the reports that I've seen, are typical life for asphalt as it currently is, is somewhere in the neighborhood of from seven to twelve years before we're going back at it."

Currie: "My understanding is that that's when the roadway is

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resurfaced rather than rebuilt."

Johnson, Tom: "Okay."

Currie: "And in fact, for resurfacing that's considered maintenance and so that comes out of something other than the Bond Fund Program."

Johnson, Tom: "Okay. You mentioned earlier in your opening remarks that we have about 1,500 bridges in this state needing repair and attention. That was your opening remarks?"

Currie: "That's my understanding from our Illinois Department of Transportation."

Johnson, Tom: "Okay. Do you know how many bridges this bonding program will cover?"

Currie: "Well, apparently we're going to be able to hit the target backlog of 850. As I said to Representative Rutherford, this program is not going to solve all of our transportation needs, all of our mass transit needs, but it is going to help us make substantial headway in the backlog. It's going to bring us a whole lot more current than we ever would be without it. So this is not nirvana. It is not a panacea. But it is important to begin making some progress before everything falls to rack and ruin."

Johnson, Tom: "Okay. To the Bill and I'll speak just once. I think we're going to be really dealing with three Bills here, so I'll just make my comments generic to the whole. First of all, I think that we all owe a very deep debt of gratitude to our Governor for bringing infrastructure to the top of our priorities in this state. There is nothing more important and I think all of us realize that. However, as you all know, I have expressed some serious reservations about this particular program and those reservations continue. And I think to put it into

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perspective we need to recap where we've been this year as a Legislature. Ninety days ago, as you recall, all of us were in here, quite jubilant over the economic condition of the State of Illinois. At that time the major debate, just 90 days ago, was what to do with the \$1.2 billion cash surplus. Would we be setting up an \$800,000,000 rainy day fund? Should we be rebating some dollars back to our taxpayers who are overburdened and certainly deserve it after these years of austerity and increased fees and taxes that we've imposed on them? In 90 days we have managed, Ladies and Gentlemen, to really move, to basically spend out that forty-plus billion dollars, including surpluses. And on top of that we are now going back to our taxpayers and saying, Oh, by the way, give us another \$572,000,000 because we want to do, quote, 'this infrastructure program.' I have no doubt that the projects contained in this infrastructure program are probably necessary as each of us might see them in our own individual districts. However, I don't believe that by moving in this rapid fashion that we are doing our duty to the citizens of the State of Illinois of stepping back and looking comprehensively in light of the total resources that we are bringing in currently and exercising the discipline within our own budgets. To first of all, start with the priority of infrastructure and schools and then build out from there, and quite honestly, look down the line here into the next 10 to 20 years. I firmly believe that we need to study this issue and come up with a solid plan, that I'm sure our Governor could lead in a very, very strong fashion, that realistically to look at our prioritization of infrastructure needs over a long period of time is going to require, probably, 30 to \$40,000,000. What we are doing

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here, I believe, is short-sighted, where we will be putting this money out, leading the public to believe that we have taken care of our infrastructure projects. Well, we are, to the extent of maybe accelerating a project here or a project there, but systemically we are doing nothing as it relates to dealing with the formulas and distributions and putting dollars where the traffic and infrastructure needs are over the long haul. I suggest that it's going to be far more difficult to revisit that because our public is going to be telling us very shortly that we thought you took care of all of our infrastructure needs. This is the tip of the iceberg, Ladies and Gentlemen. And I submit that all of us ought to be stepping back, working with the Governor and creating a very long-term and much more comprehensive plan than this one. Again, I want to applaud my Governor for getting us this far. The other thing that I wish to emphasize is, currently the State of Illinois has a 3.8% unemployment rate. We are finding it difficult to find workers for a lot of our own factories, currently, in this state. I would also suggest that by doing this massive of a project in this short order, that quite honestly, you are going to see tremendous inflationary pressures brought to bear on the prices that we will be paying for this infrastructure and probably be getting less back than we would in a more comprehensive long-term plan. I readily acknowledge that there are many of you who differ and I respect that. And... but I did feel that it was very important that I put my impressions out on the public record here. Thank you."

Speaker Hannig: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. I think we've had a full and frank discussion of the First

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Conference Committee Report on Senate Bill 1028. Illinois needs rebuilding, roads, mass transit, grade crossings, all of those items need our help. If we can't find the revenues to pay for it when the economy is good, I hardly think we can find them when the economy is poor and our citizens are hurting. This will not solve all of our transit problems, but it goes a long way in that direction. I believe that the citizens would like to drive on roads that are not causing problems for their axles, would like to be passengers on el trains that are not about to topple off the bridge. So I hope you will join me in supporting Governor Ryan's visionary program, Illinois First, and vote 'yes' on Senate Bill 1028, the First Conference Committee Report."

Speaker Hannig: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1028?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 74 voting 'yes', and 42 voting 'no'. And the House does adopt the First Conference Committee Report of Senate Bill 1028. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1018, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I invite your support for the First Conference Committee Report on Senate Bill 1018. This is the measure that will help us clean up Illinois Brownfields. It will add, substantially, to the resources through a loan program operated within the Environmental Protection Agency to provide support for the redevelopment of the Brownfields. It will include the

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opportunity to clean up contaminated water sites. It will add to the Wastewater Treatment Program. We are finding in the State of Illinois that our current resources are not adequate to restore polluted property to the... to... to health and we are concerned both for the health and safety of our citizens and for the opportunities for economic development that cleaned up sites will offer us. I'd be happy to answer your questions and would appreciate your support for this Conference Committee Report."

Speaker Hannig: "The Lady has moved for the adoption of the First Conference Committee Report on Senate Bill 1018. Is there any discussion? Representative Rutherford."

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

Speaker Hannig: "She indicates she will."

Rutherford: "Representative Currie, just to verify. There are no fees, whatsoever, in this Bill."

Currie: "There are no fees in this Bill."

Rutherford: "And what this Bill does... not only expands the existing loan program, but makes available a grant program for the Brownsfield (sic-Brownfields) opportunity?"

Currie: "There is... there is already a grant program. This Bill establishes..."

Rutherford: "All right. Then it expands the loan program."

Currie: "This establishes the loan program."

Rutherford: "Great. Thank you. With no fees in it, I suggest, perhaps this entire chamber should be voting for this thing."

Currie: "I would think so."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "She indicates she will."

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Black: "Representative, in the... in the enacting legislation of some time ago, bear with me, it... do we have a definition of a Brownfield site?"

Currie: "Yes, we do. Properties that have actual or perceived contamination and an active potential for redevelopment."

Black: "Okay. The question that has been raised... in my district there are very... there are many very small communities. And the deadline has come and gone for gasoline stations, for example, to take advantage of the program to upgrade their tanks. Some, if they were owned by companies, could afford to do so, have done so and are still in business. Many of these stations, particularly in small communities, were not able to do it. The owner did not have the resources and as a result, the station is closed. Now, some of them might operate to change your oil or do things of that nature, but they do not sell or are unable to sell gasoline, diesel fuel, because the tanks don't meet the new federally-mandated standards. Two questions. Would the owner of such a filling station be able to access a loan or grant program to come in compliance, so that they could reopen, which would be of an economic benefit to those towns of say, 2000 or less?"

Currie: "The loan program would only be available if the owner is not the owner who caused the Brownfield problem."

Black: "Okay. And that... that gets to the heart of the second issue then. Many of these filling stations, as the USEPA deadline approached, either the owner or if they were still in fact, owned by a gasoline company, just simply closed, locked the door and left. If we had an opportunity to take that property and develop it, obviously, a new owner does not want to assume any of the liability and I believe, is protected, in fact, from doing so. Would... would that

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kind of a... a grant or loan program be available to small communities, so that that site... the site of a former filling station that may well, in fact, still have the tanks buried underground, qualify so the site could be redeveloped?"

Currie: "Yes. And the new owner would not have liability for the old pollution. And, just for the record, we would continue the usual efforts to identify the problem, the polluter and charge that individual..."

Black: "Right."

Currie: "...if we could..."

Black: "Okay."

Currie: "...find him."

Black: "Well, that... that... I think that has some implications of interest and could, in fact, be used and accessed by many small com... communities around Illinois. And in rural areas, we've certainly had more than our share of problems. I'm not asking you to feel sorry for us, but this is a way that we might redevelop some property that currently, because of environmental problems, we can't use 'em. Quite often, years ago, when those gasoline stations were built, they're on a corner lot or they... are on a downtown lot that maybe we could redevelop for business or residential or retail purposes and I think this may certainly help spur some economic growth and development in our small communities. And I applaud you for bringing this forward and certainly hope that we vote 'aye'."

Speaker Hannig: "Representative Novak."

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

Speaker Hannig: "She indicates she will."

Novak: "Representative Currie, can you just explain to me... I think, under this enabling legislation for the water loan



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program and the waste... wastewater... the drinking water loan program and the wastewater revolving loan program. How much will this increase our ability to access federal dollars? 'Cause I... as I understand it, the current scheme of things it's a five to one match, I believe. Can you tell me how much... how..."

Currie: "I don't be... I..."

Novak: "...much... How big is the pot going to be for our local communities for these programs for the low-interest loan programs?"

Currie: "It's my understanding that the local match will not change. It's a five to one federal local match and the local match does not change under this Bill."

Novak: "So, what you're saying is that we are just gonna infuse the fund with state money then, to make... to make more fu... make more loans available?"

Currie: "Actually, the state match... this will be additional state dollars and the state... the state dollars could be used to match the local share required under federal participation."

Novak: "So, more communities will be able to asc... access more dollars for the low-interest loan..."

Currie: "That's right."

Novak: "...programs?"

Currie: "That's right."

Novak: "Okay. Will there be any additional funds put into the line item for Household Hazardous Waste Collection Programs, under this?"

Currie: "No, we are not... we are not. But the Hazardous Waste Fund monies in this program, I believe, are to be used in conjunction, essentially, with the Brownfields Program."

Novak: "Well, since you have the director..."

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Currie: "The ground water protection..."

Novak: "...of the EPA... I'm sorry, go ahead."

Currie: "Ground water protection, remedial action, pesticide collection program."

Novak: "Well, since you have the Director of the EP (sic-EPA) on the floor of the House, and we... we're glad to see Mr. Skinner here this afternoon. Does the agency have any plans to put any more money in the Household Hazardous Waste Program?"

Currie: "Mr. Skinner tells me that he plans to work on that issue over the summer months."

Novak: "I know he will."

Currie: "Should the summer months ever come."

Novak: "I know he will. One other question. Are there any provisions in this Bill to create a grant program for local sewer and water projects?"

Currie: "No. The program will be a loan pro... all the programs we've described in this Bill are loan programs."

Novak: "Okay, no further questions."

Speaker Hannig: "Represen... Representative Persico."

Persico: "Thank you, Mr. Speaker. Just to followup on Representative Novak and he had the same question that I had. A few years ago, we passed a major piece of legislation dealing with Brownfields and the... legislation, although it was landmark, you know... it was one of the... unfortunate aspects was we had to take \$2,000,000 a year out of the EPA Program for household hazardous waste products which is an extremely popular program and some counties are still able to do these programs and many counties are not. And so, I'm glad Representative Novak asked that question and I hope that, you know, Director Skinner will be able to find that money

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in the upcoming budget for next year."

Currie: "The director assures me he's scouring the capitol building looking for those dollars."

Speaker Hannig: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. I appreciate your support for the First Conference Committee Report on Senate Bill 1018, a measure that will help us clean up polluted sites in the State of Illinois and redevelop them to improve our economy and to improve the health and safety of our citizens. I urge your 'yes' vote."

Speaker Hannig: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1018?' 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 104 voting 'yes' and 11 voting 'no'. And the House does adopt the First Conference Committee Report on Senate Bill 1018. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1066, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Conference Committee Report on Senate Bill 10... 1066 would increase the taxes on liquor in the State of Illinois, taxes that have not been increased within the last 30 or 40 years and create three programs. First, the Fund for Illinois' Future, public infrastructure grants that can be used to fund private not-for-profit organizations, museums, for example; public schools, universities, colleges, community colleges, other kinds of quality of life programs that will enhance our economic and tourism standing. Second, we will expand on the school construction law we

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passed two years ago. We'll create a program for school maintenance project grants that will mean that school districts across the state can apply for grants not to exceed 50,000 each year in order to fix the smaller problems that those schools face. Schools would be able to access more than a single grant at a time. And, finally, we would create the School Infrastructure Fund which will... which will be used to pay for the school maintenance grants. I'd be happy to answer your questions on this Conference Committee Report."

Speaker Hannig: "The Lady has moved for the adoption of the First Conference Committee Report on Senate Bill 1066. And on that question, Representative Daniels is recognized."

Daniels: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in strong support of Senate Bill 1066 and point out to you that this is a continuation of this General Assembly's commitment to the quality of education throughout Illinois and the reconstruction, remodeling, and construction of schools throughout Illinois. There is a dedicated revenue stream as the Sponsor of the Conference Committee Report pointed out. But beyond that is also the responsibility of society as a whole to help fund, not only the structure regarding education, but as well as roads and bridges. Even so, Adam Smith once said in an inquiry into the nature and causes of wealth of nations, Book V Chapter I, 'At the expense of maintaining good roads and communications is, no doubt, beneficial to the whole society and may therefore, without any injustice, be defrayed by the general contribution of the whole society.' The expense of the institutions for education, which this Bill directly addresses, is likewise no doubt, beneficial to the whole society and may therefore, without injustice be defrayed by

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the general contribution of the whole society. This is an excellent Conference Committee Report, the continuation of the Governor's Illinois First Program which is an exciting program on the infrastructure rebuilding of the State of Illinois. And I strongly encourage your favorable support on this Conference Committee Report."

Speaker Hannig: "Representative Skinner."

Skinner: "I wonder if the Sponsor would yield?"

Speaker Hannig: "She indicates she'll yield."

Skinner: "Can you tell us how much more money this will take out of the Illinois economy each year?"

Currie: "The... we believe this will generate about \$80,000,000 a year to pour right back into the Illinois economy. Pour right back into school construction projects for our kids, projects that will hire workers, will mean that materials will be bought in Illinois, presumably, that will, in fact, increase the economic activity in the State of Illinois rather than the other way around."

Skinner: "I trust the Speaker doesn't have the timer on? Good, 'cause my questions are always shorter than her answers. So, I won't ask any more. I would argue that we don't need an increase in General Fund taxes. I would argue that because we have not a surplus of 1.5 billion dollars, but a balance of 1.5 billion dollars. To issue a hundred... to issue \$1,000,000,000 worth of school construction bonds we need, approximately, \$100,000,000 of revenue per year. We passed an Insurance Replacement Tax last year that would bring in a hundred to a hundred twenty-five million dollars a year which could easily have been earmarked to this billion dollars worth of bonds to... for school construction. Our state budget is up 6% in a year where the rate of inflation is up 1.2 to 2%. I do not know how

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we can justify taking more money out of the pockets of the citizens of the State of Illinois for General Fund purposes. A weaker argument can be made for this, than can be made for the fee increases to build roads. For that reason, I intend to vote 'no'."

Speaker Hannig: "Representative John Turner."

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

Speaker Hannig: "She indicates she will."

Turner, J.: "Representative, does this increased tax apply to any alcoholic beverages which have already been delivered to a retail licensee by the distributor prior to the July 1st date?"

Currie: "No."

Turner, J.: "Thank you."

Speaker Hannig: "Representative Currie to close."

Currie: "Thank you, Speaker. I would appreciate your support for a program that will put our schools back in shape, fund other infrastructure improvements that are critical to the quality of life in the State of Illinois and will be a help in establishing that our economy continue sound. I urge your 'aye' vote."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 1066, that we adopt the First Conference Committee Report. The question is, 'Shall we adopt the First Conference Committee Report to Senate Bill 1066?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have... 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 71 voting 'yes' and 43 voting 'no'. And the House does adopt the First Conference Committee Report to Senate Bill 1066. And this Bill having received a Constitutional Majority is hereby declared passed."

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

Speaker Hannig: "Representative Black, do you rise? For what purpose do you rise?"

Speaker Brunsvold: "Representative Brunsvold in the Chair. Unauthorized personnel should be off the floor. Cameras should be in the press section."

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

Fritchey: "Thank you, Speaker. I'd like for the record to reflect that I didn't get to my button in time on Senate Bill 1066. And I would like to show... let the record reflect that I intended to vote 'yes'."

Speaker Hannig: "Representative Stroger, for what purpose do you rise?"

Stroger: "Yes, I'd like the record to reflect that I would have voted 'yes' on Senate Bill 1066."

Speaker Hannig: "Thank you. 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 May 21, 1999, reported the same back with the following recommendations: To the Order of Concurrence, Senate Bill 2163, Senate Amendments 1 and 2. Approved for consideration, House Amendment #5 to Senate Bill 1017."

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

Skinner: "I just ask if we are in the part of the session where what we are going to consider has to be in front of us for an hour before we consider it? This is Second Reading."

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Speaker Hannig: "Do you have a specific..."

Skinner: "Of course not. I don't read the rules."

Speaker Hannig: "Representative, we'll be happy to recognize you when you have a specific parliamentary point concerning a Bill."

Skinner: "My point is, that we are in the part of the Session where you have to have a piece of legislation on the screen or on our desks for an hour. I don't think you changed that part of the rules in the last three decades. I just got..."

Speaker Hannig: "Representative Skinner. Mr. Skinner, we'll answer your inquiry."

Skinner: "All right. I've just updated my computer. It is not on the computer."

Parliamentarian Uhe: "Representative Skinner, on behalf of the Speaker and in response to your inquiry. House Rule 21 provides that certain Motions, Joint Action Motions and Conference Committee Reports may be referred to the House with one hour's notice. However, this... however, that rule does not apply to Floor Amendments. If that is your inquiry?"

Skinner: "Well, it would seem to me that we ought to be able to see what we're voting on. There is no way for us to see what we are voting on. Mr. Speaker, when will we be able to see a copy of this Gambling Amendment?"

Speaker Hannig: "I'm informed, Repre..."

Skinner: "I just updated it. It is not on the computer."

Speaker Hannig: "I'm informed, Representative, that it is on the computer. So..."

Skinner: "Well, I will be happy to update it again but it was not updated as of 30 seconds ago."

Speaker Hannig: "Representative Bassi."



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Bassi: "Thank you, Mr. Speaker. Would you let the record reflect, please, that I had intended to vote 'yes' on Senate Bill 1018. Thank you."

Speaker Hannig: "Thank you, Representative. The record will so reflect your intentions."

Bassi: "Thank... thank you."

Speaker Hannig: "On the Order of Nonconcurrency is House Bill 2793, and Representative Julie Curry on a Motion to Nonconcur."

Curry: "Thank you, Mr. Speaker. I ask the Body to nonconcur with House Bill 2793, to Senate Amendment #1 to House Bill 2793."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "Yes, Representative."

Black: "The Representative making the Motion is not listed as a cosponsor in either the Calendar or the board. Would you not be in order to ask for leave of the Body? Since you're in the Chair, I think you need to ask for leave of the Body for her to make that... a Motion or make her a cosponsor?"

Speaker Hannig: "That would be fine, Representative."

Black: "All right."

Speaker Hannig: "I think you are correct. Is there leave of the Body for Representative Julie Curry to handle the Motion to Nonconcur?"

Black: "I can think of no finer individual on this floor at this particular moment to make this Motion."

Speaker Hannig: "And there being no objections, leave is granted and the question is, 'Shall the House not concur in Senate Amendment #1 to House Bill 2793?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House does not concur in the Amendment. House Bill 2518, Representative

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Ryder, to nonconcur."

Ryder: "Excuse me... excuse me, Mr. Speaker."

Speaker Hannig: "The Motion is to nonconcur, Representative."

Ryder: "Thank you and that is the Motion that I make. Thank you."

Speaker Hannig: "So the question is, 'Shall the House not concur on the Senate Amendment?' All in favor say 'aye'; opposed 'nay', and the House does not concur on the Amendments. Mr. Clerk, Representative Woolard on Senate Bill (sic-House Bill) 733."

Woolard: "Thank you, Mr. Speaker. I'd move to nonconcur in Senate Amendments to House Bill 733."

Speaker Hannig: "Excuse me, Representative, that's correct. The Gentleman has moved that the House not concur in the Senate Amendments on House Bill 733. Is there any discussion? There being none the question is, 'Shall the House not concur?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House nonconcur in the Senate Amendments."

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

Speaker Hannig: "And on the Order of Supplemental Calendar #5 is House Bill 2163, Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 2163 is a Bill that passed, I believe, unanimously from the House earlier in the year. It is a product of the work of the new Tourism Committee in the House. It establishes an international tourism program, proceeds of which are funded by a hotel tax. Senate Amendments 1 and 2 essentially, reconfigure the financing. As it left the House there was a direct link between the Illinois Sports Authority's excess GRF or excess funds, reminding people that the Sports Authority was that... was created to finance and retire the debt on

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building a new White Sox Park. It is financed by a 2% hotel tax in Chicago only. They have raised the amount of the excess that that has raised to 1999 is in excess of \$28,000,000. So our original Bill used a direct link to fund the international tourism program. The Senate decoupled it, if you will, with concerns raised by the Sports Authority on behalf of bondholders. So, essentially, excess GRF dollars are coming in or excess, rather, hotel taxes from the Sports Authority go into GRF. We are then allocating dollars for an international tourism program from GRF dollars, but not directly linked. I'd be happy to try and answer any questions. It does establish a partnership to distribute grants for international tourism. I think that we learned in committee that while we know that Chicago has an international airport and an international entry point, it is fully our belief that once we can get more international travelers to Chicago that we are working to ensure that they can visit all parts of the state. And the language, the original language, I know that I worked with Representative Black and Representative Holbrook on to ensure that we were including the entire state in this program, remains in this Bill and I would urge concurrence on Senate Amendments 1 and 2."

Speaker Hannig: "And on the Motion to Concur, Representative Black."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, one quick question. The newly created Illinois Partnership for International Meetings and Tourism and the makeup of that, as we can see, is imminently fair and it will be.... It's my understanding that they will

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then develop dollar for dollar matching grant programs with existing Downstate Convention and Visitors Bureau. Is that correct?"

Erwin: "That is correct."

Black: "And there are no new taxes of any kind setting this up. It is coming from the existing revenue stream generated, quite frankly, by the economic engine that is the City of Chicago. Correct?"

Erwin: "You're right, Representative Black, and actually I double-checked today. Mean... it is.... As you know, the tourism funding for the state is generated by the hotel tax. Seventy-five percent of all the revenues from the hotel tax come from Cook County. So there are no income tax dollars, sales tax dollars, we're simply talking about a revenue stream that comes from hotel taxes."

Black: "Yes, thank you very much, Representative. Mr. Speaker, to the Concurrence Motion if I could. Ladies and Gentlemen of the House and particularly my downstate colleagues, no one will jump to his or her feet any quicker than I if I think our giant neighbor to the north is perhaps expanding their appetite at the rest of the state's expense, particularly downstate. However, one must also look at the very fact that the economic engine that is the City of Chicago can be very good for the rest of the state. This is a classic example of where it will be good for all of the State of Illinois. The bulk of the money raised from the hotel/motel tax, as Representative Erwin has so accurately stated, is generated from the City of Chicago and the County of Cook. And yet, the money generated will be split on a 55 to 45% basis between the tourism organizations in the City of Chicago and downstate Illinois. And it is our hope that when those international

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tourists come to Chicago, and it is indeed a world class city and I often enjoy visiting there. I've had problems with parking tickets in the past, but I commend the mayor, we've... he's done a very good job of getting that straightened out. And I hope to get up to Wrigley Field in the very near future. Chicago is, in fact, a world class city and there are thousands and thousands of people who come to visit. Our task, we hope, with this Bill, is to enable downstate tourism and convention bureaus to entice them to extend their stay in Illinois, to perhaps visit the Abraham Lincoln sites, if you will. Maybe make the Abraham Lincoln Trail which takes in many... a few cities in my district. To perhaps entice them down even further into the State of Illinois to Rend Lake or the Shawnee National Forest. We sometimes don't give our state enough credit for what we have to offer, and it's our hope that by this cooperative effort that is imminently fair, that we can keep our international visitors and maybe have them extend their stay and visit downstate Illinois and some of the sites that we have to offer as well as the sites and inherent beauty of the City of Chicago. It's a very fair Bill. I commend the Sponsor, the Members of the Tourism Committee and I urge my colleagues to vote 'aye'."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you. I'd like to ask a few questions to establish legislative intent on this language. Will the Lady yield?"

Speaker Hannig: "The Lady will yield."

Holbrook: "Will all the monies that flow into the Illinois Partnership for International Meetings and Tourism be utilized for statewide international tourism programs?"

Erwin: "That's correct, Representative Holbrook."

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Holbrook: "Regarding the monies that flow into that program, would downstate tourism entities who do not currently have international tourism programs be able to access this money in the form of grants for creating, developing, and expanding their local international tourism programs?"

Erwin: "Yes, Representative."

Holbrook: "The Bill guarantees at least \$1,000,000 in grants for downstate international tourism. Is it the intent of this Bill to provide only \$1,000,000 for downstate grants?"

Erwin: "No, Representative. In fact, I think that through the efforts of your leadership on the Tourism Committee, we have learned that as we can begin developing products around the state to package and sell, not only to international visitors, but also to domestic visitors, we look forward to being able to have many more than that minimum amount be spent downstate. I think with the opening, one hopes soon, of a new Lincoln Library and tying together the Lincoln attractions in Illinois, we know that Lincoln is possibly more marketable in Asia than he is in the United States. So it is not a minimum and we would hope that many more dollars would flow downstate."

Holbrook: "With that intention I'd urge an 'aye' vote on concurrence."

Speaker Hannig: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. I rise in strong support of this Bill. As a Representative for the City of Springfield I know that international tourism is extremely important to this area and I continue to be amazed at how many visitors we have from all across the world. When I was a member of the Springfield...Springfield City Council, I worked very closely with the International Tourism Council and we often hosted visitors from Asia, from Europe, from Australia, and

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people coming to see the Lincoln sites, but also to see what they regarded, as a perhaps, a typical midwestern city. And I enjoyed meeting with them and hosting with them and taking many of them out. I would hope that this Bill would be strongly supported. I believe it's good for all of Illinois and I urge an 'aye' vote."

Speaker Hannig: "Representative Erwin to close."

Erwin: "Thank you. I just would again like to commend not only the Speaker's creation of the Tourism Committee, but also the good work that I think Representative Holbrook, Representative Black, and all the Members of the Tourism Committee did this year and I would ask for your favorable Roll Call."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2163?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'yes', and 0 voting 'no'. And the House does concur in Senate Amendments #1 and 2. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 311, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 311. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Garrett, has been approved for consideration."

Garrett: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would first like to table Amendment #1 in Senate Bill 311."

Speaker Hannig: "Amendment #1 is withdrawn."

Garrett: "Thank you."

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Speaker Hannig: "Any further Amendments?"

Garrett: "The Amendment that I'm introducing, Amendment #2, amends the Civil Admin...."

Speaker Hannig: "Excuse me, Representative, we need the Clerk to read the Amendment."

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

Speaker Hannig: "Representative Garrett."

Garrett: "Amendment #2 amends the Civil Administrative Code in this kind of language. It says that, 'In counties with a population of not less than 500,000 and not more than 800,000, a lease that is non-revenue leased to any other department of state government, any authority, commission or agency of the state or municipality, county or township of the state, including in any land lease the corresponding vertical rights, subterranean and air rights and sublease rights may be for a period of time no longer than 55 years.'"

Speaker Hannig: "The Lady has moved..."

Garrett: "I'd be happy to answer any questions you may have."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment and on that question, Representative Cross."

Cross: "Thank you. Inquiry of the Chair? I'd like to have the Sponsor yield?"

Speaker Hannig: "Yes."

Cross: "But what happened... and I apologize, it's just a little chaotic here. What happened to Floor Amendment 1?"

Speaker Hannig: "She withdrew the Amendment, Representative."

Cross: "So does.... All right, so all we're dealing with is Floor Amendment 2?"

Speaker Hannig: "That's correct."

Cross: "All right. Will the Sponsor yield?"



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Speaker Hannig: "She indicates she'll yield."

Cross: "Representative, does the Amendment become the Bill?"

Garrett: "Yes, it does."

Cross: "Who is the.... I'm a little puzzled. What's the purpose or the rationale behind this piece of legislation?"

Garrett: "Do you have... I'm sorry, what is your question?"

Cross: "Why... why are you doing this?"

Garrett: "What we're trying to do, the City of Waukegan is working, has been working very hard, really, for the last ten years to redevelop their lakefront area. This is a TIF district. It's blighted and in order for this, the county seat of Lake County to be redeveloped, we need to make sure that in order to attract potential developers, that potential developers know in advance that they do not have to renegotiate their lease with IDOT for air rights every five years. IDOT is neutral on this. They have filed a fiscal note saying that they... there is no fiscal responsibility. In fact, they are neutral. They were party to this every step of the way."

Cross: "Who is the developer or owner.... I'm sorry. Who is the developer of the piece of property you're talking about?"

Garrett: "There is no developer. The City of Waukegan owns the property."

Cross: "Has there been any discussion about a potential developer at all?"

Garrett: "No."

Cross: "So, all of a sudden, Waukegan just comes in and says let's change the law. We're going to extend this lease..."

Speaker Hannig: "Mr... Representative Cross, we've been asked to take this matter out of the record."

Cross: "Oh, okay."

Speaker Hannig: "So, Representative Garrett, this is out of the

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record at this time and we'll get back to it at a later time. Senate Bill.... Senate Bill 26, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 26. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you return Senate Bill 26 back to the Order of Second Reading? Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. A point of personal privilege, if I might?"

Speaker Hannig: "Yes, state your point."

Black: "Yes, I would just like to welcome a former Member of the House, currently, the President of the Senate who is over visiting with us this evening, Senator 'Pate' Philip. It's always good to see the President of the Senate."

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

Cross: "Well, it's obvious there's a little delay. Can you be... can you tell us if it's.... The rumor here is that we're waiting on a roll call dealing with the promotion of spring break, the Resolution by Representative Hoffman. Is that the case? Is that why we're not moving?"

Speaker Hannig: "It probably is, Representative."

Cross: "Can you let us know when you get to 60 votes?"

Speaker Hannig: "We'll have Representative Hoffman let us know."

Cross: "We're anxiously awaiting his answer. Thank you."

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

Turner, J.: "Mr. Speaker, as.... It really didn't take somebody too observant to see we aren't doing a lot right now. But

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Representative Durkin is now back in the chamber and House Resolution 243 is ready to be called. I know he's wanting to call it. Has to do something with the spring break. I guess Representative Hoffman doesn't feel up to it, so if the Speaker would oblige we would ask on this side of the aisle, I think I'm joined by my friends and colleagues on that side of the aisle as well, to have Representative Durkin run this Bill instanter, please."

Speaker Madigan: "Speaker Madigan in the Chair. Senate Bill 1017. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 1017 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Brunsvold, has been approved for consideration."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We discussed Amendment 3 yesterday at length, Mr. Cross and myself, and I would move to adopt... for the adoption of Floor Amendment #3."

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

Clerk Rossi: "Floor Amendment #5, offered by Representative Brunsvold, has been approved for consideration."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. This very short Amendment addresses the minority ownership in the boats... in the boat, and it would change from 20% to 16% for minority and 4% for female. It would also put a deadline on the time the Gaming Board has of 12 months from the time gaming begins. So that is the deadline that was requested and I

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would move for the adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Skinner."

Skinner: "I assume all the notes have been filed? Thank you."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1017, a Bill for an act in relation to gaming. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. And once again, on the Bill. This has two segments. We have a problem in the gambling boats in this state and the competition we're getting from other states. We need to address that issue. We're having horse industry in this state that has been devastated and we're trying to help that industry and this is a win, win for both... for both of those activities. And Mr. Cross and I will take the riverboat side and just briefly describe what I did the other day. The dockside provision is in there for egress and ingress. Cook County exemption has been removed. Boat design was changed. Ten percent rule was changed to allow boats to... other boats to own parts. Navigable streams was changed and allocation of the tenth license. And the language for the transfer of that license. So that, I think, hits a high spot and I will yield to Mr. Cross for the horse industry side."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Mr. Skinner."

Skinner: "Mr. Cross doesn't want to make a presentation?"

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Speaker Madigan: "He's not seeking recognition."

Skinner: "It's fine with me."

Speaker Madigan: "Mr. Cross."

Cross: "Yeah. Mr. Speaker, thank you. Mr... Representative Brunsvold, I think, yielded some time to me to explain the horseracing provision..."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. As briefly as I can, I will highlight horseracing provisions and they're identical, frankly, to what we did... what I mentioned last night. One, this Bill reduces the pari-mutuel tax from 3 to 1.5%, which is currently or which is about the national average. One... or number two, it allocates 15% of the adjusted gross revenues of the relocated license to horseracing. Three, the proceeds of the tax reductions and the revenue from the riverboat gaming will be split 50/50 between the racetracks and horse purses. The Bill will provide a substantial infusion of new revenue into the industry with the hope and the intention of both preserve and enhance quality of horseracing in Illinois. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Scott."

Scott: "Thank you, Mr. Speaker. Will Mr. Brunsvold yield, please?"

Speaker Madigan: "The Sponsor yields."

Scott: "Joel, there's a provision in this Bill that speaks to the transfer of the, what used to be the Galena license or the East Dubuque license. Is that correct?"

Brunsvold: "Yes."

Scott: "How is that transfer to be made?"

Brunsvold: "The owner of the boat would petition the city, municipality for example, to use that term, for their

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acceptance of the riverboat there. The city would have to act on and approve their request and if that happens then... then the Gaming Board would come into the mix after that."

Scott: "Now, didn't the Gaming Board terminate the rights of that licensee back in '97 and wasn't that decision just upheld by an administrative law judge last week or two weeks ago?"

Brunsvold: "The decision has been stayed, pending appeal."

Scott: "Okay. But, you're aware of an administrative law judge's opinion?"

Brunsvold: "Yes, I'm aware of that. The license has been sitting unused, because really there's no language for transfer. The Gaming Board refused to transfer the license that was being unused because they felt there was no language for them to do that."

Scott: "Right. And the administrative law judge effectively said that their termination of the prior licensee's hold on that license was legitimate, was a correct act."

Brunsvold: "I don't know what the ruling is, Mr. Scott."

Scott: "Okay. And so, when the Bill refers to a licensee that wasn't conducting riverboat gambling, you're talking about the East Dubuque license."

Brunsvold: "One license."

Scott: "Okay."

Brunsvold: "We're talking about one license."

Scott: "Okay. So, what happens if, God forbid, I don't want to use this one as an example for you, but say Rock Island should... should fail as a license. Do they have the same ability to transfer their license under... or any of the other, Metropolis, or any of the other boats?"

Brunsvold: "It's my understanding here, that this would only provide for this one boat, and if, heaven forbid, if my

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license would go under, it would not fit the language. It could not be transferred."

Scott: "Okay. So, we're carving out a special right for the Galena or East Dubuque licensee that we're not giving to the other..."

Brunsvold: "Well, it's a situation that needs to be addressed with that language and that was the language approved right now and we're hoping you'll accept it."

Scott: "Now, you can't help but notice that there are provisions in here that give some money to different places in Cook County from wherever this license is transferred to. I assume that means that the license is going to Cook County. Right?"

Brunsvold: "It's not in the statute."

Scott: "So, if the license is going to pick another county, Lake County, for example, if the license would end up going to Lake County, they would have to transfer money to Cook County, as well, under this."

Brunsvold: "That's what the language says."

Scott: "Okay. So, are you aware of any agreement that any particular place that this... that this license is destined to go to?"

Brunsvold: "I would not want to point out any location, Mr. Scott."

Scott: "I figured you wouldn't. I just thought I'd ask. Does this Bill, in any way, limit the ability of the Gaming Board to deny the transfer of license? It sounded from your earlier description, the way... the reason I asked, is that they're kind of cut out from this. If, if the licensee, the East Dubuque licensee, decides they want to go to Cairo and Cairo accepts it, then they can do that. Right?"

Brunsvold: "They have to follow the steps and then the Gaming

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Board would approve the license."

Scott: "Okay. Well, there's language, and I believe it's Section 11.2, that says that, 'the Gaming Board shall grant the application.' It doesn't sound like they have much, as much authority there."

Brunsvold: "As long as they follow the regulations and the license pathway to obtaining that license, yes, then the Gaming Board will approve it."

Scott: "The Gaming Board will approve it. So, if they meet those two conditions that you talked about, then the Gaming Board has to approve it."

Brunsvold: "Yes. Yes."

Scott: "So, is there any... are there any conditions other than that, are there any prohibitions against these failed license holders that we're kind of resuscitating here with this Bill? Is there any prohibition against any kind of arrangement that they might make with some community or somewhere else, other than what's in the statute? I mean, is there any prohibition against them?"

Brunsvold: "There's taxing statute. The state gets a portion. The local jurisdiction gets a portion. There's a set in the language here about a \$2.00 admission fee. Generally, when the bidding was done, you know, I'm sure that the municipality is going, when they are looking at the boat, are going to want to require certain things. That's normal procedure."

Scott: "So, is there any, would there be anything that would stop the licensees from conducting a real nice bidding war, community to community and whatever... to get whatever they could for the ability to move to a particular community? If you had five communities that thought this was really a worthwhile thing, what would stop, under the



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statute that we have here, the licensee from, in effect, bidding out to the highest bidder, their particular license... their ability to move to a community?"

Brunsvold: "Well, I think the licensee is going to select, probably a location, and that location is going to require certain things to be done in the community like they do right now. And that's the way the licenses were awarded. And I'm sure that they're going to pick a spot where the revenues are going to be high and they're going to have to do some things to the community and help the community who grants them or gives them permission to locate in that area."

Scott: "But there's nothing in this particular law that would stop the licensee from... maybe the market out there is better than that and they're able to recover money from a community."

Brunsvold: "I don't see that, Doug. I don't see that. I don't see that happening. I really don't. I suppose, maybe, farfetched it could, but I don't see that happening."

Scott: "But, there's nothing in the legislation that would stop that, right?"

Brunsvold: "No, but I don't see that happening at all."

Scott: "Thank you very much. I appreciate your answers."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Would Representative Brunsvold yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Representative, let me make sure. Sometimes, the longer things sit the more confusion pops up. In fact, this thing is... this Amendment is taking longer than the Titanic survived, quite frankly. One of the rumors that was going around on the floor within the last two hours is that there

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is a provision, and I don't find it in the Amendment and I don't find it in the underlying Bill, but let me just ask for the record. There is nothing in this Bill that would allow any racetrack, horse racetrack in the State of Illinois to install slot machines in or on their premise?"

Brunsvold: "Absolutely not. They cannot do that. This Bill does not do that."

Black: "Is there anything in the Bill that could be construed in the enacting legislation of '91, there was a number, a specified number of gaming locations, the number of slots, the number of table games, et cetera. And that is fixed by law, as I understand it. There is nothing in this Bill that expands those gaming locations?"

Brunsvold: "The number of gaming positions stays exactly the same."

Black: "Positions. I'm sorry, that's a far better word. Thank you. Can the Amendment... can the Bill, as amended, be construed in any way, and to double... or to go back on what some of the things Representative Scott was saying. Is there anything in the Amendment, excuse me, the Bill as amended, that could be construed as creating an open-ended provision so that a boat, a year or two from now, could petition the Gaming Board to move to a more lucrative area of the state?"

Brunsvold: "No, because of the definition."

Black: "Yesterday, I asked you, the 1991 Enacting Law you have changed as to the number on the Mississippi, correct?"

Brunsvold: "Correct."

Black: "Did you strike anything in the '91 Enacting Law about a city in some economic distress would be the site of said riverboat?"

Brunsvold: "We did not change that language, Bill. There was an

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intent inferred there, but we didn't change that portion at all."

Black: "All right. So, if... if the boat, in fact, in your area would want to move to a more densely populated area, the boat, let's just say at the location in Metropolis, might also want to move to a more densely populated area. This Bill does not allow them to simply go to the Gaming Board and say, 'Look we could do much better for you if we were allowed to move to site A or site B.'"

Brunsvold: "No. It does not."

Black: "In fact, would it not take action by the General Assembly if one of the existing boats wants to move a year or two or three from now?"

Brunsvold: "If we, if we for.... You know, if my boat, for example in Rock Island, were to fail, that license would become unused, then we would have to come back to the General Assembly and pass another piece of legislation to move that boat."

Black: "Okay. In the 1991 enactment there were 10 licenses created. Is there any... any way in your legislation or your intent in any way that a 11th or 12th license be created?"

Brunsvold: "No, absolutely not."

Black: "Is it your understanding... many of us received fax messages today from other cities in the State of Illinois. One city, in particular, a multi-page fax stating a very well prepared case that they were interested and ready to make an offer to the Galena license, if in fact it could move. Could they do so under this legislation?"

Brunsvold: "They can make an offer. Yes."

Black: "Okay."

Brunsvold: "Absolutely."

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Black: "So, this does not automatically exclude any city in Illinois from making an offer."

Brunsvold: "No. Does not."

Black: "All right. Again, in one draft of the Bill that I saw there was a referenda provision of the city wanting to host the license that there would be a public referenda to see, if in fact, the city residents wanted the license. I assume that has been removed."

Brunsvold: "No. There is no referendum. However, a city that would proceed to approve a boat would, I'm sure, have meetings in the municipality and voters would attend and they would voice their opinions."

Black: "All right. I think that's very important. I wish there had been a referenda provision. But is there any constructive notice or public hearing provision in the legislation so that a city council, not that any would do so, heaven forbid, but could have an emergency meeting under the darkness... in the darkness of night, approve a resolution and tomorrow morning announce that we are now the site of a riverboat?"

Brunsvold: "There's nothing in here, Bill, that would say that. I would say to you that a city, municipality, that's going to proceed to go about attracting a boat is going to have to go through a lot of activities to do that and they would have to involve the public."

Black: "Okay. All right. Well, I would hope so. My last question Joel..."

Brunsvold: "And the Open Meetings Act would apply."

Black: "Well, we could discuss the Open Meetings Act at some length. But my last question is, and I know it isn't in the legislation and I don't want to put you on the spot with legislative intent. But I would hope that it is not

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your intent, nor the intent of any city who might want to be the recipient of the current unused license, that public dollars are not going to be made available for the infrastructure so that the boat will be able to go there. I assume that will be private investment. I know it isn't limited in the Bill, but I would hope... Well, let me back up. Let's just say it is not your intent that there be any state tax dollars involved to prepare a site, excuse me... this whole issue chokes me up... to prepare a site for the boat. There will be no state incentives granted."

Brunsvold: "That's not my intent, Mr. Black."

Black: "Fine. I appreciate your indulgence. Thank you. Representative, or Mr. Speaker, would Representative Cross yield for two questions on the horseracing aspect of the Bill?"

Speaker Madigan: "Mr. Cross."

Cross: "Yes."

Black: "Yes. Representative Cross, I represent a largely rural area and the Ag Premium Fund has historically funded many 4-H and agricultural related activities. Now, we... we also know in our area that the Ag Premium Fund is not what it was 40 years ago and it no longer is the funding source that it was. Is the Ag Premium Fund dramatically... will it be dramatically impacted by the reforms under the Horse Racing Privilege Tax?"

Cross: "Bill, I'm sorry. Could you repeat that one more time?"

Black: "Yes. Under the current Horse Racing Privilege Tax, that tax supports, helps to support the Agriculture Premium Fund, which in rural areas has been historically the way we finance premiums and awards for 4-H and FFA kids at fairs, et cetera. Now, that fund is a shadow of what it was 40 years ago. But it's my understanding that that fund may,

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for all practical purposes, be eliminated by the restructuring of the Racing Privilege Tax."

Cross: "Bill, I'm very familiar with the Ag Premium Fund. It affects our county fair. It will be funded, which in I think will be a more secure manner, through GRF, and it will start out at the '98 level and presumably continue. But it will come right out of GRF."

Black: "All right. So, so it will be a hold harmless for at least one year, and then is it your intent that the revenues from the tenth license be used to supplement the Ag Premium Fund?"

Cross: "It will continue to be funded, Bill, through GRF."

Black: "All right. Okay."

Cross: "And the hope is that as horseracing thrives, the hope is through this Bill it will flourish and do better. It will go into GRF and even be better."

Black: "I... I have had some calls from my district and areas immediately surrounding my district from breeders, trainers, et cetera. Is there language in the Bill that will increase purses for Illinois-bred horses, so that we might revive the horseracing, the breeding industry in Illinois, which is, again, a shadow of what it was 40 years ago."

Cross: "Bill, for both thoroughbred and standardbred there will be substantial increases in purses and that's really one of the goals of this Bill."

Black: "And I believe, I read through this very quickly, but I also believe one of the fastest growing number, I think probably, I have more breeders right now in the quarter horse industry than thoroughbred or standardbred and I'm just curious. I thought there was language in there on the Quarter Horse Breeder's Fund, as well."

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Cross: "There is."

Black: "All right. Nothing has changed. I know, over the years we've worked to allow quarter horseracing at tracks. Nothing in this is construed to limit the ability that we've worked for to have quarter horses run at tracks?"

Cross: "No."

Black: "Well, fine. Thank you very much, Representative. And Mr. Speaker, thank you for your indulgence."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Up until a day or two ago I was unsure how I was going to vote on this Bill if it reached the House Floor. I think because of my work on gaming issues, probably most people on this floor assume that I would be an automatic 'yes' vote on this Bill. That was not true. I was not an automatic 'yes' vote. I do rise today in support of Senate Bill 1017 and I think, for some very valid reasons. So we need to take a look at each side of the ledger on this Bill, both the horseracing side and the riverboat side. First, the riverboat side. The plan here is to take a dormant license, a license that's being unused, with 1200 gaming positions, 1200 places where people can gamble and move it to a place where it will be used. Today we're losing revenue in the State of Illinois because that license is not being used, revenue that's being lost to other states. Moving that license to a place where it will be used will bring new revenue to the State of Illinois and if the Gaming Board does its job properly, will bring new tourism to the State of Illinois. Many who are opposed to gambling talk about how, in some of the locations, we're not bringing anyone into the state. We're just mixing Illinois dollars up. Well, to be sure, in some areas of

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the state we may be doing that. But I think the Gaming Board will be careful, on whether it goes to Rosemont or to some other location. I think the Gaming Board will be careful in terms of making sure that this license is properly used, making sure we get tourism dollars, making sure we bring new people into the State of Illinois to stem the tide of people leaving our state everyday to surrounding states, Iowa, Missouri, Indiana and Wisconsin, to gamble, yes, but to do other things, as well. When they're in those other states gambling, they're spending money in those other states on gasoline, on cigarettes, they go to malls. Everybody knows people that go gamble in Wisconsin and on their way they stop at these huge malls in Kenosha and they spend money that could be expended in the State of Illinois, in the State of Wisconsin. So, we'll use that license through this piece of legislation. Let me also add that I don't think the riverboat portion of this Bill is perfect. I think we should have thought about how to use the rest of the unused lic... the unused positions. There's 2500 other unused positions that could have been reallocated to the Gaming Board and used to bring another hundred or \$200,000,000 into the State of Illinois, but that was not to be. I argued till I was blue in the face to make that happen. I couldn't make that happen. So, the riverboat side of this equation is not perfect. We didn't help the South Suburbs as we should have. It's not perfect, but it's a positive step forward to bringing new money to the State of Illinois and to stem the tide of taking Illinois money out of the State of Illinois. But as compelling as that argument is, the more compelling argument is on the horseracing side. Today, there are 49,000 people in the State of Illinois whose jobs depend



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upon the horseracing industry's viability. And even before riverboat gambling started in the State of Illinois, the dollars that were brought into the horseracing industry were decreasing every year, down and down and down. And to be sure, riverboat gambling hasn't helped that situation. The horseracing side of this Bill will increase purses 20 or 30%. The horseracing side of this Bill will ensure that the people who work in the horseracing industry, the people that grow the feed and breed the horses and raise the horses and train the horses and ride the horses and drive the horses and the people that sell the tickets, those IBEW workers that work at the racetracks, will continue to have jobs. We cannot turn our back on the opportunity to save an industry that helps the agriculture people and helps the union people and helps everybody in... in between increase their opportunity to have a good life in the State of Illinois. Failure to pass this Bill will turn our back on those 49,000 people, perhaps putting many of them out of work. We cannot allow the horseracing industry to die on the vine. Now, to some of you who say, 'Well, this is just for one man. This is just for the guy that owns Arlington Park, so a rich man can get richer.' I will tell you that he will get richer. This is a good Bill for Mr. Duchossois, but certainly, I am not here on his behalf. I'm here on behalf of those people that work in that industry, the people that need that business to stay open, so that we can compete with the horseracing industry and the breeding industry in Ohio and Kentucky and Florida, so that we don't have to bring horses in from those states to keep our horseracing industry alive, so that we can breed horses right here in the State of Illinois and keep those breeders working and improve, not only horseracing today,

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but for many years into the future as we breed horses in our state and as we race Illinois horses here at Illinois racetracks. Could this be better? Sure, this part of the Bill could be better. There could be extra millions of dollars in here for breeders. There could be extra millions of dollars in here for hold harmless agreements. We could do much more to help the horsemen, particularly, the harness horsemen. So, is this perfect? No, it's not perfect. But the horseracing part of this Bill is a great positive step forward. And a 'no' vote today is a vote against those people that work in that industry and the most important reason to vote for this Bill is that very reason. Forget the riverboat side, if it bothers you, vote for this Bill because it advances the horseracing industry in the State of Illinois. Those of you that live near tracks, those of you that have constituents that are in that business, those downstate Members who are concerned about the agriculture business thriving in the State of Illinois need to vote for this piece of legislation. It's not perfect, but it's a positive step forward to make the economy of our state better, to help an industry that isn't working very well and to get this, once and for all, off of our plates. Maybe that's the best reason of all to vote for this, my colleagues. Maybe the best reason is to get this done and move on so that we're not talking about gaming here, year after year after year. I would strongly recommend a 'yes' vote."

Speaker Madigan: "Andrea Moore."

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

Speaker Madigan: "Sponsor yields."

Moore, A.: "Thank you. I have a couple of questions, Representative, in regard to Senate Amendment #5 that was

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adopted earlier."

Brunsvold: "Yes."

Moore, A.: "And I'm a little confused and I think it needs to be clarified, this issue of the 20% minority person and female ownership and, at least, 16% and 4%, respectively. If you are a black woman, do you fall into the 60 per... the 16% minority category or the 4% female category?"

Brunsvold: "Is that right? Mr. Turner tells me she wo... it would be classified as a woman."

Moore, A.: "And so, the... the black woman would not qualify in the minority 16% section?"

Brunsvold: "I'm told that they would be classified as a woman... as a female."

Moore, A.: "And... and... and in regard to the minority status? Wouldn't they have the option of either?"

Brunsvold: "I don't... No. I mean... The Amendment... Have you got the Amendment correct? There was a 20% minority and female or female in the language..."

Moore, A.: "And..."

Brunsvold: "... which readjusted the numbers to say 16% minority..."

Moore, A.: "And 4% female."

Brunsvold: "...and 4% female. Now, which one you classify someone in, frankly, Andrea, I don't know. Mr.... Mr. Turner says a black female would be classified as a woman."

Moore, A.: "Do we have anything established in the courts that would clear that up, because I think black women are definitely minorities."

Brunsvold: "Well, I'm just... I would assume there's precedence set on this, Representative Moore. And the Gaming Board would follow the proper precedent in doing this and I... trust that they would do that."

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Moore, A.: "And then the other part of this... this Amendment that I had some question about, is that it does provide that this percentage shall be attained within a 12 month period..."

Brunsvold: "There was some language in the original Amendment that... really there was... there was no time date when this had to be done, as prescribed by the board which left no time and it thought... the thinking from some individuals that they may never do that. We didn't intend that. We want them to, after a certain period of time, have to go ahead and do this."

Moore, A.: "Okay. So, then you're... the idea is that this will set a framework. This twelve month period shall be extended if necessary to do the background check, but they shall attain this within, at least, a twelve month period."

Brunsvold: "That's what the Amendment says."

Moore, A.: "Okay. What happens..."

Brunsvold: "It's the time limit."

Moore, A.: "... if they don't? What happens to the license if that's not attained? What provisions does the Bill provide to address this issue?"

Brunsvold: "It will not..."

Moore, A.: "Because the..."

Brunsvold: "... not be attained. That's the law. That's what they have to do."

Moore, A.: "Well, so, if they do not attain this level..."

Brunsvold: "They will do..."

Moore, A.: "... as it's suggested..."

Brunsvold: "They will do that."

Moore, A.: "Well, I know we always have the best of intentions, but what happens if they do not? What happens to the license?"

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Brunsvold: "I would assume someone's going to get sued, Representative Moore."

Moore, A.: "The license... but... but the license is... is revolving around the fact that this percentage of ownership and it's clear in the way you have it included in the Bill, it doesn't leave any question that that percentage shall be attained. Did you not think that it might... you might provide some provisions if it did not occur?"

Brunsvold: "This is some established law. For the purposes of this section, the terms 'female and minority persons' have the meanings provided in Section 2 of the business enterprise for 'minorities, females and persons with disabilities.' That's where it came from."

Moore, A.: "And so, I'm told that in one provision earlier in the Act it provides that the Gaming Board may revoke their license. Is that correct?"

Brunsvold: "Revoke their license for?"

Moore, A.: "If they do not comply with all the provisions of the Act."

Brunsvold: "Well, the Gaming Board has a... has a discretion to make sure they provide... for the Act."

Moore, A.: "And if they do not they may..."

Brunsvold: "They shall. They shall do this."

Moore, A.: "... revoke the license."

Brunsvold: "I mean, this thing could end up in court if something goes wrong with it and that's where it usually ends up if there's a problem and the Gaming Board, for example, would not be doing their job."

Moore, A.: "I guess, what I'm trying to determine because the Gaming Board's authority is so restricted in 11.2. I mean they are told that they have to issue the license."

Brunsvold: "That's all."

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Moore, A.: "However..."

Brunsvold: "This is after the license is issued."

Moore, A.: "... if the terms of the Act are the not complied with, completely, then the Gaming Board does have the authority to revoke the license."

Brunsvold: "This is after the license is... is given and all the terms and conditions that the Gaming Board works under now are still in effect."

Moore, A.: "Right, but that wasn't my question. My question was, because it says, 'after they conduct gambling', so, obviously, the license has been issued. What I want to establish, that if this provision of the license is not complied with then they have the ability to revoke the license."

Brunsvold: "Any... any what... any violation of this Act can be goun... grounds for revocation of the license."

Moore, A.: "And that will be the Gaming Board's authority?"

Brunsvold: "Exactly."

Moore, A.: "Thank you."

Speaker Madigan: "Mr. Dart."

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

Speaker Madigan: "The Sponsor yields."

Dart: "Joel, I just have some quick questions for you. What are the changes being made now with the unclaimed winnings? I show that... "

Brunsvold: "I think you probably want to address that question... well... Hold on, Mr. Dart. Wait a minute. We can answer this."

Speaker Madigan: "Mr. Cross."

Dart: "Oh, this one's horseracing."

Speaker Madigan: "Mr. Cross."

Cross: "Tom, what's... what was the question?"

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Dart: "The unclaimed winnings, the changes you're making there, I show under current law, right now, the money from unclaimed winnings goes to a Veteran's Rehabilitation Fund and we're changing that so the money now goes to the track and the horsemen."

Cross: "Tom, that's right. Currently, it does go to Veteran's Rehabilitation Fund. Under this Bill, the Veteran's Rehabilitation Fund will be funded through GRF and the unclaimed tickets will be split evenly between the tracks and horsemen."

Dart: "So, then... so, we're taking GRF money then to supplant the money we're taking out to give to the track."

Cross: "Exactly."

Dart: "Okay. On the Real Estate Tax Equalization Credit, approximately how much money, for example, say Arlington ace Track, it hasn't been operating the last couple of years, but in its last year, how much money would that mean to them under this Bill?"

Cross: "Based on the... You're talking about the Pari-mutuel Tax Credit?"

Dart: "I have it down as the Race Track Real Estate Tax Equalization Credit, I think?"

Cross: "It's a very legitimate and a good question, and one that needs to be addressed, Tom. What this is is a Pari-mutuel Tax Credit based on what they pay in real estate taxes every year. There is absolutely no affect on local property taxes. Racetracks will continue to pay their real estate property taxes on and on and on. But what they're doing is, we are reducing their Pari-mutuel Tax, it's in effect, a credit and they're using what their property tax... they're basing that credit on... off their property tax."

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Dart: "But where would that Pari-mutuel Tax be going, otherwise? Wouldn't that be... that be going to GRF?"

Cross: "Yes."

Dart: "So, I mean, in effect then, it's a tax subsidy but it's not reducing the property tax money to the locals. But wouldn't it not be..."

Cross: "Not at all."

Dart: "... a tax subsidy from the taxpayers, 'cause this is money that'd be coming out of GRF."

Cross: "Yes."

Dart: "Okay. I have a couple of other questions, I think these are to the riverboat side, though, Tom. Hey, Joel. Joel. Hey, Joel."

Speaker Madigan: "Mr. Brunsvold."

Dart: "I've a couple questions, Joel, on the riverboat side of the issue."

Brunsvold: "Go ahead, Tom."

Dart: "On the dual ownership change. We've made... we're making some changes here that I don't quite get. Right now, there's a restriction of about a person or an entity that owns more than 10% of an interest in one riverboat cannot own an interest in another riverboat and we're removing that provision. Why are we doing that? Who's... who's it for?"

Brunsvold: "Hold on, Mr. Dart, I want to check with staff. Staff indicates that that provision is there so boats can own other parts of boat, and mitigate their loss in case of in situ would happen and relocation. It's a business situation, Mr. Dart."

Dart: "So... so that we would then be expanding the number of people that would be potential... people who owned riverboats, right now, who were precluded from getting into



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another riverboat, would be allowed to get into another riverboat?"

Brunsvold: "Yes."

Dart: "Was there... is there any parti... person in mind that we made this change for or was it just..."

Brunsvold: "No, in general, the riverboat industry requested this."

Dart: "Okay. And, Joel, a question on the Education Assistance Fund backstop. I show that we're going to have... the General Assembly's going to have to appropriate money from GRF to put in the Education Assistance Fund equal the amount paid in the Horse Racing Equity Fund. Is that money to ensure that we don't lose money?"

Brunsvold: "Yeah. It's to make sure that education doesn't lose any dollars at all."

Dart: "So, that if the money coming in from the riverboats is not what we expect then, the GRF money would then pay the difference?"

Brunsvold: "Make sure there's no diversion from the Education Fund."

Dart: "To ensure that?"

Brunsvold: "Yeah, why not. But there's gonna be a hundred million dollars here of new money from dockside which is gonna be, I think, more than enough to ensure that... that we're gonna fund this education assistance."

Dart: "Okay, but that money's coming out of GRF, though?"

Brunsvold: "Backstop's a guarantee."

Dart: "Okay and that's coming out of GRF?"

Brunsvold: "Yes. Yes."

Dart: "Okay. And my final question, Joel, is to the affirmative action provisions. Those provisions, do those apply to all the boats out there or does that apply to just the new

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one?"

Brunsvold: "Right now, this language applies to this boat. Each boat has its own affirmative action plan."

Dart: "The other boats have affirmative action plans?"

Brunsvold: "Under current law."

Dart: "What are those right now?"

Brunsvold: "I don't know, Mr. Dart."

Dart: "Do we know whether or not any..."

Brunsvold: "I don't have them at hand. I'd suppose you'd have to contact every boat."

Dart: "So, we don't know, but they do have one?"

Brunsvold: "They're required to have one."

Dart: "Okay. Thank you. To the Bill. I rise in opposition to this Bill. As I think it's been made clear by some of the questions that I ask now, whether we're talking about the horseracing industry, which is having troubled times right now. Let's face facts, folks. It's a business, like anything else out there. People take risks where they get involved with business. There was never a guarantee when people got in we were going to give them a monopoly, that we weren't gonna allow riverboats, that they are forever going to have a monopoly on our gambling in this state. There was never that guarantee and like a businessman, they take risks. Why it is that we should be subsidizing them and truly, at the taxpayer's expense? I'll never understand. And as far as the riverboats as well, why we're making some of these changes now... these individuals who own the riverboats now are very wealthy people. A lot of people are going to get a lot more wealthy. And more and more when you look into this Bill, more and more of it coming out of the General Revenue Fund. The very fund that we utilize for schools, for projects in

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our districts, to fund prisons and the rest of it. Anyway you look at it, it's something that's going to be a drain on the GRF and anyway you cut it, this is a subsidy. This is welfare, if you want to call it that, for the horseracing and for the riverboats. And I just don't think that we should be in that business, folks."

Speaker Madigan: "Mr. Lawfer."

Lawfer: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I'd like to clear up a couple of statements that have been made. This license went to Jo Daviess County not to a municipality. So it is a Jo Daviess County license. Mr. Speaker, would the Sponsor, Representative Brunsvold, yield for a question?"

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Yes."

Lawfer: "If a license is moved, is there anything in this Bill that would allow a reimbursement to the municipality or the unit of government that had put in infrastructure for that facility that probably will not be used now if the license is moved?"

Brunsvold: "No, Mr. Lawfer. It was when we tried to do that before."

Lawfer: "Jo Daviess County has probably spent in excess of \$3,000,000 of public funds for infrastructure to utilize that facility. Could that be part or could you see that that could be used as part of the bidding process? You talked about a bidding process for the li... movement of the license."

Brunsvold: "Repeat that Mr. Lawfer. I didn't hear that last part of that question."

Lawfer: "If there is a bidding process for a movement of a license, could you foresee that the bidding process include

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reimbursement to the area that... the license was being moved from?"

Brunsvold: "It sure could and it'd be a great idea."

Lawfer: "Joel, you think that that could be a possibility and... would that be handled by Rules and Regulations of the..."

Brunsvold: "Intergovernmental agreements..."

Lawfer: "... Gaming Board?"

Brunsvold: "... Mr. Lawfer. It can be done and I think it's a good idea."

Lawfer: "Well, thank you very much."

Speaker Madigan: "Mr. Turner. Arthur Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. That's the way I feel around here. I feel them all floatin' in the galleries and they've been standing in the halls all day and all weekend. There are a couple questions and I guess I'll start with the questions that I'd like to ask the Sponsor of the Bill. One deals with this question of the time... the time period in which people will be able to come on as licensees. If in that 12 month time period, say the value of the boat's stock is... or a boat's share is say a million dollars, is there any guarantee that if it takes more than 12 months or if it takes say at the 11th month time period when they decide that they've cleared all of the people who they considered eligible, is there any guarantee that the price at the beginning of that 12 month period will remain the same or the value of the share will remain the same at month 11, in other words?"

Brunsvold: "It's just like the stock market. It's subject to fluctuation."

Turner, A.: "So, there's a good possibility that the minority candidate coming in, who at the initial time of the

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investigation, may not be able to afford it if it's 11 months down the way before they're approved. So, you're saying that that there is no guarantee? There's no set price of the value of the stock?"

Brunsvold: "That's a deadline, Representative Turner. It can do it, probably day one."

Turner, A.: "Oh, it should take more than a day to investigate people. In fact, I'm certain if they're looking into minorities, it would take them more than a day, 'cause that's just the way they do that type of thing. But... to the Bill. Let me first by... start out by giving us a little history on riverboat gambling and when it first was brought before this Assembly a few years back. And a few of us happened to have been around at that time. And when the Bill was first presented, we were told that the reason we're bringing riverboats in the state or, actually, one of the... the factors that would be used in determining where boats would be located was that it would be located in economically depressed communities. I'd like to ask the Sponsor is that factor still an issue or does that change by virtue of the Amendments that were presented here tonight?"

Brunsvold: "Repeat the question, Mr. Turner. I thought you were talking to the Bill."

Turner, A.: "It was my understanding and I think when the Bill first passed that the riverboats would be located in economically depressed communities. In fact, that's how..."

Brunsvold: "That was the original intent."

Turner, A.: "That was the original intent. And has that changed as a result of the Bill that's being brought forth tonight?"

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Brunsvold: "It's no different than it was when boats went to some of the other areas... around Elgin and Joliet. That was a Gaming Board decision, was not my decision, Mr. Turner."

Turner, A.: "Okay. So, we're relying on the Gaming Board to determine what's an economically depressed community and they've shown what they consider economically depressed communities. Of all the boats that have been... licenses that have been distributed thus far, there's only, oh, I don't know, I don't want to say Elgin's not economically depressed and I don't know if it'd be fair to my friend, McGuire, to say that Joliet's not an economically depressed community, but one thing I... one community I know is economically depressed and that's East St. Louis. And so the econ... the Gaming Board will make that determination. I... I mean there's a lot of things to be said here today regarding this legislation and one issue, certainly, comes to mind. And I'm just curious as to why we're doing this on the last day when we've got three or four issues that are very important to us and I know the Sponsor can't answer that question. But we're... we're... this week we've been hit with... "

Brunsvold: "Yes, I can, Mr. Turner."

Turner, A.: "We've been hit with a \$12,000,000,000 First Illinois Program that everybody's still waiting to see what that package looks like and where the 12,000,000,000 is being spent. We've got a budget of \$42,000,000,000 that we will be dividing up over the next day or so. And now we're hit with gaming, and Lord knows how much money that's going to bring. But the question that comes to mind is why didn't we... can't we separate these issues out? I understand what horseracing means to this state. I, also, as I'm listening to debate, listening that I'm hearing this

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unclaimed money from horseracing will deal with a specific concern in terms of veterans and... and... and I have no concern... no objection to that because I think veterans ought to be addressed. I think one of the questions that was brought forth by me and Members of my caucus as we talked about this question of link development, I think, taking unclaimed horseracing funds and sending it to veterans is kind of on the same approach in terms of where we would like to be in terms of monies and revenues that are being generated from the boats going to those communities that need it. Let me describe to you what has happened, as I've seen in East St. Louis, since the boat has been brought forth. There's a nice smooth road going to the boat. They can now pick up garbage in that town, which is pretty important. And they do have police protection to protect the people coming in and out. But if you look at the town of East St. Louis and if you look at what's going on there in terms of employment, they still have the highest property tax rate of anyone... any other community in this state. And so, when we start talking about what boats will do and what it will do for those communities, I'm just trying to emphasize why this question of link development has been brought forth and thrown on the table a number of times by Members of our caucus, because we think that this is an important correlation. What has happened now is there's money that comes to the state, but when we start talking about helping East St. Louis, when we start talking about helping Peoria, when we start talking about generating monies to help communities like North Lawndale, Austin, and other parts of the City of Chicago, we have the damndest time getting anybody here to agree with us on it. And I can talk to any of my Members

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here, who all of them have had proposals, some million dollar proposal here, \$5,000,000 proposal there and we're told that there ain't no money in the budget to do it or go see an agency director, he'll make it happen. These are the concerns and these are the issues that, as a Minority Member and one who's been asked to vote for this legislation, that I think should be addressed and has not been brought forth. When I also go home, I have to talk to people who say, 'Well, okay gambling money's going to help us with education.' Or, at least, that's what they have said with the lottery issue and I don't know if anybody has ever promised them that riverboat is going to deal with education, but earlier this evening we were talking about an education funding question. We used this funny word called a 'double whammy'. And that Bill did not pass out of here to address educational shortfalls. And that Bill has not been called again and maybe it will be between now and Monday, so that we can take care of those issues in the suburban communities that got hit with this 'double whammy'. But it just amazes me how this Body is prepared to make more millionaires. And I should state for the record, I was one of those that have not concerned about how many minority owners are in that boat. I don't... you know... there... there is a minority owner or two in the boat in East St. Louis and Lord bless him. And He blessed all those other millionaires, but that's done nothing for me or anybody else that represents poor communities in this state. And so, minority ownership, although it's an issue that we think is important, I really don't feel that that's something that should be negotiated or something that you say, 'Well, okay, we're going to give you 20%.', and now debate and ask me to define whether black women or white



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women, whether they fit into this minority question. I don't think that that's a fair trade-off and what you're asking for in this million dollar bond Bill that's about to pass here. You know I think that and it's obvious that the votes must be here, but I think it's very hypocritical for us in this Assembly to do what we're asked to do tonight, in this short time period, with an issue that is, certainly, very important. And I have a lot of constituents that go to the riverboat, so I have been to the boat myself. And that's why I've been asking more for poor communities. Because very few of you go to those riverboats. I think probably you fly to Atlantic City and go to Las Vegas and you're the ones that pay, I say 'you' I'm talking to the people at the other end of this microphone, 'cause I know as Representatives you don't make enough money to go to those riverboats and to go to Las Vegas. But most of you go to Vegas where you can afford to pay the hundred dollars to see Siegfried and Roy and all those other things. So you go to where they call it 'family entertainment'. But the little guy that lives down the street from me has to go to the riverboat. And he drops his last \$5.00 in that riverboat and I won't talk about the 20/20 expose that talked about slot machines and the guy that they... was about to testify to talk about the secret with slot machines. But I say this, that I think it's unfair what we're doing tonight and being rushed to deal with an issue that could be formulated to make this entire state a better state. I'm... I'm not objec... not arguing that the proceeds that will come in from gambling revenues and the numbers are there, they say a 180,000,000, it may be over 200,000,000, and that all depends upon where the boat is located. If you really wanted to make some

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money and help GRF, you'd put this boat in the City of Chicago. And you set it right downtown, right at McCormick Place, where you know 30,000,000 people visit every year. That's if you really wanted some 'real' money. But because we have not decided and the mayor of the city can't make up his mind whether he wants it there, well we'll just settle with the suburb or somewhere in Cook County. But I say the bottom line is that the money that's raised off those boats from the people who... many of the people who can afford least to be on those boats, that somehow as a Legislature we should, in fact, put some of that money back in those communities. And... and I made the proposal, and I'm not going to sit here and try to spell out the specifics. No one has bought into it, when we gave this legi... and this is not new language. This is language that we gave to some of the people that were interested in gambling four years ago. In 1994, we said this is what we're concerned with. These are the things that we think that are important. It has not been addressed. We've been ignored... again. It's no big deal. If the numbers are here, I would just hope that at some point, as a legislative Body, we will try to deal with those communities that truly need our help. Just as we take care of the millionaires in this state who claim they need our help, also."

Speaker Madigan: "Mr. Hoeft."

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

Speaker Madigan: "Sponsor yields."

Hoeft: "Colleagues, what are we doing here? What we're about to vote on totally reverses what we had generated eight years ago as our gambling package. We had put together a effort in this state to, one, increase the revenues to our state so they could be used in the General Assembly budget for

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schools, for roads, for strengthening this state. And secondly, we created the gambling industry, the riverboat industry in this state to redevelop economically depressed areas. That was what we did eight years ago. What are we doing tonight? We're passing a Bill to try and revive a dying industry that we have already, after it burned, we used state monies to rebuild it and the package we are just passed... there is a water tower in Illinois First and now we are talking about paying the property tax of one of the wealthiest individuals in the State of Illinois. Secondly, we're talking about placing a riverboat in one of the wealthiest cities, burgs, not city, please. There are only 3,900 people in the City of Rosemont. It is a gated city. You have the residential area surrounded. You have to go through a police station. The average high school administrator's salary in Rosemont is \$109,000. It is one of the wealthiest districts in the state, assessed valuation per student and we're taking the riverboat and putting it in Rosemont. And anyone here that tells me that we aren't doing that, pardon the pun folks, but 'you want to make a bet', because that's where this boat's going. The third thing we're doing here tonight, this came out from our Economic and Fiscal Commission today and it says it very, very, nicely bottom line, over all impact to state is an estimated loss of \$14,000,000. We aren't adding to the budget from this. We're pulling \$14,000,000 out of it. To the Sponsor, please, Joel, a question. Would you consider holding this Bill and allowing the citizens in the State of Illinois to have a referendum on this idea? This idea that is a total change in our riverboat gambling policy."

Speaker Madigan: "Mr. Brunsvold."

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Brunsvold: "I think we've addressed the referendum issue before.  
It wasn't acceptable."

Hoeft: "And it's not acceptable, because you know the people time  
and time again in this state..."

Brunsvold: "It never passed either chamber..."

Hoeft: "... in poll after poll..."

Brunsvold: "... Representative, it never passed either chamber."

Speaker Madigan: "Proceed, Mr. Hoeft."

Hoeft: "Poll after poll has said the people in this state do not  
want it. In fact, the people in this chamber do not want  
it. The Daily Herald had a poll of us. The 68 people who  
responded... 68 people responded that they do not want this  
through, Democrats and Republicans from across the state.  
Eighteen of us, in this chamber, said that they wanted the  
Bill. I went across our side, the Republican side, 34  
people said they were inclined to vote 'for' this or would  
vote... excuse me, inclined to vote 'against' this or would  
vote 'against' it. Four people said they wanted it. Why  
are we doing this? Let's summarize what we are doing here  
in this chamber."

Brunsvold: "Are you asking me that, Mr. Hoeft?"

Hoeft: "A rhetorical question."

Speaker Madigan: "If the Chair could suggest that Mr. Hoeft bring  
his remarks to a close. Proceed, Sir."

Hoeft: "We are doing this because politically-connected  
individuals are going to be gaining advantage in the  
horseracing industry, politically advan... connected people  
are going to be taking the dockside. We are going to  
land-based casinos, in reality. We are rotating money out  
of a budget that could go for 'double whammy', could go for  
reducing license plates, could go for a variety of positive  
things. Ladies and Gentlemen, look at the heritage of this

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state in this chamber. We have built this as a great state because of our industry, because of our farms, our transportation. That was the heritage that these individuals gave us. What is the heritage of this chamber by passing this? We are totally reversing the things that have made this state great. I would implore you, think about your heritage on this vote and vote 'no'."

Speaker Madigan: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yesterday, I took the advice of the Leader when he said, 'Let us pray.' And I prayed on this issue. And I hope that I'm allowed the time to go back into history where I majored in mathematics, but I minored in history. 'Cause history is the only... the one thing that we can do to correct the mistakes that we made in the past. Many of you weren't here when we voted on the original Gaming Bill. In fact, I looked it up in the book to find out how many Members were here in 1989. There was only 20 of us. Only 20 Members. And if you pull out the roll call from 1989 when we passed the original Gaming Bill, it was all Democratic votes. Not one vote came from that side of the aisle, but where were the licensees for the boats awarded? Not in my district. Not in the district of anyone on this side of the aisle, except Wyvetter. And the only reason why that would happen because 'we', the Members of the Black Caucus, withheld our votes to help out the Dean of the Black Caucus. So, many of you have various opinions of the Black Caucus. Well, I'm here to tell you, to the Members on this side of the aisle, the Black Caucus are the only 'real' Democrats in this chamber. Wait, wait. I'm going to tell you why. I have never been lobbied on an issue more than West versus me, which dealt with the

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printing of the statues of the Bills that we pass. More people want to know where I am on casino gaming, but no one cared about where I was on tuition tax credits. No one cared where I was on General Assembly scholarships. No one cared, two years ago, where I was at when the Black Caucus voted for the fairest way to fund education through the... raising of the income tax surcharge. No one cared. No one cared when we tried to help our community. But when it comes to helping your community or your connected friends, then we have to stay on that island. And some of you said... and got a little upset when I said, we're the 'real' Democrats. I'm going to explain that in a minute. We have always stood tall by our Democratic candidates. We always have to stay on the island. Other people can go swim, whether it be in deep water or shallow water, but they're always allowed to come home. We go off the island, we're told don't come back. Not one Republican voted for the Bill. We stuck our necks out to benefit many of you and now we're being asked to stick our neck out again to benefit your guys. The guy that has the soft-drink company, he's never sent me a check and I've never asked him for one. The guy that owns the liquor business, he's never sent me a check and I've never asked him for one. The guy that owns the racetrack, he's never sent me a check and I've never asked him for one, but who does these... do these people send the checks to? The people that want to make me a 'double' minority. I am here for the Democratic Majority. Representative Turner's told me something one time when I first came down here, you said, 'You don't know what it's like until you're in the minority.' Well, unfortunately, three terms ago, I found out and I told myself, never again. And I worked hard to put some of you

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in these seats. I don't have to mention your names. The truth is the record. The truth is the record. As I said, I was not elected for the easy votes. I was elected for the tough votes, the tough votes. This is not a tough vote. Voting for education is a tough vote. Voting for HMO reform is a tough vote. And I tell you what, Ladies and Gentlemen, I showed my toughness by voting for the Illinois First initiative, where many of you that voted 'no' are going to take home more pork than I am. But you got the nerve to say, 'I got to stand up again?' When are you going to stand up for my community? When are you going to stand up for my community? Now, someone said a few minutes ago, if this Bill was to... the issue of these Bills was split, I could vote for the gaming part. I could vote for the gaming part, but as I said earlier today, this seems to me has been the Session of the rich, fat cats. And, unfortunately, no one in my community is rich. They may be fat, but they're not rich. Several years ago, Representative Murphy tried to bring some economic development to the City of Robbins, so all he had was an incinerator. Everyone said, 'Well, now we got it. We can't subsidize incinerators. We got to get rid of Retail Rate Law.' At the last minute, they put in an Amendment to exempt methane gas landfills. Well, where were the methane gas landfills at? They weren't in our districts. They were in someone else's district. And then to show the hypocrisy of us down here sometimes, what did we do this year? We quietly restored the Retail Rate Law to subsidize methane gas landfills at \$1,000,000,000 a year. 'Cause we had to take care of certain other peoples' friends, but they weren't my friends. When you gonna take care of my friends? My friends, my friends are the friends that keep

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a Democratic Majority. Those who are my friends; I count on many of you as my friends and yes, I've got some friends on that side of the aisle, too, who have been fair to me when I was in the Minority and in the Majority. But I have always stuck my neck out for many of you. So, some people might say this is my last speech. Well, I tell you what; you only come in this game with two things, your name and your integrity. I can't pass onto my sons that I was a State Rep, 'cause it don't mean nothing to them. It doesn't mean nothing to them. All they... well, all I mean to them is that I'm their daddy and that I'm a good father. I can't pass the Rep title onto my wife. All she wants me to do is be a good husband. That's all. This vote is not tough. This is a easy vote. I cannot, in good conscience, have voted on three Bills to tax my community to get projects that they've already paid for and vote for tax breaks for people who don't need it. Do I look like Willie Lump Lump? Lillian and Charles Morrow, who have both gone on, did not raise a son to be nothing but a man. And in college, there was a book I read, it was a silly book, called Real Men Don't Eat Quiche. A very silly book. Quiche, quiche. And one of the jokes in that book was how many real men does it take to change a light bulb? And the answer was, none, 'cause a real man is not afraid of the dark. Vote 'no' against Senate Bill 1017."

Speaker Madigan: "Mr. Jerry Mitchell."

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

Speaker Madigan: "Mr. Brunsvold."

Mitchell, J.: "Representative Brunsvold, is there a guaranteed revenue stream for education in this... in this legislation?"

Brunsvold: "Yes."



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Mitchell, J.: "Is that revenue stream large enough to take care of the Tuition Tax Credit Bill that we just passed for the private schools?"

Brunsvold: "Probably is."

Mitchell, J.: "Okay. Ladies and Gentlemen, I understand..."

Brunsvold: "And then some."

Mitchell, J.: "Thank you. I understand the concern over this Bill, but we've changed a lot of philosophies this year. And one of the philosophies that changed is that we are going to now pay for private schools. We've gotta find the money to do it. You can't take it away from the public schools, 'cause quite frankly, we don't have enough money now for the public schools. We've gotta find new revenue sources. Thank you."

Speaker Madigan: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Question for the Sponsor, will he yield?"

Speaker Madigan: "Mr. Brunsvold."

Schoenberg: "Mr. Brunsvold, on page 44 of the Bill, line ... beginning on line 16, it indicates that the Horse Racing Tax Allocation Fund will go out of business with the termination of the calendar year and that any money remaining in the fund after December 31, 1999 will be paid into the General Revenue Fund."

Brunsvold: "Mr. Cross would answer that question, Mr. Schoenberg."

Speaker Madigan: "Mr. Cross."

Schoenberg: "Thank you. Mr. Cross, on page ... the Horse Race, Racing Tax Allocation Fund is due to be put out of business under this proposal on December 31, 1999 and then any monies remaining in that fund according to this provision are to go into the General Revenue Fund. If you look

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further down ... it points out, it refers to what occurs with off-track betting. Mr. Cross, the ... my question is the Horse Racing Tax Allocation Fund, which features, which has approximately \$4,000,000 goes to fund many of the finest institutions in the ... finest museums in the world: the Museum of Science and Industry in Chicago, the Shedd Aquarium, the Field Museum, and other fine cultural, historical, and educational institutions. In addition, the dollars which come from the off-track betting in locations such as; Rockford, Peoria, Vermilion County, and I believe I may be omitting one, that those off-track betting revenues also go to fund museums. What will occur when we shut down this fund? How will those museums be funded?"

Cross: "Jeff, you asked a good question and quite frankly, over the last few years that fund has been decreasing because the horseracing industry has not been doing well. What we will be doing under this Bill, is funding those same programs through GRF. In fact, many people believe it will be a lot more, it would be a more stable fund because GRF is a lot more stable than a horseracing industry that has been declining over the last few years. So the point, the answer, bottom line is they will continue to be funded through, but, through GRF."

Schoenberg: "With all due respect, Mr. Cross, I've been very supportive of the Museum Grant Program which is administered under the Department of Natural Resources and which has had a tremendous impact, not just on the cultural and educational life within the Metropolitan Chicago area, but in many ar... but throughout the State of Illinois. We are already, the museum community, not just in Chicago but throughout the state, has already actively been promoting separate and apart from this unreliable funding source, a

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more stabilized source of funding. What will occur to the approximately \$4,000,000... what will happen to the \$4,000,000 for those Chicago Museums that they are counting on, and to those museums in places like, Rockford, Peoria, and Vermilion County who are relying upon these dollars separate and apart from the commitments that we have made through the Museum Grant Program?"

Cross: "Jeff, I and I, I thought I answered it a minute ago. This will continue to be funded, except it will be funded by what people may believe a lot more stable funding mechanism resource and that's GRF. The horseracing industry, if nothing happened, would continue to decline, which would in... in effect mean there'd be less money going to museums. Under this Bill, GRF will be the source of the revenue. As a result, it will stay... it will remain stable. So, the answer is, I'm being repetitive, it will be funded through GRF."

Schoenberg: "With all due respect, by placing a greater dependency on GRF, where there are many other competing influences, I can hardly say that that is going to guarantee funding, partic... not so much in the City of Chicago for the museums and the park. Because whether it's the Museum of Science and Industry, or the DuSable Museum, or the Field Museum..."

Cross: "Jeff, Jeff, maybe I... and I didn't make myself clear, and I apologize. There is a hold, there's hold harmless language in here, statutorily. I mean, there is a statutory hold harmless language in here, indefinitely. It continues on and on. So, to ... well, I think many people in here support the museums..."

Schoenberg: "Could you, pardon me, could you direct me where in the Bill that statutory hold harmless language is for our

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museums?"

Cross: "Hold on one second, Jeff. Jeff, if you go to page 62, starting on line 10, section (d), 'beginning January 1 of 2000.'"

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

Cross: "Yeah, page 62, line 10, section (d), 'beginning January 1 of the year 2000, payments to all programs in existence on the effective date of this Amendatory Act of 1995 that are identified in sections,' and they go on. They're all outlined, 'shall be ... made from the general fund at the funding levels determined by amounts paid under this Act in calendar year, 1998.'"

Schoenberg: "Thank you. Mr. Cross, the next question that I have relates to competitive bidding for the licenses or perhaps the lack thereof. So, I'd like to address that to Mr. Brunsvold."

Cross: "Okay."

Schoenberg: "Mr. Brunsvold, what are the... assuming that this, assuming that this is successful, under this proposal the Bill... this license will be sited exclusively in one place, is that correct? This is site specific?"

Brunsvold: "Yes."

Schoenberg: "And what... is there a competitive selection process for determining which groups might ultimately, should they meet the criteria which are outlined in the Bill, is there a competitive process for determining who gets the ownership of that license?"

Brunsvold: "The... a community would have an option. It could be any community of the boat license, could go to a specific community in request and then the Gaming Board would have to approve that, too."

Schoenberg: "But there's no... but is it correct to say that

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there is no..."

Brunsvold: "There's no bidding, Jeff."

Schoenberg: "... no competitive bidding for the license? Is that correct?"

Brunsvold: "No."

Schoenberg: "Not even... and I'm not talking about competitive sealed biddings, there's no competitive selection process. Is that correct?"

Brunsvold: "This license has been issued and is just being relocated, so there was a competitive process when it was issued."

Schoenberg: "No, competitive may be a bit liberal of a term. Mr. Brunsvold, what... how much does it cost to obtain a license in the State of Illinois to operate a riverboat?"

Brunsvold: "There's an application fee and the licensing fee and I don't know what that amount is, Jeff."

Schoenberg: "I believe..."

Brunsvold: "I believe, staff tells me about \$85,000."

Schoenberg: "About \$85,000. I see. And what is the average profit that most, that the successful.... What is the average profit that an investor in a riverboat realizes as a result of that, minus the investment?"

Brunsvold: "Depends on where... It depends on the boat. We've got every... we've got every situation from a boat that closed, to a boat that has a very high return, like Elgin. It's all... Mr. Cross."

Cross: "No, I just wanted... I didn't mean to interrupt that dialogue. But, Jeff, I just was reminded that for a good number of years we've had to supplement programs like the Ag Premium Fund out of General Revenue Fund, 'cause the horseracing industry has continued to decline. The Ag Premium Fund, at best, would have funded the Ag, the 4-H

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programs in a good year. But we have had to supplement all of these programs out of GRF, already. So, this is really not new. And I just wanted to make sure we cleared that up. Thank you."

Brunsvold: "And, Jeff, the boats are paying up to 35% tax, graduated tax. So it's one... some of the highest in the nation."

Schoenberg: "My question is more for a private investor who is fortunate enough not to have to be subjected to a competitive process for these invaluable public commodities. What's the average return on investments?"

Brunsvold: "It's different for every boat."

Schoenberg: "I see. My guess is with the exception ... with a couple of exceptions of those boats which have had financial trouble, I think it's safe to say, Mr. Speaker, to the Bill. I think it's safe to say, that for the majority of those who've been fortunate enough to be private investors in riverboats, this... these valuable public commodities which are... come at discounted prices are a license to print money. And because this lacks a competitive process, even a competitive selection process, let alone competitive sealed bids, I find it impossible to support this Bill and I'll respectfully vote 'no'. Thank you."

Speaker Madigan: "The Chair recognizes Mr. Tim Johnson."

Johnson, Tim: "Mr. Speaker, Representative Erwin was kind enough yesterday to introduce me to the Internet and the Medical Consumer Media which indicates that I have a life expectancy of 93.4 years. And according to my calculations I'm at 52.9 now, which only leaves me 40.5 years left. If we go much longer on this issue, I'm going to be at 40.4 and declining. So, in light of those issues, I would move

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the previous question."

Speaker Madigan: "The Gentleman moves the previous question. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The previous question is put. The Chair recognizes Mr. Skinner."

Skinner: "A point of order, Mr. Speaker."

Speaker Madigan: "State your point."

Skinner: "He spoke, so he can't move the previous question. If he wants to move the previous question, he has to do so more succinctly than he did."

Speaker Madigan: "Well, Mr. Skinner, I don't think your point is well-taken. The Body has voted the previous question. The Chair recognizes Mr. Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker, and I'm not going to be long. Everybody's been here and is tired. A few points, a lot of slanted testimony has been given here today and let me try to correct a little bit of it. This Bill will not lead to expansion of gambling positions. They'll be the same. The Bill will not lead to other licenses relocating. This will lead to an additional hundred million dollars to add to the \$256,000,000 already going to the Education Assistance Fund. It will lead to 50,000 jobs in the horseracing industry and \$112,000,000 in wages and taxes that are going to be received from a track now that is not operating. We've tried to address the minority and female community here and we tried to use the current state law and we're trying to help here. We're not trying to hurt this situation. This is a Bill that is trying to help a riverboat industry that needs some help from competition, is trying to help an ailing horseracing industry in this state, and this is a win-win situation and we need to address this right now and not wait any longer and I ask

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for your support in the passage of Senate Bill 1017."

Speaker Madigan: "Mr. Cross to close."

Cross: "Thank you, Mr. Speaker. I think for many of us, this is a extremely complex and I think, obviously, an emotional Bill with a lot of components. I can tell you from first hand and personal experience this is a struggle for me, individually. I, as son of a Methodist minister, struggle with the position of the Methodist Church and my being raised in a Methodist Church with what my community wants, of Aurora and both Joliet, because the gaming industry or the gaming boats have been very good to both those communities in terms of jobs and economic developments. But as I struggled with it, I realized there are really two major goals of this Bill and I think they have been successful in meeting those goals. One, this Bill provides Pari-Mutuel Tax relief to the horseracing industry, which will allow them to reinvest in their industry and will result in increased purses for both the thoroughbred and harness horses, which I think will improve horseracing in Illinois; to allow for dockside gaming, as you know, and the relocation of a dormant license. I think this keeps us on a level playing field, if we're going to have gaming in Illinois. And I think Representative Brunsvold has made all the other points that I would have made and I guess to... for the sake of brevity, I would close at this point, Mr. Speaker."

Speaker Madigan: "Gentleman closes. For what purposes does Representative Davis seek recognition?"

Davis, M.: "Mr. Speaker, I rise ... for two purposes. Number one, we're seeking a verification, should this Bill receive the requisite number of votes. And number two, I really had my light on a very long time and I expected to speak based



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upon the fact that there are no boats on the south part of the State of Illinois. The south part of Illinois is losing dollars to the State of Indiana because there are no boats there. And if our real intent is to get dollars, we would place them where we might really get the most bang for our buck. The State of Illinois has boats located on every border in the country except... every state that borders Illinois except the South Suburbs. And we think it's terribly unfair when these are economically depressed communities, similar to some in the city. We have one Legislator who represents an area where they're tearing down homes and sending those people to the South Suburbs, unemployed."

Speaker Madigan: "Representative..."

Davis, M.: "I have a letter from a mayor who..."

Speaker Madigan: "...could you conclude your point?"

Davis, M.: "Yes."

Speaker Madigan: "Could you..."

Davis, M.: "Well, I'll conclude it, Sir..."

Speaker Madigan: "Thank you."

Davis, M.: "...but I think you gave them two people to close, which is very gracious of you. I believe that the racing industry getting the tax credit that they are going to receive is not going to help that individual that has to pay \$20 for three or four kids to get into a museum. It is not helping them. This Bill is unfair to African-American communities or people who are economically deprived and the Latino communities in the State of Illinois. It is unfair."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. If I could yield a moment, I made a mistake earlier to Representative Mulligan, if I

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may?"

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, for the courtesy. I will be very brief. I am not speaking for or against this Bill. I am only speaking to one element of it, or one lack thereof. The lack of the element is that there is no money in here to cover problem and compulsive gambling. I think it is abhorrent that this state has not done this. I passed legislation several years ago that we've never funded and I would hope that the Leaders, the budgeteers, and the Governor would certainly consider, if this Bill passes, and even if it doesn't, because we already have gambling, that there should be some money included in the budget in order to fund a hotline that is now currently run by the boats, which I think is inappropriate and that there should be money here for this issue. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 'ayes' and 52 'noes'. There is a request for a verification. Would the Members please stay in their chairs? Mr. Lang, could you please stay in your chair? And would the staff retire to the rear of the chamber? All staff retire to the rear of the chamber. All Members in their chairs. Mr. Clerk, read the names of those voting 'yes'."

Clerk Rossi: "Poll of those voting in the affirmative: Representatives Acevedo, Bassi, Biggins, Black, Boland, Bradley, Brunsvold, Bugielski, Burke, Capparelli, Coulson, Cross, Barbara Currie, Daniels, Steve Davis, Durkin,

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Feigenholtz, Flowers, Giglio, Granberg, Hamos, Hannig, Hassert, Hoffman, Holbrook, Tim Johnson, Lou Jones, Shirley Jones, Kenner, Kosel, Lang, Leitch, Lopez, Joe Lyons, Mautino, McAuliffe, McGuire, McKeon, Meyer, Jerry Mitchell, Harold Murphy, Novak, O'Brien, O'Connor, Pankau, Parke, Pugh, Reitz, Ronen, Rutherford, Ryder, Saviano, Scully, Sharp, Silva, Stephens, Stroger, Tenhouse, Winkel, Wojcik, Woolard, and Mr. Speaker."

Speaker Madigan: "The Chair recognizes Representative Shirley Jones."

Jones, S.: "Mr. Speaker, is it okay if I be verified?"

Speaker Madigan: "Yes. Verify Representative Shirley Jones. Representative Monique Davis, questions? Excuse me, Representative Davis, would you verify Representative Lou Jones?"

Davis, M.: "Lou Jones is verified."

Speaker Madigan: "And Coy Pugh..."

Davis, M.: "Coy Pugh is verified. Harold Murphy is verified. Mary Flowers is verified."

Speaker Madigan: "Those people are not requesting..."

Davis, M.: "Oh, I'm sorry."

Speaker Madigan: "So, pursuant to request, the following are verified; Shirley Jones, Lou Jones, Coy Pugh. Questions? Questions?"

Davis, M.: "Representative Acevedo."

Speaker Madigan: "Mr. Acevedo's in his chair."

Davis, M.: "Representative Tim Johnson."

Speaker Madigan: "Tim Johnson is in his chair."

Davis, M.: "Representative Howard Kenner."

Speaker Madigan: "Howard Kenner is in the rear of the chamber."

Davis, M.: "Representative Harold Murphy. Is he verified?"

Speaker Madigan: "Mr. Murphy is in the chamber."

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

56th Legislative Day

May 21, 1999

Davis, M.: "Representative Feigenholtz. Oh, there she is, okay.

Representative Barbara Currie."

Speaker Madigan: "Barbara Currie is in the... she's in the chamber. She's at her chair."

Davis, M.: "Thank you, Mr. Speaker."

Speaker Madigan: "On this question, there are 62 'ayes'; 52 'noes'. This Bill having received a Constitutional Majority is hereby declared passed. The Chair recognizes Mr. Brunsvold."

Brunsvold: "Mr. Speaker, voting on the prevailing side, I make a Motion to reconsider the vote."

Speaker Madigan: "The Gentleman has moved to reconsider the vote. The Chair recognizes Mr. Granberg."

Granberg: "Let that Motion lay on the table."

Speaker Madigan: "Gentleman moves that that Motion lie on the table. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Mr. Clerk, is there anything further?"

Clerk Rossi: "Nothing further, Mr. Speaker."

Speaker Madigan: "Representative Currie moves that the House does stand adjourned until 4 p.m. on Monday, providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Monday at 4 p.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Resolutions. Senate Joint Resolution #30, offered by Representative Bill Mitchell, is assigned to the Rules Committee. Introduction of House Bills. House Bill 2872, offered by Representative Franks, a Bill for an Act concerning a tax moratorium. First Reading of this House Bill. There being no further business, the House Perfunctory Session stands adjourned."