

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

150th Legislative Day

January 7, 1997

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the Floor, will please retire to the gallery. The Chaplain for the Day is Reverend Bruce Jacobs of the Forsyth United Methodist Church in Forsyth, Illinois. Reverend Jacobs is the Guest of Representative Duane Noland. Reverend Jacobs is joined by his son, Drew and guests in the gallery may wish to rise for the invocation. Reverend Jacobs."

Reverend Jacobs: "Let us join our hearts in prayer. Gracious and loving God, Creator, Redeemer, Sustainer. In the Christian year we celebrate now the season of Epiphany, the festival of light. We pray that indeed Your light would shine upon us, in us, and through us as we set out now in this new year. May Your light shine brightly across this state. May all our words, our decisions, our actions add to and not take from that light. We pray, Oh God, this day and give You thanks for those who have served in this Body, have served well, but today whose term's come to an end. As servants we are often placed in tough and sometimes thankless and winless situations. May this Body know how much we, whom they serve appreciate their sacrifice, the time and energy they expend serving us. We pray, Oh God, for those around this country and this world who have been hit these past days by mother nature in such a severe way from flooding, fog, and snow storms. Lives have been torn apart and even lost. We pray that You allow them to see that You are not the author of these tragedies and by turning to You they can find comfort in their pain and hope in their sorrow. As our journey, Oh God, continues this day and the days to come, we pray that Your light would warm us and guide us all the way. We ask it in Christ's name. Amen."

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Speaker Daniels: "Thank you, Reverend Jacobs. We'll be lead in the Pledge of Allegiance by Representative Gwenn Klingler."

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

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

Currie: "Thank you. Speaker. Please let the record show that Representative Julie Curry and Representative Martinez are excused today."

Speaker Daniels: "Representative Cross is recognized on the Republican side of the aisle for any excused absences."

Cross: "I was afraid I'd been forgotten, Mr. Speaker, but I'm happy to report we're all here this brisk morning. Thank you."

Speaker Daniels: "Mr. Clerk, take the record. There are 116 Members answering the Roll Call and a quorum is present and the House will now come to order. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following joint action motions were referred, action taken on January 7, 1997. Reported the same back: 'do approve for consideration' to the House Floor Senate Joint Resolution #117. Committee Report offered by Representative Cross, Chairman from the Committee on Judiciary for Civil Law, to which the following joint action Motions were referred, action taken on January 7, 1997. Reported the same back: 'do approve for consideration' Conference Committee Report #1 to Senate Bill 1696. Committee Report from Representative Stephens,

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Chairman from the Committee on Executive, to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back: 'do approve for consideration'. Conference Committee Report #1 to House Bill 2702. Committee Report from Representative Wait, Chairman from the Committee on Transportation, to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back: 'do approve for consideration'. Conference Committee Report #1 to Senate Bill 350.

Speaker Daniels: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #1 has been distributed."

Speaker Daniels: "Mr. Clerk, on the Order of Supplemental Calendar #1 appears Senate Bill 1696. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report #1 to Senate Bill 1696, was requested by the counties of DuPage and Lake. It applies only to those two counties. In both of which there has been established in the county courthouse a children's waiting room. This is in response to a need that has been observed by all of the people who use those courthouses particularly the judges and attorneys that many people come to court, involved in litigation, who have small children. They bring the children with them, but the children have no place to go and they have no one to look after them and many times they are apparently not only bothersome to the court personnel, but certainly that is not the best environment for the children. They ought to have a place to be where they are comfortable and where they are given care. So, in both of those courthouses, a children's waiting room has been established. It was

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established initially by voluntary contributions of the people who live in those counties. But now that the people who initiated this are thinking about increasing the actual service from a part day to full day and encountering some personnel costs because up until now, the people who have worked there and provided the care have been volunteers. We will, of course eventually have to pay those people. This Bill is a means of providing a funding source for those children's waiting rooms. It would provide that in those two counties only, for the purpose of funding the children's waiting room, the Clerk of the Circuit Court may charge and collect a fee, a filing fee, of not less than \$2 nor more than \$5 at the time of filing the first pleading paper or other appearance filed by each party in all civil cases. However, there would be no additional fee required if more than one party is presented in a single pleading paper or appearance. The children's waiting room fee may be waived by the judge if there are reasons known to the judge for that to be waived. Other than that, in these two counties, only, this fee would be authorized, provided of course that it is voted upon and imposed by the county board. We are simply enabling the people back home to do what they want to do to properly care for children whose parents are involved in litigation. That is what the Bill does, Mr. Speaker, and I would be glad to answer any questions. Thank you."

Speaker Wojcik: "Representative Wojcik in the Chair.  
Representative Hartke."

Hartke: "Thank you very much, Madam Speaker, Members of the House. Will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Hartke: "Representative Cowlshaw, is this the initiative of the

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court system or is it the initiative of the DCFS?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Thank you for your question, Representative Hartke. This legislation was originally proposed by the Family Law Committee of the DuPage County Bar Association, which was instrumental in creating the children's waiting room and in raising all of the money to get it started, with all the start-up costs. And I might add, there was a significant contribution made to that by the Naperville Jaycees, who provided the money to purchase furniture and toys and murals for the walls and that sort of thing. There are some start-up fees in any of these kinds of things of course. The Family Law Committee, having started this, then realized that it was going to be necessary to have a source of revenue for keeping this facility operating efficiently over a long period of time."

Speaker Wojcik: "Representative Hartke."

Hartke: "Did I understand you say that this is just in DuPage County or is there more than one county involved in this?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "There are two counties in this legislation, at least, DuPage and Lake."

Speaker Wojcik: "Representative Hartke."

Hartke: "Would it take legislation in each county in future years, let's say that this is considered a good idea to expand this to other counties, would that take separate legislation?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Representative Hartke, as you know, I am not an attorney, but is my understanding that these kinds of filing fees can only be imposed if they have been authorized by the General Assembly. Consequently, although

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this Bill would authorize the imposition of these fees by the county boards in DuPage and Lake Counties, for that to be an action that is legal in the other 100 counties in the state, there would have to be additional legislation to authorize it."

Speaker Wojcik: "Representative Hartke."

Hartke: "I understand that and this is an additional fee that is just in DuPage and Lake County for those individuals who would request, shall we say day care services for their children and they pay for this day care at a nominal fee unless waived by the judge for some reason or other. What about liability? Let's say if something happens to one of these children, then who is...are the supervisors of the day care in the court facility licensed or will they be employees of the county? Will DCFS regulate who those individuals who are the day care personnel there taking care of these children? Is that on a continuing basis? Is the county going to pay for this? There are a lot of questions I have on this legislation. I think it's a good idea. Would you clarify it some more please?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Representative Hartke, please excuse the delay. We have Judge Bob Anderson on the telephone. It is his wife who is the chairman of the Family Law Committee. And although we couldn't reach her, we thought he could probably give us the answers. And his answer to this question is, that the liability is covered in exactly the same way as it is for members of the county board and for employees of the county, which apparently is an umbrella liability policy that the county board carries."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well the personnel who would man the day care facility

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then would be county employees?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Under this legislation, they would become so. Right now the entire operation of that children's waiting room is done by a foundation that was created separately for the purpose of putting the thing in place to begin with and that foundation paid the initial cost for the liability insurance. But once this type of legislation became law, this would become a function of the county and therefore it would be their liability policy that would be appropriate."

Speaker Wojcik: "Representative Hartke, bring your questions to a close."

Hartke: "Yes, I'm just kind of curious and maybe somebody else can pick up on this. How many court facilities do you have in DuPage County and Lake County? Are we talking about one employee or two employees per county? Is there a limitation on space to the number of kids and time and so forth? Are there rules set up to regulate this?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Representative Hartke, this is a fairly new program where I live and so there may be some people who are unaware at this moment that there is this facility there. We do anticipate there will be increased use as more people become familiar with the fact that it is there and that it is available and that it is really good quality child care that is provided. But beyond that at the moment, I can't answer the exact numbers of children served question, however, in each county there is only one court house, so there would be only one children's waiting room facility because there is only one actual building that has to be served."

Speaker Wojcik: "Representative Hartke."

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Hartke: "Well, I thank you. I hope Members agree with my concern. I think it's a good idea but I think it's kind of vague in the legislation. Pilot programs are a good idea and maybe we ought to try it but let's be careful with this thing. I don't want children under the supervision of someone who is not qualified. I want to make sure those employees are qualified to take care of those children and we do care for them because I do see a need for this."

Speaker Wojcik: "Any further discussion? The Lady from Cook, Representative Schakowsky is recognized."

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

Speaker Wojcik: "She indicates she will."

Schakowsky: "Representative, I just have a couple of questions. I know you've been dealing with this issue of just two counties, but why is it that you just didn't make it permissive for any county that might want to as opposed to just these two so that if another county decides it's a great idea, they don't have to come back to this Body?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "I believe some consideration was given to that, Jan. But the fact is that only...first of all of this originated, the fact that there is even a Bill, from the Family Law Committee of the bar association in the county where I live. Those people actively sought this legislation, then when someone apparently who lives in Lake County learned about this, knowing they already have a children's waiting room, that was also begun with voluntary contributions. They came forward and asked to be included. I would have been glad to include any or all counties that came forward and asked to be included, but I didn't think it was appropriate to include any county that had not sought to be included."



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Speaker Wojcik: "Representative Schakowsky."

Schakowsky: "If there's more than one court house in a county, I understand there will be a charge...a fee increase on every filing but will there be a children's waiting room at all the various sites?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Representative, I don't know what will happen in any county other than DuPage and Lake because those are only two counties covered by this legislation. In the two counties covered by this legislation, there is, in each county, only one courthouse. There will therefore be only one children's waiting room and in both counties the children's waiting room has already been created."

Speaker Wojcik: "Representative Schakowsky."

Schakowsky: "Is there not this kind of program in Cook County?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Yes, Representative, I believe there is although I have been told that there are a couple of differences. The first one is, that the children's waiting rooms in Cook County, and I don't know this to be a fact, it's just what I've been told, provide some social services as well as just ordinary child care. . Just, you know, supervision. But also that there already is some dedicated source of revenue that is used through some judges' appropriations or something like that. That is used currently to fund those waiting rooms in Cook County."

Speaker Wojcik: "Representative Schakowsky, no further questions? Is there any further questions? The Gentleman from Cook, Representative Lang, is recognized."

Lang: "Thank you. To the Conference Committee Report. I rise in reluctant opposition to the report. I was in the committee this morning when the Sponsor presented this Bill we had a

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thorough discussion of the Bill. And while I think the idea of a children's waiting room is a good one, as I told the Sponsor this morning. There are too many difficulties with this particular Bill to move it along. Firstly, the Bill calls for a two to five dollar increase in filing fees in both DuPage and Lake Counties, but the Sponsor had no information as to what budget would be and what it would cost to run these facilities, nor did the Sponsor have any information as to how many suits are actually filed in these counties so they could figure out if two to five dollars is the appropriate fee. Second, and more important, in this state, we have a history of having filing fees that are too high. In Cook County Illinois, we have the highest filing fees in the United States of America. If we continue to add filing fee upon filing fee, project upon project, in the court system, you will eventually make the use of the court system in our state out of reach of the average citizen. The purpose of the courthouse is to allow the average citizen to address his or her grievances against others in society and if you tell the average citizen that it's too costly to litigate, they will not and you will put a chilling effect on the ability and desire of private citizens in our state of availing themselves of the services of the courthouse. In addition, once you do this, once you add this project on, as worthy as it might be, someone else will have a project and a third person will have a project and a fourth person will have a project and pretty soon you take filing fees that are too high today and add so many fees that it will be impossible to have a court system that's fair and just because people will not be able to use it. So while I think the idea of a children's waiting room is a laudable

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one, and while I support it, I believe that the citizens of Lake County and DuPage County, in the administration of their own system of justice, can use their own local control and find the few dollars it takes to put these children's waiting rooms together. It is, in fact, a distraction in a court room to have children running around. It is a distraction for litigants, including the parent of the child that's running through that court room. Distraction for judges, juries, and whoever else is in the room and so this is a good idea and should be done. But it should be done in a way that does not burden the system, but, in fact, encourages those to litigate and therefore additional filing fees are inappropriate and I would reluctantly encourage 'no' votes."

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

Clayton: "Thank you, Madam Speaker. I rise in support of this Bill. In Lake County I've had the opportunity to visit the children's waiting room. The waiting room there was created by some very caring judges in the Family Court and it is proving to be very, very worthwhile. When a family has to go to court, it's a very trying time for the entire family, but particularly for the children and they have found that by having the...a special place for the children to be cared for while their parents are in court, it has proven to be very beneficial. I urge a 'yes' vote on this and I hope that it will expand to other counties. It's a good program."

Speaker Wojcik: "Is there any further discussion? Seeing none, Representative Cowlshaw to close."

Cowlshaw: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I have just received the

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information that Representative Lang was seeking this morning. I am sorry, Sir, that it took a while to get this. The projected budget, at least in DuPage County, for all of the costs for having the children's waiting room on a full time basis, rather than a partial time basis, annually is estimated between \$60 thousand and \$75 thousand a year and that is primarily personnel cost because the space is being provided by the county free of charge. So there is just the cost for the qualified people who will provide the actual care for these children. Ladies and Gentlemen of the House, I appreciate the questions that have been asked and the concerns that have been raised and like most of those people who are associated with courts, I too, am reluctant to see any increases in filing fees, but it seems to me that everyone who uses the court system and everyone who serves in this Body has an obligation to the children of Illinois who through no fault of their own, become involved in something that takes them into a courthouse which for them is a very unfriendly environment. All this is, is a means of making our legal system a friendly place for children. I urge a 'yes' vote."

Speaker Wojcik: "The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1696?' All those in favor, signify by voting 'aye'; all those opposed, signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 87 'ayes'; 17 'nays', 5 voting 'present'. The House does adopt Conference Committee Report #1 to Senate Bill 1696, and this Bill having received the required Constitutional Majority, is hereby declared passed. Mr. Clerk, on House Calendar

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Supplemental #1 appears Senate Joint Resolution 117.  
Representative Brady."

Brady: "Thank you, Madam Speaker. Senate Joint Resolution #117, is a follow-up Resolution to a piece of legislation we passed last spring. You may recall that last spring we passed a piece of legislation which would have required recordation of assignments of mortgages and releases of mortgages in the county they reside. It was in response to a national electronic mortgage electronic registration system. It is being implemented in this state after numerous discussions and negotiations, both parties interested, the county recorders and clerks as well as other interested parties, agreed to this Resolution as a solution to this situation. I believe there is complete agreement by all parties and I ask for everyone's favorable support and I'd be happy to answer any questions."

Speaker Wojcik: "Is there any discussion? The Gentlemen from Cook, Representative Lang, is recognized."

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

Speaker Wojcik: "He indicates he will."

Lang: "Thank you. Representative, you said that all of the parties were alright with your language. Does that include the Illinois Bankers' Association and the Mortgage Brokers' Association, and the Community Bankers?"

Speaker Wojcik: "Representative Brady."

Brady: "That's my understanding, Representative, yes."

Speaker Wojcik: "Representative Lang."

Lang: "And was anyone opposed to any of this language in committee? Or did this go to committee?"

Speaker Wojcik: "Representative Brady."

Brady: "It did not go to committee but there's no known opposition. This was agreed to in several meetings by all

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the interested parties."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. I think it's a good idea."

Speaker Wojcik: "Any further discussion? Seeing none, Representative Brady to close."

Brady: "Madam Speaker, I thank you and ask for a favorable support."

Speaker Wojcik: "Representative Brady has moved for the adoption of Senate Joint Resolution 117. All those in favor, say 'aye'; all those opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and Senate Joint Resolution 117 is adopted."

Clerk Rossi: "The Rules Committee will meet at 11:30 in the Speaker's Conference Room. Rules Committee 11:30, Speaker's Conference Room."

Speaker Wojcik: "Yes, Representative Lang."

Lang: "Thank you, Madam Speaker, point of order."

Speaker Wojcik: "State your point."

Lang: "Thank you. We noticed on this side of the aisle that your side of the aisle has had about five weeks to prepare for these two days and we haven't done a whole heck of a lot and apparently we're sitting around here doing nothing today. So we're wondering, and perhaps Members on your side of the aisle are wondering, if it would be in order to make a Motion to adjourn 'til noon tomorrow?"

Speaker Wojcik: "Since you asked, the answer is, no."

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

Speaker Wojcik: "Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill,

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Chairman from the Committee on Rules, to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back with the following recommendation/s: 'do approve for consideration'.  
To the Order of Second Reading Senate Bill 1261.

Speaker Wojcik: "Supplemental Calendar Announcements."

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

Speaker Daniels: "The House will come to order. Speaker Daniels in the Chair. Representative Lyons, for what purpose do you arise?"

Lyons: "Thank you, Mr. Speaker. Point of Personal Privilege."

Speaker Daniels: "State your point."

Lyons: "I think we would like to recognize today that we have a celebrity on the Floor. Miss Congeniality of the 89th General Assembly, I think we should all give her a big hand, Flo Ciarlo."

Speaker Daniels: "Mr. Clerk, on page two of the Calendar, under Senate Bill - Second Reading appears Senate Bill 675. Read the Bill."

Clerk McLennand: "Senate Bill #675, a Bill for an Act concerning unnecessary statutes. Second Reading of this Senate Bill. Committee Amendment #1 was adopted. Floor Amendment #2 is offered by Representative Lindner, has been approved for consideration."

Speaker Daniels: "Representative Black, you're going to handle that, Sir?"

Black: "Yes, thank you very much, Mr. Speaker. I believe the necessary slip was sent in making me the Sponsor of that, as I recall."

Speaker Daniels: "Mr. Clerk, you acknowledge that's correct? Is that what you're doing?"

Clerk McLennand: "Yes, that's correct."

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Speaker Daniels: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment 2 to Senate Bill 675, becomes the Bill. There is some language in here that provides that the party affiliation of the Governor's appointee as Chairman of the Board of Higher Education, shall not be considered as part of the statutory limitation that no more than seven of the fifteen members of said board shall be from the same political party. The other part of the Bill are salary adjustments for specified state officials. Let me tell you who they are and what their salary will be if this Bill receives the requisite number for passage. The annual salary will be \$70,197 dollars for the Illinois Adjutant General. He is a two-star general, responsible for the Department of Military Affairs. Most of you would know it as the Illinois Army-National Guard. The Assistant Adjutant General, a one-star general, whose salary will be raised to \$62,235 dollars. The State Fire Marshall's salary will be raised to \$70,197 dollars, and the Director of the Illinois Emergency Management Agency salary shall be raised to \$70,197 dollars. I would be more than happy to answer any questions that you have."

Speaker Biggert: "Representative Biggert in the Chair. Representative Lang."

Lang: "Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Lang: "Representative, do I understand that this language is necessary to help the Governor appoint Lieutenant Governor Kustra to the board?"

Speaker Biggert: "Representative Black."

Black: "Well, I think that would be a fair assumption. I think he can appoint him to that board and, in fact, I think has



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made his wishes be known. But, yes, I think it would certainly ease that appointment. I think that's a fair statement on your part."

Speaker Biggert: "Representative Lang."

Lang: "Well, why didn't he just simply appoint one less Republican to the board initially so that he could then appoint Lieutenant Governor Kustra and then there wouldn't be this problem?"

Speaker Biggert: "Representative Black."

Black: "Well, and I know where you're coming from, Representative. In all honesty, I don't think anybody expected Art Quern, a man in the prime of his life, to lose that life in a tragic airplane accident. Obviously, we wouldn't be here if that hadn't happened. We wouldn't be arguing or debating this had that not happened."

Speaker Biggert: "Representative Lang."

Lang: "Well, how many members has the Governor appointed to this board since January 1, 1995 or '96?"

Speaker Biggert: "Representative Black."

Black: "To the best of my knowledge, and I may be wrong, I believe it's 12."

Speaker Biggert: "Representative Lang."

Lang: "We don't think that's correct. Four or six is the number I'm hearing, so this needs to be checked. We need to know what...if there's an abuse of power here by the Governor, we'd like to establish that and we'd like you to help us do that, Representative Black. Let me ask you the next question? What is the current makeup of the board, Republicans, Democrats, and Independents?"

Speaker Biggert: "Representative Black."

Black: "The only honest answer I can give you is that I don't know. I do not have that list in front of me and certainly

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would not have their political affiliation in front of me."

Speaker Biggert: "Representative Lang."

Lang: "Well, if you don't know, Representative, then how do we know that the Republicans...the Governor needs us to do this to open a Republican spot on the board?"

Speaker Biggert: "Representative Black."

Black: "I would think it would be incumbent on the Chief Executive Officer of the state, when appointing a chair person, that the Governor should be able to appoint that chair, whoever the Governor thinks would be the best person to chair that board, be it a Republican, Democrat, male, female, whatever. I think the Governor, the Chief Executive Officer of any organization should have that power and I don't think it would upset the statutory balance and I know that's where you're coming from."

Speaker Biggert: "Representative Lang."

Lang: "However, if you don't know the current political affiliation and the law currently says, 'no more than seven people'. How do you know you need to do this?"

Speaker Biggert: "Representative Black."

Black: "You know I understand your concern and I think in the long term, obviously, if he exceeds that statutory authority, I'm sure that you can call him on that since it's my understanding that it is in statute. But at some point, if the number needs to be adjusted, I'm confident that it will be, but I'm also confident that most of us, regardless of who occupies the Governor's Office, should have the means and wherewithal to appoint the chair of any body regardless of political affiliation."

Speaker Biggert: "Representative Lang."

Lang: "And so, if this Bill would pass, if this Amendment would be adopted and the Bill pass, 8 of the 12 Gubernatorial

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appointees could be Republican and only 4 Democratic. Is that correct, Sir?"

Speaker Biggert: "Representative Black."

Black: "Let me check with staff. I believe there are 15 on the board. Correct?"

Speaker Biggert: "Representative Lang."

Lang: "Mr. Black, only 12 were appointed by the Governor. Currently, there's 7 Republicans and 5 Democrats by statute. And you want to change the statute to make it 8 to 4. In other words a 2 to 1 split, rather than a 7 to 5 split and if that's the case, we just want you to say on the record that that's the case."

Speaker Biggert: "Representative Black."

Black: "Yeah, I understand your concerns. It doesn't change the underlying statutory requirement, Representative. There still must be 7, only 7 can be Republicans and if your concern is now that the chair makes that 8, I would assume that at the next appointment that statutory division would have to be corrected, or else I'm sure, you know, the proclivity over there, you will probably file some sort of legal objection."

Speaker Biggert: "Representative Lang, please bring your remarks to a close."

Lang: "Could you give me sufficient time to read this to Representative Black, please?"

Speaker Biggert: "Go ahead. Representative Lang"

Lang: "Thank you. Representative Black, on page 6 of the Amendment, line 21, 'no more than 7 of the members appointed by the Governor', and you will add the language, 'excluding the chairman shall be affiliated with the same political party. The 10 members appointed by the Governor with the advice and consent of the Senate, shall be

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citizens of the state and shall be selected as far as may be practical on basis of their knowledge, etcetera, etcetera.' But it says 7, so that's 7 out of 12 and you want to change it to 8 out of 12. You cannot then change the balance just by saying you'll correct it in some future year. You're changing this to a situation where it's 8 and 4. Then there would be a 2 to 1 division, Republicans over Democrats on the Board of Higher Education and I don't think, Representative, coming from Danville where you have lots of Democrats, you want to be in the position of looking like you're going after an abuse of power here, Sir, and I'd like your comment on that."

Speaker Biggert: "Do you care to comment, Representative Black?"

Black: "Well, yes, some of my best friends are Democrats from Danville. I even have one or two in Chicago, well I'm not sure after last year's parking tickets but whatever. The issue at hand, Representative, and I know exactly what you're saying. The issue that we have to wrestle with here is whether the Chief Executive Officer of this state shall be able to appoint the chair of any committee. I realize that we can look at this and we can become bogged down in that number. I, on the other hand, would think that the Governor would even that out at the next possible appointment. It is not his intent, it is not my intent to stack any committee, particularly the Committee on Higher Education, in favor of either political party. That's why we'd like to exclude the chair's appointment."

Speaker Biggert: "Is there further discussion? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Madam Speaker. I'd like to yield my time to Representative Lang."

Speaker Biggert: "Surely. Representative Lang, proceed."

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Lang: "Thank you. Representative, why don't you just simply pass a Bill correcting this in a different way? Or why doesn't the Governor, who appointed these members to the Board of Higher Education, ask a Republican member to resign so he can do this under the statute? Has he attempted to do that, Sir?"

Speaker Biggert: "Representative Black."

Black: "I would doubt that. I can't speak for him. We have not met personally on this issue, but no, I don't imagine that he has given that serious consideration at this point."

Speaker Biggert: "Representative Black. I mean, Lang."

Lang: "Representative, it is not a fact that since Mr. Quern died, the Governor has appointed four Republicans to the Board of Higher Education? And no Democrats?"

Speaker Biggert: "Representative Black."

Black: "You could very well be accurate on that, Representative. I honestly do not know."

Speaker Biggert: "Representative Lang."

Lang: "Well, let me suggest to you that I'm right on the button. Four Republicans, no Democrats and now the Governor says, 'Whoops, I need to put Mr. Kustra in there and now we need to change the statute to do that.' If he had only appointed three Republicans, he could do this without the statutory change, but he went ahead and did that. Now, Representative, you're carrying this Bill for him. It's very nice of you to do that but this has now become an embarrassment because the Governor had the chance to do this on his own without coming to the Legislature for a statutory change, without stacking the board to have eight Republicans and four Democrats, and now he's asking the good Representative from Danville to come down to this Body and ask us to help him do that. Now, do you think that's

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an appropriate use of this Legislature, Sir?"

Speaker Biggert: "Representative Black."

Black: "Yes, in this case, I do. Whether it's a Democrat on the second floor or a Republican on the second floor or a member of the Reform Party on the second floor, the fundamental issue before us is should that Chief Executive Officer of the State of Illinois be allowed to appoint the chair of this particular or any committee of this magnitude. And I think most people, if we try to eliminate our political bias would say, 'Yes, the Governor should have that opportunity.' And that's what I'd really like to focus on here. I know where you're coming from. I can't fundamentally disagree with you but I'd like to just focus on the fact that I think any Governor should be allowed to appoint his or her designee as chairperson of a committee of this magnitude."

Speaker Biggert: "Representative Lang."

Lang: "Representative, I know where you want to focus because you don't want to focus on what I'm talking about. The fact is, there have been four Republican appointees recently. The most recent one in December of 1996, December of 1996, less than 30 days ago. If the Governor had appointed Mr. Kustra at that time, you wouldn't be here today asking us to make the board eight Republicans and four Democrats. If he had simply done it 30 days ago, so the only conclusion I can draw is that the Governor's trying to stack the board and he's asked you to help him do that. Now, what other alternative can we draw if less than 30 days ago he appointed a Republican that could have been Lieutenant Governor Kustra at that time?"

Speaker Biggert: "Representative Black."

Black: "I guess I would respond in this way. I wasn't around to

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help Franklin Roosevelt defend himself against charges of stacking the United States Supreme Court and I'm sure that my colleagues on the Republican side of the aisle back then were probably wrong, as I suggest you are wrong today. It's the Republican language, it's the Republican language that tried to make the board what you see constituted in statute. It was a Republican Governor who suggested that. Things have transpired in the last few months that unfortunately have altered that picture and altered the makeup and all I think all we're asking you to do is to allow the Governor to appoint the chair of this committee. If I honestly thought that this was an attempt to stack, take over, subvert, convert to whatever agenda the Governor may or may not have, I would probably not be presenting this to you. I think you know me better than that. I understand your concern. I still rest, Sir, on the appointment ability of the Chief Executive Officer to appoint the chair of this committee."

Speaker Biggert: "Representative Lang, your time has expired.

The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Biggert: "He indicates he will."

Granberg: "Representative Black, I too have the same concerns as my seatmate does. And with due respect to Mr. Kustra, I don't think it's appropriate for this to take place. But let me go to another portion of the Bill. Now, it's my understanding that there are provisions in here for pay raises for certain officials. Is that correct?"

Speaker Biggert: "Representative Black."

Black: "Yes, Sir, absolutely correct."

Speaker Biggert: "Representative Granberg."

Granberg: "So for the edification of all of the Members, could

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you briefly describe the number of pay raises and the amounts?"

Speaker Biggert: "Representative Black."

Black: "Yes, Sir, and I hope that every Member listens because I stand before you believing in these pay raises 100%. I have never Sponsored a pay raise Bill in the 12 years I've been here. I don't know if I've even voted for one, but I'll tell you this, there's some inherent fairness in what we have to do here and if I didn't think that any of these pay raises were warranted or fair, my name wouldn't be on the Amendment. I hope we don't try to demagogue this as a pay raise issue. Save that for the Compensation Review Board when our pay is in there. Let me tell you exactly who is impacted, what their salary is and what it goes to and then let's debate it on the merits. The Adjutant General, a two-star general in the military, present salary is \$53,551, one of the lowest paid Adjutant Generals in the United States. His salary would go to \$70,197 if you agree with this Amendment. That will make him the 34th lowest paid Adjutant General. The Assistant Adjutant General of the Illinois Army, Air and Notional Guard, a one-star general, current salary is \$43,420. If you agree with me, his salary will go to \$62,235. The Fire Marshall of the State of Illinois, currently is paid \$53,551 dollars. There are people in his department, almost a dozen people in his department make more money than he does as the director. There are chiefs of fire departments in the State of Illinois who make more money than the Fire Marshall. His salary, that salary would be increased to \$70,197. The Director of the Illinois Emergency Management Agency, his current salary is \$58,261. That salary would be increased to \$70,197. I don't come to you backwards, I



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don't avert my eyes from you. These salaries are warranted, they are directors. I would submit to you that in the last four years, their responsibilities have increased tremendously. Most of you voted to increase the Adjutant General's pay back in 1995. I think it was a unanimous vote, or close to it. And our good friends in the Senate, for some reason, didn't get around to accepting that. There's nothing new here. There's no back door. I'm not trying to sneak anything by you. I'll answer questions from now until dusk that I believe these salaries are justified, justifiable, and long overdue. And if you're going to ask me why do we do it now, my answer to you will be, if you don't do it now, when are you going to do it and if we don't do it, who is going to do it? This is an issue of inherent fairness. I wouldn't ask any of you to take these jobs for this current salary. I doubt that any of you would. This is an issue of fairness. It's an issue that I stand four square in support of and I hope you'll join me in that and I'll be glad to answer any questions you have."

Speaker Biggert: "Representative Granberg."

Granberg: "Thank you, Representative Black. I just wanted to make sure the Members understood the contents of the Bill. Now, to the Bill, Madam Speaker."

Speaker Biggert: "To the Bill."

Granberg: "My concern is this, we are in the last day of a Session. There is a 250 page Pension Bill around this Capitol somewhere. We're talking about redrawing the Supreme Court for partisan purposes. We're talking about taking away labor's rights to negotiate. I have now seen a Right to Work Bill that would decimate unions. I have now seen other Bills that are floating around this Chamber.

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Mr. Black, with all due respect, let us end this Session, let us end it on a positive note. Work together starting tomorrow and address all these very serious issues. Let us not do things in the last waning minutes of a Session that could be addressed next year, cooperatively. Democrat, Republican, downstaters, Chicago, suburban, we have serious issues to address. Let us end this Session. The Bills I'm seeing that are coming out, the Bills that are out there that we have not been informed of are disastrous to the people of this state and enough is enough. Let us move forward."

Speaker Biggert: "Thank you. Further discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, I'd like to give my time to Representative Lang."

Speaker Biggert: "Proceed, Representative Lang."

Lang: "Thank you. Before I proceed, Madam Speaker, I would request a Roll Call Vote on this Amendment and a verification should it receive the necessary number."

Speaker Biggert: "All right."

Lang: "Thank you. Representative Black, I want to rehash something we'd discussed because I didn't get an answer yet, I don't think. Can you tell us why the Governor who appointed a Republican to this board in December, didn't simply appoint Mr. Kustra at that time?"

Speaker Biggert: "Representative Black."

Black: "He has not shared that reason for me nor would I expect him to. All I can do, and I know I can't answer the objections that you have and I understand them, is that I...if I did not believe the Governor of any state should have the right to appoint the chair of this committee, I wouldn't carry this. Recent events on the Board of Higher Education, while not of our making, perhaps that's part of

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what has lead to this confusion, I really don't know. But I stand before you as comfortable as I can be that this does not represent an attempt by the Governor of this state to stack, subvert, or do anything to the ultimate responsibility and duties of the Board of Higher Education."

Speaker Biggert: "Representative Lang."

Lang: "Representative Black, there are only a couple of alternatives. Either there was an intent ot stack the board or the Governor is guilty of a certain rank incompetence and not knowing the statute under which he appointed four Republicans in December. There are no other alternatives. Either he did not understand or was too ignorant to understand the statute as he appointed four Republicans in December or he's attempting to stack the board. There are no other alternatives I can come up with. Can you come up with any?"

Speaker Biggert: "Representative Black."

Black: "Well, let me answer first of all by saying, and I know you fairly well, I do not think it would be incumbent upon you as a gentleman and a member of the Bar and an elected Member of this General Assembly to refer to any Governor of this state, Republican or Democrat, as being ignorant of the law. I know sometimes in the heat of debate we say those things and I don't think you meant that personally or you meant it the way it sounded. I do not believe that the current Governor of this state, elected by a substantial margin in a popular election is ignorant of the law. I do believe that he is concentrating on the issue that he should be able to name the chair of a committee that he not only feels is very important but that I would submit to you in the last two years he has fully funded the request for

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funding from the Board of Higher Education. I think he's demonstrated his support and willingness to be involved in higher education issues and that's what I am focusing on here. He has someone he feels he can trust, put his confidence in to run the Board of Higher Education and that is why, and I think that's the only reason why, certainly, not out of ignorance or malfeasance, in anyway, shape or form that he has appointed the Lieutenant Governor to this board."

Speaker Biggert: "Representative Lang."

Lang: "If Lieutenant Governor Kustra becomes the chairman of this board, will he get paid for that?"

Speaker Biggert: "Representative Black."

Black: "Let me check. I think I know the answer but I want to make sure. No one on that board gets paid and Chairman Kustra will not be paid."

Speaker Biggert: "Representative Lang."

Lang: "Will he be reimbursed for his expenses?"

Speaker Biggert: "Representative Black."

Black: "Like any member of the board, he can request that. If he does, I somehow have the distinct impression you might question that at some point in the future."

Speaker Biggert: "Representative Lang."

Lang: "If he makes a request to have his expenses reimbursed, will it be as Lieutenant Governor and come out of that budget or would it be as Chairman of the Board of Higher Education and come out of that budget?"

Speaker Biggert: "Representative Black."

Black: "I would assume under general accepted accounting principles that he would be paid as a private citizen serving as chairman of that board, not as Lieutenant Governor."

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Speaker Biggert: "Representative Lang."

Lang: "If he goes to Chicago for a dual purpose, how will he determine who to get the money from? The Board of Higher Education or Lieutenant Governor's budget?"

Speaker Biggert: "Representative Black."

Black: "I have to assume, if I'm wrong someone I'm sure will correct me. I have to assume that those people serving on that board who do request, if, in fact, they request reimbursement for expenses attending meetings will be paid out of some line item incumbent upon the Board of Higher Education."

Speaker Biggert: "Representative Lang."

Lang: "Thank you. If I could just have one minute to close, I'll be finished. Thank you."

Speaker Biggert: "Proceed, Representative Lang."

Lang: "Thank you. Obviously, I rise in opposition to this Amendment and no I did not intend to call the Governor ignorant. I merely intended to call him ignorant of this law which is a far different thing. There are only two alternatives. Either he didn't understand the law, Ladies and Gentlemen, or he's attempting to stack the board. And even if he is not attempting to stack the board, the result of this Amendment is that the board will be stacked. Now, if the Board of Higher Education is to mean anything, we cannot allow it to be partisan. We always, in our local districts, and we have school board elections, hear our constituents talking about how education needs to be free from politics. Well, higher education needs to be free from politics as well. And when we created a seven to five appointment process for the Governor, we did the best we could in making that even. But an eight to four appointment process for the Governor, where he appoints the

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chairman and all those other members and it turns out to be 8 to 4, where that board is likely to do the Governor's bidding, is not fair and you know it's not fair. So whether it was a...whether there was an attempt by the Governor to stack the board or whether it was by ignorance of the law or whether it was by accident, the fact is that the board will be stacked. That is inappropriate and it's wrong. Both sides of the aisle know it's wrong. Both sides of the aisle know that they have a Board of Higher Education dominated completely by one political party is not a good thing. It's not good for the children. It's not good for the students in our universities. It's not a good idea for this General Assembly and I would suggest 'no' votes."

Speaker Biggert: "Thank you. The Gentleman From Madison, Representative Stephens."

Stephens: "Well, at times we get carried away here with our verbiage on the House Floor but to characterize this as not good for our children is probably going a bit too far, I suppose. I would like to focus my remarks on the pay issue of the Adjutant General and the Assistant Adjutant General. We have rare opportunities as Members of the Illinois General Assembly where we can indeed do something meaningful and it's not just talk about our patriotism and the military. We talk about military issues in a tangential way all the time here and we like to be associated with all of the glamour and all of the prestige of wearing the American uniform. But it is rare that we have a chance to do something substantive and what we have a chance ot do today is to correct an error that exists and something that Illinois is embarrassed by. We should say to the military of the United States of America that we

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will not tolerate the degradation of the uniform by making Illinois the state designated as the one that pays its military leader the least or among the very least. So why don't we take a moment to refresh our memory as to the way that the military has served our nation and by that served our state so well for so many years and symbolically in a way say to all of those who wear the uniform today in many, many parts of the world that we'd love to have the comforts that we have here today, let's say to them that we endorse your efforts. We endorse your judgement to become part of the military forces of the United States and as a Illinoisan, we further will say that we will recognize our military leaders in the manner that they should be so recognized and let's not say that this is a bad vote for our children but indeed a symbolic and historic vote for our children's future."

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

Scott: "Thank you, Madam Speaker. I have an Inquiry of the Chair."

Speaker Biggert: "Excuse me, Representative Scott. Committee Reports."

Clerk McLennand: "Committee Announcement. Rules Committee will meet at 1:15 p.m. in the Majority Leader's Office. Rules Committee will meet at 1:15 p.m. in the Majority Leader's Office."

Speaker Biggert: "Sorry, Representative Scott. Please Proceed."

Scott: "Thank you, Madam Speaker, that's quite all right. I have an Inquiry of the Chair."

Speaker Biggert: "State your inquiry."

Scott: "The computer version, you've been talking about the salaries for all of the people, the computer version of

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House Amendment #2 has nothing to do with that. It has only the higher education portions in it. I understand the Amendment is several pages long. The Amendment in the computer is only two pages, so that information, at least on my screen, is not available to us right now."

Speaker Biggert: "Thank you, Representative, let us check on that. Committee Announcements."

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

Speaker Biggert: "Mr. Clerk, the status of Floor Amendment #2 to Senate Bill 675."

Clerk McLennand: "Floor Amendment #2 has been printed and distributed and in a few minutes will be available on the chassis system for downloading."

Speaker Biggert: "Mr. Clerk, the status of Floor Amendment #2?"

Clerk McLennand: "The corrected version of Amendment #2, to Senate Bill 675 is available on the system, or the correct version."

Speaker Biggert: "Thank you, Representative Scott, for your inquiry. Is there any further...The Gentleman from Cook, Representative Lang. For what purpose do you rise?"

Lang: "Thank you, Madam Speaker, Point of Order."

Speaker Biggert: "State your Point of Order."

Lang: "Madam Speaker, we had an Amendment 2 filed. The Amendment was in the computer. Now I have a new Amendment 2 in front of me. It's a different Amendment with a different Sponsor. What happened to the other Amendment 2?"

Speaker Biggert: "Mr. Clerk."

Clerk McLennand: "The correct LRB number for Amendment #2 is LRB8903140MWPCAM. A Sponsorship change was also filed changing the Sponsorship of the Amendment to Representative



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Black."

Speaker Biggert: "Representative Lang."

Lang: "Madam Speaker, this is not the Amendment #2 that was originally in the computer. It is also not the Amendment #2 that was in the computer that we debated. Now we have a new Sponsor so...Why are you shaking your head, Madam Speaker? That's the situation."

Speaker Biggert: "Proceed."

Lang: "All right, so we have a new Amendment 2. Why don't we just have the original Amendment 2 withdrawn and make this Amendment #3? We can't have two Amendment #2's. You can't have that other Amendment floating around. Something has to be done with that Amendment."

Speaker Biggert: "Representative Lang, in response to your point of order. There is one Amendment 2. It is the Amendment that we have been debating. Do you wish to discuss it further? Representative Lang."

Lang: "Madam Speaker, with all due respect, that really makes no sense at all. The Amendment that was in the computer with, I think, a different LRB number on an Amendment that was Sponsored by Representative...they had the same LRB number? At any rate, it's a different Amendment. It was Sponsored by Representative Black. I assume it was in the computer the way it was filed. Now we have a new Amendment. Now we have a new Amendment Sponsored by Representative Lindner with additional material that was not in the Amendment that was in the computer. The Amendment that was in the computer was the Amendment that we were debating. That was a filed Amendment, marked Amendment #2 in the computer. That's what we were debating. Now, that Amendment needs to be withdrawn or voted up or down and then if this is a new Amendment it should be Amendment #3. You cannot have two

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Amendment #2 with the same LRB number with different language."

Speaker Biggert: "Thank you, Representative Lang, you have a copy of Amendment #2. This was a technological flaw and this was the Amendment that we have been debating and it has been remedied. We're going to proceed. Proceed, Representative Lang."

Lang: "Madam Speaker, whether it's a technological flaw, an LRB flaw, an error, incompetence, whatever it is, makes no difference. The fact is, you have two different documents marked Amendment #2 that say different things."

Speaker Biggert: "No we don't, Representative Lang. There is one Amendment #2. We're going to proceed to discuss. Representative Lang, you've heard the ruling of the Chair. Representative Granberg, you've already spoken. For what purpose are you seeking recognition?"

Granberg: "Inquiry of the Clerk. What is the other document? Can we make sure that these are exactly the same?"

Speaker Biggert: "Mr. Clerk."

Clerk McLennand: "The copy LRB #8903140MWPCAM, Floor Amendment #2 to Senate Bill 675 was filed by Representative Lindner. A Sponsorship change has been filed changing it to Representative Black. This is the Amendment that was filed and this is the one that is before us at this time."

Speaker Biggert: "Representative Granberg."

Granberg: "Well, Madam Speaker, with due respect to the Clerk, the Amendment that was filed under Representative Black's name did not contain the pay raise provisions. It only contained the provision regard to higher education. That was not filed in the computer. Now, has something been added to the computer's system to include those other provisions to bring it into compliance and how did the

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Sponsor's name, in fact, get changed? Who is inputting what into that computer on this last day of Session these things happen?"

Speaker Biggert: "Representative Granberg, there was a technological flaw. It has been corrected. Do you wish to make a Motion? You've heard the ruling of the Chair. Representative Granberg."

Granberg: "So the initial Amendment that did not include the pay raise provisions..."

Speaker Biggert: "You've heard the ruling of the Chair, Representative Granberg. Representative Granberg."

Granberg: "Madam Speaker, you can't explain why only a portion of the Amendment was filed?"

Speaker Biggert: "You've heard the ruling of the Chair. It was a technological flaw. I think that we've had very positive success with the computers but at some point there's been a problem. We've distributed the paper to you. Representative Granberg."

Granberg: "Well, thank you, Madam Speaker. Since we're waiting for you to get your votes in line for right to work and judicial remap, unemployment insurance, workers comp, and all these other things; I would move to override the Chair, ask for a verification, if it does, in fact, receive a requisite number of votes. Roll Call Vote."

Speaker Biggert: "The question is, 'Shall the ruling of the Chair be sustained?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Granberg, do you persist in your request for verification?"

Granberg: "Well, Madam Speaker, we sat here four hours last night while you were trying to round up votes. We have time

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today while you try to break the unions, the right to work..."

Speaker Biggert: "Is that 'yes' or 'no'?"

Granberg: "Yes, it is a 'yes', Madam Speaker."

Speaker Biggert: "Mr. Clerk, Poll the Affirmative Roll."

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

Speaker Biggert: "Representative Granberg."

Granberg: "Thank you, Madam. We're doing this for the Clerk's benefit. This is his last day and we always enjoyed working with Terry so we're just trying to keep him busy. Representative Klingler?"

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

Granberg: "Representative Parke?"

Speaker Biggert: "He's in the door."

Granberg: "He's in the door?"

Speaker Biggert: "He walked through the door as you said that."

Granberg: "Don't get huffy. You only have a day to go. Just relax, Madam Speaker. Representative Winters?"

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

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Granberg: "Represent...I see Representative Bost. Representative Jones?"

Speaker Biggert: "Representative Jones is standing near his chair."

Granberg: "I think I saw him, Madam Speaker. Madam Speaker, thank you. I have no further questions and I hope you are unable to get your votes in order so far and continue to do so."

Speaker Biggert: "Thank you, Representative Granberg, for your concern. On this question there are 64 voting 'aye'; 52 voting 'nay', and 0 voting 'present' and the Chair is sustained. Before we proceed, I have the great honor to introduce a member or someone who is here who is from the Chicago public schools. Could I have your attention please? In the front over here is Paul Vallas who is the Chief Educational Officer of the Chicago public schools. Would you please give him a warm welcome? With no one seeking further recognition on the Amendment, Representative Black to close."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I apologize for the delay. I am pleased that Representative Scott pointed that out. The Amendment that I presented in committee, yesterday. My name is the one that we have been debating. There is no attempt to do anything other than to be forthright with you on that issue and let me also say in that spirit, Representative Lang, an hour ago asked for a Roll Call Vote on the Amendment and he also asked for a verification. I want to make sure, I'll join with him. He said that, all be it many, many minutes ago. He's entitled to that. I think we should have a roll call and he did ask for a verification. With that, Madam Speaker and Ladies and

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Gentlemen of the House, let me close. Let me just say one or two things about the language in here dealing with the Board of Higher Education. If the Governor, the current Governor of this state was trying to somehow subvert the process of the Board of Higher Education, I would submit to you that one of his first appointments to that board was the previous President of the Senate Phil Rock. I don't believe that the Governor would have put the esteemed President of the Senate, Phil Rock, on this board if he had something in mind other than what we have discussed here today. And I don't think Senator Rock will be part or parcel of any monkey business on the Board of Higher Education. The Lieutenant Governor's staff has assured me that he will not ask for nor seek nor accept reimbursement for any expenses incurred while he is carrying out the duties of chair of the Board of Higher Education. Let me close by saying something that always gets bogged down in demagoguery. Ladies and Gentlemen of the House, who among you in the last five years has not had to call on one of these three agencies that we're dealing with? You all remember the floods of four or five years ago? Who was there? The Illinois National Guard was there. The Air Guard was there with helicopters. The Illinois Emergency Management Agency was there working 20 hour days. We had a tornado near my district last April, once again the National Guard, IEMA, the Fire Marshall because of broken gas mains. Anybody that we needed, they were there. They didn't work on the clock. These three agencies, the Department of Military Affairs, the Illinois Emergency Management Association, and the State Fire Marshall I submit to you are not the agencies they were six or seven years ago. They have picked up tremendous responsibility

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and great visibility. The National Guard will soon be the first line of defense of the United States of America, as well as the relief that they give us in storms and blizzards and tornadoes. With the downsizing of the regular Army, it's more important than ever to keep and attract professionals in the Illinois National Guard. The Illinois Emergency Management Agency worked around the clock in my district when we flooded out our water purification plant and a city of 35 thousand people had absolutely no water for five days. Who did I call? IEMA and the National Guard and they responded and responded beautifully. Those people on the west side of the state know exactly the role that these agencies play in the health and safety and protection of the residents of the State of Illinois. I would also submit to you that the programming in these agencies have changed dramatically. The Illinois National Guard runs Lincoln's Challenge. If you haven't been to that operation at the former Chanute Air Force Base in Rantoul, I would urge that you do so. It is an outstanding second chance program. The Illinois National Guard is also operating the First Choice Program in the City of Chicago. It's an after school program that serves children from seven to 16 years of age, and tries to give an alternative to the street, to drugs, to gangs. The Department of the Fire Marshall deals with underground storage tanks. They didn't deal with that 10 years ago. How many of you have had to deal with them on those issues of sensitivity to the environment and the very constituents that send you here? And we all know how the Illinois Emergency Management Agency's responsibilities and capabilities have increased over the last few years. Ladies and Gentlemen, a pay raise is never a simple issue.

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The Adjutant General of this state is paid lower than the Adjutant General of every state with the exception of the State of Mississippi, and I would submit to you that State of Mississippi has a Bill pending to raise their Adjutant General's salary to \$75 thousand which would be higher than we're asking for here today. These four directors are the lowest paid in the Midwest. They deserve this raise, they have earned this raise, and I make absolutely no apologies for asking you to do what we should have done years ago and, in fact, many of us have voted for some of these pay increases and we never could get the two chambers together. This is a matter of fairness. It's a matter of justice. If you don't do it today, when are you prepared to do it? Another two years? That's not conscionable. It's been more than 10 years since the Department of Military Affairs pay schedule has been revisited. None of these people have seen a pay raise in at least five years. You know what these agencies do. Many of us have, unfortunately, had to use them in our communities. The Northwest part of the state had to use them last spring in floods. These directors do their job. They are responsible for thousands of dedicated employees for millions of dollars in state and federal funds. This is a matter of fairness. It is a matter of justice. The time for excuses is over. Vote 'aye'."

Speaker Daniels: "Speaker Daniels in the Chair. Representative Black now moves for the adoption of Floor Amendment #2 to Senate Bill 675. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This requires a majority of those voting on the Amendment. All those who have voted who wish? All those who have voted who wish? All those who have voted who wish? Take the



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record, Mr. Clerk. On this issue there are 66 'ayes'; 20 'nays'. Do you persist in your request for verification, there are 66 'ayes' and 20 'nays'. Obviously, it would be dilatory, Mr. Granberg, since there are 46 votes that are over and above the required amount. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. That was a nice quick gavel, thank you."

Speaker Daniels: "You're welcome."

Granberg: "We would renew that request on Third Reading."

Speaker Daniels: "Mr. Clerk, any further Amendments? This Amendment is hereby adopted to Amendment #2 to Senate Bill 675. Mr. Clerk, further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Motions?"

Clerk McLennand: "Fiscal Note and State Mandates note have been requested and filed on the Bill as amended by Amendment #2."

Speaker Daniels: "Third Reading. Mr. Clerk, on the Order of Third Reading, appears Senate Bill 675. Read the Bill."

Clerk McLennand: "Senate Bill 675, a Bill for an Act concerning unnecessary statutes. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Black has debated Amendment #2 which now becomes the Bill to Senate Bill 675. Is there any debate on the Bill? Representative Lang."

Lang: "Thank you, Mr. Speaker. Before I proceed, we would request a verification if this receives the necessary number."

Speaker Daniels: "We acknowledge your request."

Lang: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Lang: "Representative Black, while we were at ease, during the

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point of order, you managed to discover from the Lieutenant Governor's Office that he was not intending to ask for any expenses. You announced that to us during your close. Were you able to determine from the Governor's Office why he did not use one of his four December appointments to name Lieutenant Governor Kustra to the board so that we wouldn't be in this mess today?"

Speaker Daniels: "Representative Black."

Black: "No, Sir, I cannot. I can only speculate that it was probably a difficult decision between the esteemed Democrat, Phil Rock, and the esteemed Republican, Bob Kustra, and he evidently went with Bob Kustra."

Speaker Daniels: "Representative Lang."

Lang: "Well, as you well know, Mr. Black, Mr. Rock was not one of the four Governor's appointees who were all Republicans during the month of December. Now, he must have known in the month of December what this law was. He must have known in the month of December that he intended to appoint Mr. Kustra, in fact, he announced it maybe in November. I don't know the exact date but I've known for some time that he intended to appoint Mr. Kustra and I'm sure you did as well. So this had nothing to do with Mr. Rock. This had to do with the ability of the Governor to appoint Mr. Kustra to this board while he still had enough appointments on the Republican side of the aisle left to appoint and he chose not to do that. So you're telling us today you do not know why. Is that correct?"

Speaker Daniels: "Representative Black."

Black: "My answer to you, Representative, will stay the same. I believe this is a matter of public policy. The Governor of this state, be he or she Democrat or Republican, should have the ability and the authority to name the chair of a

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committee of this magnitude."

Speaker Daniels: "Representative Lang."

Lang: "Whether or not the Governor intended to stack this board, I suppose we could continue to argue all day but rather than doing that, let me just simply ask you. Did we intend when we passed this law for there to be a 2 to 1 majority Republicans over Democrats on the Board of Higher Education?"

Speaker Daniels: "Representative Black."

Black: "My Amendment does not address that. Quite frankly, I don't recall what the intent was when we passed this. I do know it was a Republican Sponsor. I think it was an attempt to be fair and I will stand by that."

Speaker Daniels: "Representative Lang."

Lang: "Do you think a split of eight to four on this board is fair, Sir?"

Speaker Daniels: "Representative Black."

Black: "I think it's immanently fair. Not all of my colleagues would agree. They might want 11 out of 12."

Speaker Daniels: "Representative Lang."

Lang: "Well, I thank Mr. Black, for answering my questions. We've debated this for quite a while. Nothing has changed between voting on this Amendment on Second Reading and voting on the Bill on Third. We still have a situation where whether the Governor intended to do it or not, this board is now going to be stacked. The Governor had the opportunity during the month of December when he appointed four different Republican members to that board to take one of those appointments and give it to Mr. Kustra and let him be the chairman of that board without opening the Pandora's Box of having to come to the General Assembly to rewrite this law which is not that old a law, as I recall we passed

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it not too long ago. I think you recall as well. In fact, I believe Mr. Kustra was involved in the discussions of what this board should look like and the change of the boards of all of the state universities. There was some involvement by Mr. Kustra in that, in fact, I believe he testified before one of our committees on that issue. This was something the Governor had within his knowledge long ago. This is something the Governor could have remedied long ago. And whether by neglect or incompetence, we're now in the position of changing a law which we passed not too long ago to accommodate the Governor. It's not a situation of saying, 'Governor, you have the right to appoint any chair you want to that board.' Of course he has that right, but he could have done that previously without having to come to the General Assembly to ask us to rewrite a law that he asked us to write in the first place. The Governor asked us to write the law. The Governor proposed the law that we passed to change the Board of Higher Education and now due to his own mistake, let's just call it a mistake. Rather than appointing Mr. Kustra last month, he wants to appoint him this month and to do that requires a result that this board is stacked. Now, I'm not here to say that Republicans won't do their duty on the Board of Higher Education. I'm simply telling you and the citizens of our state that when we passed this law, we intended for it to be a fair board, a board that was as nonpartisan and bipartisan as possible and the result is not that and because of that someone ought to go back to the drawing board. And we request a 'no' vote."

Speaker Daniels: "Representative Black now moves for the passage of Senate Bill 675. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 68 'ayes'; 37 'no', 10 voting 'present'. Does the Gentleman, Representative Granberg, persist in his request for verification? Representative Granberg. Representative Granberg requested the verification. Does he persist in the request for a verification? The Gentleman is not on the Floor? Representative Granberg, last time. Representative Granberg. The Gentleman's request for a verification is withdrawn. This Bill having received 68 'ayes'; 37 'no', 10 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #1, appears Senate Bill 350. Representative Hughes. Representative Hughes."

Hughes: "Thank you, Mr. Speaker. We have a Motion to adopt Conference Committee Report #1 for Senate Bill 350. I am asking that we do not approve this Motion and I would like to explain why. This is the Rail Safety Bill. In the Conference Committee Report as it stands, this came out in committee this morning, there is another issue which is of concern to Members of both sides of the House. It is our intention to request a Second Conference Committee to eliminate the controversial provision in there and to bring back the Rail Safety Provisions in a manner..."

Speaker Daniels: "Representative Hughes now moves that the House refuse to adopt Conference Committee Report #1 to Senate Bill 350. This requires a record vote. All those in favor will vote 'aye'; opposed vote 'no'. An 'aye' is in favor of the Conference Committee Report. A 'no' is against the vote. Excuse me, excuse me. Let me restate that. Ladies and Gentlemen of the House, I made an error. An 'aye' vote

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is on her Motion to refuse to adopt. So if you're voting in favor, you are agreeing with Representative Hughes to refuse to adopt Conference Committee Report #1. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Representative Lang."

Lang: "Thank you. Due to the confusion, I'm not sure anybody knows what this is about. This is a Conference Committee Report that I signed at Representative Hughes' request and now I discover that she doesn't want it. I haven't heard why. Could we hear why, Sir?"

Speaker Daniels: "She did explain part of that reason why. Okay, so on her Motion there are 107 'ayes'. Take the record, Mr. Clerk. There are 107 'ayes'; 5 'noes' and the Lady's Motion to refuse to adopt Conference Committee Report #1 is hereby adopted and the House now requests that a Second Conference Committee Report and Committee be adopted and appointed. Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman of Committee on Rules to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back: 'do approve for consideration'. To the Order of Concurrence House Bill 995 and the Motion to concur 'approve for consideration' Senate Amendment #2 and 5 to House Bill 995."

Speaker Daniels: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #3 has been distributed."

Speaker Daniels: "Mr. Clerk, on the Order of Supplemental Calendar #3, appears House Bill 995. Representative Cowlshaw, on the Order of Concurrence."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendments numbered 2 and 5 to House Bill 995, having already been adopted in the Senate,

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become the Bill and in that form this Bill has already passed in the Senate so it is simply up to us to make our determination whether to send it to the Governor. The two Amendments, combined, make this Bill identical to what was originally House Bill #996 which was voted upon in this chamber on December 4, 1996 and which passed out of here and over to the Senate by a vote of 64 'aye' to 47 'nay'. This is a proposal which was originally initiated and suggested by the Golden Apple Foundation which is a foundation which has offices in Chicago which is dedicated to improving the quality of education in Chicago and throughout the state. It is also a program in partnership with Northwestern University and the Intercity Teaching Corp. It is a program for alternative certification for teachers who would be teaching in the schools in the City of Chicago. Mr. Speaker, I would like very much to have an opportunity to clear up something which I said in the debate on this Bill when it was known as House Bill 996 so that there is no misunderstanding. At that time, because I believed this was so then, I said that this program would produce 200, a total of no more than 260 persons each year who would be available then, through an alternative certification program, to be hired by and used as teachers in Chicago. That is not correct. This Bill provides that there may be no more than 260 participants during any year that the program is in effect. So, in fact, if as I am told by people at Northwestern University, this turned out to be a program that took two years for the person to complete. Then it would be 260 people over a period of two years, not 260 people each year. I think we all know what this Bill does, Mr. Speaker. We debated it at great length on the fourth of December. I stand in strong support of

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this opportunity to provide some highly qualified people to serve as teachers for the school children of Chicago."

Speaker Daniels: "Representative Davis."

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

Speaker Daniels: "She indicates she will."

Davis, M.: "Representative, in the prior debate on this Bill on the Floor, you stated that the Golden Apple was in support. My understanding is the Golden Apple has withdrawn its support for this Bill."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, that might be so. I do not know one way or the other. I only know that I did not say in my opening remarks that the Golden Apple Foundation is still in support of passing this legislation in its current form. I did say, however, this was initiated by and suggested by the Golden Apple Foundation. I do not know their current position on this specific piece of legislation."

Speaker Daniels: "Representative Davis."

Davis, M.: "I am holding in my hand a newspaper article from the Chicago Defender, dated December 14, 1996, and it states that while initially they believed this would help to get teachers in Chicago. It was realized that we have currently more than three programs available for people who don't have teachers' certificates to come into the Chicago public schools to teach. To the Bill, Mr. Speaker, we realize the importance of putting before children people who well-trained, well-qualified, well-versed in subject area or education and to pass legislation that would prepare people to teach in only one area of Chicago raises the antennae of many, many people. If this Bill is what it should be, Representative, and if we are preparing people to be good or excellent teachers in our state, why are you



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not permitting them to teach in any locality. According to a federal official a few years ago, Chicago was charged with having the very worst school system in the entire country. I did not agree with him, but if that is the belief of some, then we should certainly require higher standards for those teachers. It is my understanding that the IFT is opposed to this legislation. The CTU is opposed to this legislation. The Chicago Public Schools is opposed to this legislation. It is not a piece of legislation that any of you would accept for your districts, districts that are perhaps doing extremely well. We beg of you to consider the fact that our children need extremely well qualified people to teach. The Golden Apple really, really was looking for a way in which to hurry and place people in classrooms. We find that sometimes if you place people that are totally unqualified, they will not be able to keep discipline in the classroom. They will not recognize the needs of a child who has a special education designation. They won't know that a child who is behavior disordered should not be necessarily suspended on all occasions in which his or her behavior is deviant. We beg of you to continue to send the best Legislators, I'm sorry. The best teachers to Chicago. We have several programs in which teachers can earn masters degrees and become teachers in Chicago. We have a program that offers summer classes in which teachers can become teachers in Chicago or people can. Don't pass a piece of legislation that waters down, that weakens, that weakens what a teacher should be. We feel that your intent may be noble, but it is imperative that we not weaken the standards in Chicago. I have an Inquiry of the Clerk, Sir."

Speaker Daniels: "You may Inquire the Chair. What's your

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inquiry?"

Davis, M.: "Mr. Speaker, I apologize. Mr. Speaker, it is in the Clerk's domain and we're asking why this Amendment is not appearing on the computer?"

Speaker Daniels: "If you run an update, it's on the system."

Davis, M.: "We ran the update and it didn't appear."

Speaker Daniels: "Your time has expired, Representative Davis. The Bill is on the system, the Clerk's office advised me. Further discussion? Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As someone who had supported an earlier version of this, I have to say that there are two key elements missing from this, at least two key elements. For starters, the fact that the Golden Apple Foundation, which was going to be the mechanism through providing this alternative certification. I have a printed statement that they indeed no longer support this initiative and I think that is quite significant. In addition, I understand that the CEO of the Chicago Public Schools, Paul Vallas, no longer supports this particular initiative and indeed the State Board of Education is reviewing the whole larger issue of alternative certification. So I think it's premature at this point to support the concurrence for Senate Amendments 2 and 5 and I would urge my colleagues on both sides to perhaps wait and take a more prudent course and oppose this Concurrence Motion. Thank you."

Speaker Daniels: "Representative Wennlund."

Wennlund: "Mr. Speaker, I move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The main question is put. Representative Cowlshaw now moves that the House concur on Senate

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Amendment #2 and 5. All those in favor will signify by voting 'aye'; opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question there are 62 'ayes'; 52 'no', 0 voting 'present'. And the House does concur in Senate Amendments #2 and 5, to House Bill 995. This Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Announcements."

Clerk McLennand: "The following Committee will meet at 3:00 p.m. Executive Committee will meet at 3:00 p.m. in Room 114. Executive Committee 3:00, Room 114."

Speaker Daniels: "Okay. Ladies and Gentlemen of the House. We are going to recess the House until the hour of 3:45 p m. The House will reconvene at 3:45 p.m. Members, please return to their seats at that time. We will continue our work. We will recess for committee which is in Room 114, the Executive Committee at 3:00, so at 3:45 p m. return to the House. The House now stands at ease until 3:45 p m."

Clerk McLennand: "Rules Committee will meet immediately in the Majority Leader's Office. Rules Committee will meet immediately in the Majority Leader's Office. Introduction of Resolutions. House Resolution #165 to House Resolution #173, offered by Speaker Daniels and referred to the Rules Committee. Rules Committee will meet immediately in the Majority Leader's Office. Rules Committee will meet immediately in the Majority Leader's Office. Introduction of Resolutions. House Resolution #174, offered by Representative Madigan. Referred to the Rules Committee. Introduction of Resolutions. House Resolutions #175 and 176 and 177, offered by Representative Madigan, are referred to the Rules Committee. Introductions of

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Resolutions. House Resolution #178, offered by Speaker Daniels, referred to the Rules Committee."

Speaker Johnson, Tim: "The House will be in order. And the Members will please be in their seats. House will come to order, be in order and the Members will be in their seats and all unauthorized personnel, please remove themselves from the House Floor. Please acknowledge the presence of Justice Greiman, former Member, good friend. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman of the Committee on Rules, to which the following joint action Motions were referred. Action taken on January 7, 1997. Reported the same back: 'do approve for consideration.' Referring to the House Floor, Conference Committee Report #2 to Senate Bill 350 and Conference Committee Report #1 to Senate Bill 825."

Speaker Johnson, Tim: "Mr. Clerk, Supplemental Calendar Announcements. Representative Johnson in the Chair."

Clerk McLennand: "Supplemental Calendars #4 and 5 have been distributed."

Speaker Johnson, Tim: "May I have your attention, Ladies and Gentlemen. Under House Calendar, Supplemental #5 on the Order of Conference Committee Reports appears Senate Bill 350. And on that, the Lady, Representative Hughes, proceed. The Lady from McHenry, Representative Hughes, on Senate Bill 350."

Hughes: "Thank you, Mr. Speaker. Conference Committee Report #2 for Senate Bill 350. Hopefully, we have it this time. This is the Railroad Bill. Conference Committee #2 contains the identical language that was in Senate Bill 775 for the Railroad Safety Program, substantive language and funding that we passed in November of the Veto Session.

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There is one change to that language. It sunsets the transfer of grade crossing protection funds to the ICC for administering the program. It sunsets it in 1999, that's three years. The impact of that is it will allow expedited funding to address the increased load that we have now and it will provide an opportunity to re-evaluate the funding situation at that time. The second impact is, this was a grave concern to many, including the rails, the transfer of funds. By sunseting it, we have removed the opposition of the rails to all portions of this Bill. The Conference Committee Report contains some other provisions."

Speaker Johnson, Tim: "Excuse me, Representative Hughes. Give the Lady and there are several lights on that will want to ask inquiries of the Sponsor. Your attention and courtesy would be appreciated. Representative Hughes, proceed."

Hughes: "Thank you. The Conference Committee Report contains several other provisions and these are unrelated to the rail portion of the Bill. The first is changing the date of the Governor's budget address, beginning in 1998. That change would be for the address to be on the third Wednesday in February rather than the current date, the first Wednesday in March. A second additional provision has to do with the Capital City Rail Relocation duties. Provides that the City of Springfield shall have powers necessary to complete agreements already entered into by the Capital City Rail Relocation Authority which will cease or has ceased on January 1, 1997, per Senate Bill 226. What this does is allow the City of Springfield to complete already existent contracts. It gives it the powers to complete this. Upon completion, those powers cease to exist. This is supported by the City of Springfield. IDOT and the Rail Association are neutral on this provision. In

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addition, there are two quick-take provisions. The first is for three years the Bi-state Development Agency shall have quick-take for construction and operation of a Metro Link Light Rail System between East St. Louis and Mid-America Airport in St. Clair County. The second is for two years for the Village of Schaumburg to have quick-take for improvements of the Schaumburg Triangle, Roselle Road, Route 58, Route 72 in Schaumburg. Those are all of the provisions in this Conference Committee. To my knowledge, there is no opposition to any of these provisions. I would urge a 'yes' vote on this but I would be happy to answer questions."

Speaker Johnson, Tim: "On the Bill, the Gentleman from Clinton, Representative Granberg."

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

Speaker Johnson, Tim: "The Lady indicates she will Yield."

Granberg: "Ann, I just want to make sure, I walked in late. I apologize. It's my understanding that the language has been changed to place a three year limit on removing funds from the Grade Protection Crossing Fund. Could you please tell me if that is correct?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "That is correct."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "And the other items in the Bill are the same as the original language, I believe, as we dealt with a few weeks ago?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "All of the provisions relating to the rail issue are identical to what we voted on previously."

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

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Granberg: "Thank you, Representative. To the Bill and I would ask you a question, Representative, or a favor. I voted against this legislation a few weeks ago because of one element in the Bill and that was the fact that we would be going into the Grade Protection Crossing Fund, which I feel is a capital fund and we should not do that. I've seen other agencies go into the road fund, other capital improvement funds and they never cease to actually release those moneys and cannot actually stop in the use of those moneys to the deprivation of downstate Illinois. So I applaud you for actually putting a time limit on it and seeing what happens in three years so I will support the Bill since there is a time limit on it. I would ask you a favor if you would not mind. Could you please take the record of my vote and give it to your press secretary, Mike Seiz. I want to make sure he sees my vote on this so he can go down to the press room and try to do whatever he does. Thank you."

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

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

Speaker Johnson, Tim: "She indicates she will."

Novak: "Representative Hughes, is the information in this Conference Committee Report concerning the Southern Illinois Tourism Council intact?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Is not. There is no reference to that whatsoever."

Speaker Johnson, Tim: "Representative Novak."

Novak: "That language has been deleted?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "That's correct."

Speaker Johnson, Tim: "Representative Novak."

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Novak: "May I ask you why it was deleted?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "It was deleted because there were Members on both of the aisle who had concerns about that project and its impact on the state as a whole and tourism funding."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Thank you."

Speaker Johnson, Tim: "On the Bill, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I just rise in support of this Conference Committee. This is one example, perhaps of not as many as we'd like, but of one example of some bipartisanship work. I appreciate the work that Representative Erwin did this morning. The staff on both sides of the aisle in getting some language out that we needed to remove. I commend the Sponsor of the original Bill for working out language that I don't think anybody could possibly object to. It has been a bipartisan effort. I think she has this Conference Committee in outstanding shape and I hope that we can all vote 'aye' on the issue."

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

Lang: "Thank you, Mr. Speaker. I rise in support of Senate Bill 350. I agree with the previous speaker, Mr. Black. We certainly have had our partisan bickering this year but this is one Bill where I think the Sponsor has really done her homework. Has really done an outstanding job putting a Bill together that we can all support. Relative to the railroad crossing changes, I certainly support those. I am slightly disappointed, as the Sponsor well knows, that while we're worried about railway safety, as a result of



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the Fox River Grove tragedy, we did nothing regarding school bus safety in Illinois. I hope to work with the Sponsor in the next term to discuss those issues. I think there are a lot of things we can do to make school busses safer, but I support this and I certainly hope you will all vote for it."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Chair recognizes the Lady from McHenry, Representative Hughes, to close."

Hughes: "Thank you again, Mr. Speaker. There's been a lot of discussion on this over the past few months. There's been a lot of hard work in it and I thank everyone's cooperation and patience with it and would appreciate your support at this time in passing the Conference Committee #2 on Senate Bill 350. Thank you."

Speaker Johnson, Tim: "The question is, 'Shall the House adopt Conference Committee Report #2 to Senate Bill 350?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 112 voting 'yes'; 0 voting 'no' or 'present'. The House does adopt Conference Committee Report #2 to Senate Bill 350 and this Bill having received the requisite Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Stephens, Chairman for the Committee on Executive to which the following joint action Motion was referred. Action taken on January 7, 1997, reported the same back, 'do approve for consideration' Conference Committee Report #1 to Senate Bill 825. And Supplemental Calendar #4 with Senate Bill

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825 has been distributed."

Speaker Johnson, Tim: "The Chair would like to extend to the Members on both sides of the aisle an appreciation of all the Members in the Chair for the courtesy to the Sponsors and the questioners on the last Bill and a very courteous, civil debate that I'm sure will continue today and indefinitely. Thank you. Representative Hughes expresses her appreciation as well."

Clerk McLennand: "Committee Notice. Rules Committee will meet at 6:30 in the Majority Leader's Office. Rules Committee will meet at 6:30 p m. in the Majority Leader's Office. Attention Members. The Speaker's Office would like me to inform the Members that they have ordered pizza which will be served in about...approximately one hour in the Speaker's hallway. So for the Members' benefit, please do not order any other food if you'd like to partake in a dinner. Thank you."

Speaker Johnson, Tim: "Thank you, Mr. Clerk."

Clerk McLennand: "Rules Committee will meet immediately in the Majority Leader's Office. Rules Committee will meet immediately in the Majority Leader's Office. Committee Report. Committee Report from Representative Churchill, Chairman for the Committee on Rules, to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back, 'do approve for consideration' to the House Floor. Floor Amendment #5 to Senate Bill 1261. House Resolutions #163, 165, 166, 167, 168, 169. House Resolutions 170, 171, 172, and 173. House Resolutions 174, 175, 176, 177, and House Resolution #178 are 'approved for consideration.' Committee Announcements. The following Committees will meet. The following Committees will meet at 7:15. Judiciary, Civil Law

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Committee will meet at 7:15 p m. in Room 118 and Counties and Townships Committee will meet at 7:30 p m. in Room C-1 in the Stratton. Again, Judiciary Civil Law Committee will meet at 7:15 in 118 and Counties and Townships Committee will meet at 7:30 p m. in C-1 in the Stratton."

Speaker Daniels: "Members of the House. The House will come to order. We are going to adjourn to committees right now, as you heard the Clerk's announcement, 7:15 and 7:30. We will return at 7:45. We hope at that time, we will have the food that's been ordered for you to be here, so if you could just stand at ease until 7:45, we'll have the food here and then we'll be prepared to start up again. Any further notices, Mr. Clerk? Further announcements? Okay, we are going to recess until 7:45. Members, please return to the Floor at 7:45. We have a very important Bills to bring up for consideration. The House will stand in recess until 7:45."

Speaker Daniels: "The House will now come to order. The Members will please be in their chairs. Those not entitled to the Floor, will please retire to the gallery. Mr. Clerk, on Supplemental Calendar #1 appears House Bill 2702. Read the Bill."

Clerk McLennand: "House Bill #2702, a Bill for an Act in relation to taxes. Conference Committee Report #1."

Speaker Daniels: "Committee Reports."

Clerk McLennand: "Committee Report from Representative Cross, Chairman for Committee on Judiciary for Civil Law to which the following joint action Motions were referred, action taken on January 7, 1997. Reported the same back, 'do approve for consideration.' Conference Committee Report #1 to House Bill 444. Committee Report from Representative Hughes, Chairman for Committee on Counties and Townships to

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which the following joint action Motions were referred, action taken on January 7, 1997. Reported the same back, 'do approve for consideration' Conference Committee Report #1 to House Bill 2735."

Speaker Daniels: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #6 has been distributed."

Speaker Daniels: "Representative Kubik on House Bill 2702, Conference Committee Report #1."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would briefly like to go through the provisions of House Bill 2702, First Conference Committee. The Bill would amend the Property Tax Limitation Law to remove the collar county, Cook County portion of the overlapping taxing district from the downstate tax cap requirement that all counties in a multicounty taxing district encompasses, must hold a tax cap referendum before tax caps may be applicable to the taxing district. This Bill also would set the effective date of this Amendatory Act as the date when bonds by an overlapping taxing district would be effective. This Bill would also respond to a recent circuit court decision regarding the manner in which libraries levy in those counties with the tax limitation law. The Bill stipulates that the rates required to extend levies subject to back door referenda are not new rates or a rate increase if a levy has been made for the fund in one or more of the last three years. It would grant the downstate counties the authority to place a binding referenda question on the ballot that asks whether all tax cap non-Home Rule unit's taxing districts with all or a portion of their EAV located within the county should not be made applicable to the Tax Limitation Law. It would eliminate the population threshold, currently 180 thousand,

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in the special County Retailers Occupation Tax for public safety for counties to place a binding referendum on the ballot that allows sales tax to be imposed for public safety purposes within the county. It would require assessors in counties of 3 million or more to maintain records that can contain the facts, data, worksheets, guidelines, and any other information used in determining the value of each parcel of property. Stipulates that upon the request of a Taxpayer Board of Tax Appeals or Board of Review, the assessor shall furnish all other requested records. And finally, it would state that the assessor shall also maintain a record of the date of the assessment is lowered or increased and the records that justify a decision by the assessment officer to lower or increase the assessment. I'd be happy to respond to questions and would appreciate your 'aye' vote on the First Conference Committee Report to House Bill 2702."

Speaker Daniels: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to this Conference Committee Report. There may be much that is good in House Bill 2702. There certainly is a lot. I myself was...am an opponent of tax cap legislation, so I don't mind that one of the provisions of this Bill provides a library exemption from tax caps. I do know, however, that some of you believe that tax caps imposed from Springfield are a very good idea, and you might oppose this Bill because it provides for a loophole that will let taxing districts get away with what, in your words, might be described as murder. But there is a provision in this Bill which I think is not good public policy. That is the provision that would require the Cook County Assessor, in the event of complaints of assessment

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in the event of appeal of those assessments, to provide every single scrap of paper that may have had something to do with the determination of the assessment when the appeal goes forward. Today, as we know, assessor's offices routinely defend their actions on appeal. There's no reason to think that the Cook County Assessor won't defend his or her actions on appeal just as does everybody else. The only point I can make of this new language, which might be described as describing current practice, is either that we don't need it because already, of course, the assessor does defend the assessment that he or she gave, but as a way of making sure that particularly the multi-million dollar taxpayers don't end up with a tax bill at the end of the day. Who is going to use this opportunity? The big downtown buildings in the City of Chicago. If they come in and say, 'Oh, the building is only worth 5 million', and a scrap of paper is missing from the assessor's file, suddenly the school districts in Cook County, the local government units in Cook County, will find that instead of access to revenues based on a \$150 million building, they're looking at revenues based on one worth only five. This, I would urge Members of this House, is special interest, big corporation, the fat cat legislation of the year. There is one other point to be made and that is that if this is a good idea for taxpayers, why is it only a good idea in Cook County? I would have thought the good residents of DuPage should have the same opportunity for full disclosure from their assessor's office as apparently is required by the good citizens of Cook. I can only think at the end of the day, Speaker and Members of this House, that what this provision is about, the additional hassle and chaos it will make for the assessor's office, the

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additional \$1.5 million it will cost the people of Cook County, what this is really about, Speaker and Members of this House, is that it's political payback time. The current assessor of Cook County did a great job electing Democrats in November and this is the price; one party rule has decided at the end of the day that he should pay. Speaker and Members of the House, this provision is a disgrace. It is intended, if it is serious, to let off the hook the big buildings, the big property owners in downtown Chicago. If it isn't serious on that level, it's an affront to the democratic process, it's political payback time for Tom Hynes and I would urge your 'no' vote. This Bill has already failed in the Senate. I don't know why at the 11th hour of the 11th day we are dealing with this Bill until we see if second Senate action makes a difference. The right vote here is a 'no' vote for good public policy and good political reasons."

Speaker Daniels: "This Bill recently passed the Senate with 30 votes, so the Senate has adopted the Conference Committee Report. Is there further discussion? The Lady from Cook, Representative Fantin."

Fantin: "Thank you, Mr. Speaker. I totally agree with our previous speaker, Representative Currie. I think this is a total disgrace that we would even bring this Bill again on the House floor. This is strictly payback time against Tom Hynes. If this Bill is so good, why is it only for Cook County? Why not the whole rest of the state? I'm sure Cook County doesn't differ that much in this process as the rest of the state. This to me is an unfunded mandate where it's going to cost Cook County taxpayers well over a million dollars. Cook County has about a million and a half properties. About 60 thousand complaints a year.

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Now, can you imagine what 60 thousand complaints, keeping every piece of paperwork, scrap paper, anything that is mentioned on this property and on these process of all these bills. If Cook County has to keep every paper, what about storage? Who is going to keep all this and where are they going to keep all this? This is unfair. Totally unfair to the taxpayers of Cook County. If any scrap of paper, any worksheet is missing, this grants the person filing the complaint, it grants them their complaint. So, if anything from storage, to the warehouse, to the office, to court, any scrap of paper is missing, and you know how big the chances are of one little piece of paper missing and three years of all this changing around and tossing around, how easy that would be to do, and where the most paperwork will be in is in your big business, your commercial industrial properties that have files six inches thick and because something is missing, they will be able to win that case. And who's going to lose, but all the citizens in Cook County, the schools, the taxing bodies, and it's going to be a very, very costly Bill. I think this is an unfunded mandate. I think it's very unfair, and again, attack on just Cook County. This has been for two years and up to the final last minutes we're still attacking the Assessor's Office in Cook County. I think it's about time we put a stop to it and let's be doing that tonight. Please, please vote 'no'."

Speaker Daniels: "The Clerk for an announcement."

Clerk McLennand: "Attention Members. The pizzas, the food is here. You're encouraged to go out the east door and move through the line that way. Thank you."

Speaker Daniels: "The Gentleman from Champaign, Representative Johnson."



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Johnson, Tim: "Thank you, Mr. Speaker and Members of the House.

This is a law and order Bill if there ever was one. It's a good government Bill if there ever was one and it's a fair Bill to the taxpayers if there ever was one. This is not an increase in the Real Estate Tax, it's an opportunity for voters by a front door referendum to approve a quarter cent sales tax for public safety for juvenile detention facilities and otherwise by referendum. The problem with proliferation of crime throughout the state, and I know I speak for Champaign County and related areas, has become astronomical in terms of, in particular, youth detention and the lack of facilities and the ability to lock up or to detain the crack cocaine peddlers, those who would abuse the criminal justice system. Juvenile offenders of serious crimes and repeat offenses is absolutely staggering. This allows citizens who are concerned about the safety of their neighborhood, concerned about drugs in their neighborhood, concerned about murders and rapes in their neighborhood, to choose, of their own volition, to put on the ballot a referendum and approve it. It's for law and order. If people think they haven't got a problem, then they don't have to vote for it. But if they have a problem, they're not increasing real estate taxes on people who live on fixed income, they're simply attaching a local option sales tax that allows the taxpayers to speak and allows the victims of crime to speak and allows people who are particularly concerned with the incredible problem of the increase in juvenile crime to speak. To oppose this Bill on what amounts to tangential matters or in some cases trivialities, I'm sure sincere, but it misplaces the priorities that we have and that we've had on both sides of the aisle and I hope we'll continue to have through this

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Legislature, and that is tough law and order, get tough on juvenile justice, deal fairly with real estate property tax people and taxpayers, and deal with matters through front door referendums rather than back door referendums that some people have been accused of doing. This is a great Bill. It's one that I can't imagine anybody opposing and I urge a 'yes' vote from both sides of the aisle on House Bill 2702 to this Conference Committee Report. Thank you."

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

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

Speaker Daniels: "He indicates he will."

Granberg: "Thank you. Representative Kubik, let me first of all speak as a downstater. It's my understanding that this Bill contains provisions allowing property tax increases?"

Speaker Daniels: "Representative Kubik."

Kubik: "No, that is not correct. It would allow, as Representative Johnson indicated, a binding referendum, a change in the law which would allow for a binding referendum for public safety, a sales tax, and it would remove that provision. In addition to that, what it does, Representative, is that the...when we passed tax caps in 1991, I believe, '91, rules were written regarding how those should be administered including the situation with respect to libraries. Libraries are unique in the sense that they must pass an ordinance every single year in order to levy for a...have a levy. The provision for tax caps said that this was a process that was going on and that it would not be considered a tax increase because the levy was the same. They levied for the same amount every year. What this Bill does is simply places this provision into the law and its a response to a circuit court decision that

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was recently handed down."

Speaker Daniels: "Representative Granberg."

Granberg: "And it's also my understanding, Representative, that this would allow counties to opt out of property tax caps, the legislation we enacted this past Session?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, what it would do is, it would, for those counties which have...had a referendum creating a tax cap, this would allow them if...the same mechanism if they wanted to remove the cap for any reason. So it provides that mechanism if they wish to remove a tax cap in a downstate county which has voted on this issue."

Speaker Daniels: "Representative Granberg."

Granberg: "And one last question, Representative. Do the provisions regarding property taxes and the requirements for retaining records, how many counties or how many assessors statewide would this apply to?"

Speaker Daniels: "Representative Kubik."

Kubik: "This Bill would apply to those counties of three million or more."

Speaker Daniels: "Representative Granberg."

Granberg: "If this is such a good idea for property taxpayers, why don't we apply it to downstate as well?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, as you may or may not know, the assessor's representative came in and testified today that there are approximately 60 thousand appeals every year in counties of three million or more. And given the volume of those appeals, we think it is appropriate that we make sure that the records are maintained. Now unlike what a previous speaker before you indicated, this would not...this opening up of the process and making sure that

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people get information about this process, would not just be for downtown office developers, it would be for all taxpayers. They would have access to this information. The difference in this case is, when you go into another county in this state, you go into a Township Assessor's Office and it's a relatively...it's a much smaller operation, there is more interaction between the taxpayer and the assessing officials than there would be when you have 60 thousand people coming through an office. I would point out, in addition to that, I understand the Cook County Assessor has a very difficult job. I would not...I would be the first one to agree with that, but I also believe that the taxpayer should...every protection should be given to the taxpayer to be able to get information on a fair and accurate assessment. That's all this Bill does is make sure that they can get that information to make sure that it's a fair and accurate assessment."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, thank you, Representative Kubik. To the Bill, Mr. Speaker. Mr. Speaker, do you want to allow me the additional minutes before...?"

Speaker Daniels: "I will allow you some additional time, Sir, but please keep your remarks as briefly as you can."

Granberg: "Thank you. To the Bill, Ladies and Gentlemen of the House. Let me bring this to the attention first of all to the downstate Representatives. You're doing two things. You are going to give them a vehicle to increase property taxes in your downstate districts. Understand that. Representative Bost, Representative Jones, increase property taxes. Secondly, you are going to also allow them to decrease...increase property taxes by an exemption to the Property Tax Cap Bill that most of you supported last

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year. So not only are you going to increase property taxes, you're going to take away the property tax cap. A double hit. As far as the provisions on the requirements of the assessor, if we were interested in good government, if we were interested in being fair to property tax owners, we would require this of every assessor. To apply this to every assessor in the state so all of our people would receive this benefit. But clearly, that is not the purpose of this legislation. The people in Cook County can get this information from their tax assessors, their township assessors. The only people this would apply to are the large corporate entities. That's it. The large corporate entities will not pay the taxes. But let's see what this is all about and we all know this is directed at one public official. This is indicative of the last two years and it's indicative of what is going on today. Nothing but retribution, nothing but partisan politics, no public policy, let's go after the unions, let's go after Tom Hynes, let's go after the Supreme Court, let's bust the unions with right to work. That's what today is all about and it's wrong. Let's end it. Let's start this new Session off together. Forget the partisan politics. Let's look at education finance reform, let's look at property tax reform and do it together. Put the partisan politics aside. The people have had enough in this state, let's end it."

Speaker Daniels: "Representative Wennlund, the Gentleman from Will."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'no'.

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The 'ayes' have it. Representative Kubik to close."

Kubik: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think this is a well balanced Bill. It handles some of the...it cleans up a number of property tax cap provisions. It places some sunshine on the tax process in Cook County, and I for one believe that you ought to vote to provide more information for people, not less information. If you want to vote 'no', you believe in providing less information to the taxpayers if you vote 'yes', you mean you want more information for taxpayers. So, I would urge my colleagues to support the First Conference Committee on House Bill 2702. Thank you, Mr. Speaker."

Speaker Daniels: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2702?' All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 63 'aye'; 49 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And the House does adopt Conference Committee Report #1 to House Bill 2702. Mr. Clerk, on the Order of Supplemental Calendar #4, appears Conference Committee Report on Senate Bill 825. Read the Bill, Mr. Clerk."

Clerk McLennand: "Conference Committee Report #1 on Senate Bill 825, has been approved for consideration."

Speaker Daniels: "Representative Kubik on Senate Bill 825, Conference Committee Report #1."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is Conference Committee Report to Senate Bill

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825. This Conference Committee Report guts the underlying Bill and replaces it with the Joint Senate/House Judicial Redistricting Plan. First the Bill creates new boundaries for Supreme Court Judicial Districts, 1A, 1B, and 1C. Formerly elected at large from throughout the First Judicial District as well as new boundaries for Judicial Districts, two, three, four, five as directed by the United States Constitution. It also, therefore, deletes existing statutory Judicial District boundaries. The report defines census information required for districting purposes, employing the 1990 census as in all other redistricting cases. The report creates an implementation schedule for transitioning between the existing and proposed boundaries. The schedule corresponds with the end of term for each Supreme Court Judge, 1A, 1C and three in the year 2000. One B, two and five in the year 2002, and four in the year 2004. The schedule does not eliminate a Supreme Court Justice's right to retention from a district comprised of at least a portion of his former district, but merely phases in the implementation in the most non-evasive method possible. The implementation schedule permits only one judge to seek retention in a particular district and provides for selection by lot in the rare event to try to do so. The report also creates a priority order, fulfilling the first Judicial Districts in the event of a vacancy...in event a vacancy occurs prior to the completion of the implementation schedule. The report provides a method for downstate Appellate Judges to be retained even if their Appellate Boundaries move them into a new Judicial District, and provides for the rebalancing of the court upon the turnover of judges currently on the Appellate Court. Therefore, all sitting Appellate Judges will have

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the option to run for retention in any Judicial District which contains portions of their pre-legislative district. Upon them leaving the court, whether by vacancy, non-retention, or failed to seek retention, the Appellate Judgeship shall be realized to balance the number of Appellate Judgeships in accordance with the number established by law. The report provides for a Judicial Election in the event that a vacancy occurs or a judge fails to be retained in the Office of Supreme Court Judge. Such election being held within 115 days of the vacancy or retention failure. This process is almost identical to the existing method for special elections in regards to Congressional vacancies. The report contains a severability clause in case any individual portion is found to be defective and has an immediate effective date. And Mr. Speaker, I would move for the adoption of this Conference Committee Report, and I would respond to any questions you might have."

Speaker Daniels: "The Lady from Cook, Representative Jones. Representative Jones."

Jones, S.: "Mr. Speaker, I would like to yield my time to Lou Lang please."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Representative Jones, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong, strong opposition to Senate Bill 825. Let me first, before I discuss the specifics of the Bill, refer you to a quote from the House Floor transcript of June 27, 1991, when we were debating the proposal by the Democratic Party for a remap of the Illinois General Assembly. And I'll tell you after I read it, who said it. Said, 'I think it's important then for us to view the actions of today and the



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anticipation that this map may be pushed through by the Majority Party without the participation of the Minority Party which I believe strongly violates every premise and every principle of representative government. And I use as a comparison what occurred on the Judicial remap and the structure of our judiciary in the largest county in the State of Illinois. And how Republicans and Democrats, minority individuals worked together with white ethnics to craft the map that we all unanimously without one descending vote approved in this General Assembly. And I say now, is this the process working in its best form, and the answer has to be yes. And then I say what's happening now? It's happening now because you couldn't resist. The Majority Party could not resist the temptation to take all this into the back room. So you file an Amendment that is suppose to be the answer to the dreams of the people of Illinois and their future, and you give us not 72 hours to study it as we argued on this floor, but you give us less than 72 minutes.' This was uttered by Lee Daniels, June 27, 1991. And what he said then is true today. What he said then is true. This is the Majority Party trying to ram through something at the end of Session without debate, without consideration, without a good view of the map, without any cohesion at all in this House of Representatives. No public hearings, no light of day, no debate, no map. Where's the map? Is there even a picture of the map in front of us to look at? Where are the lines? There's a line that goes right through the middle of Niles Township where I live. I don't know what street that line is on. Can somebody tell me? I don't think so. The map is not compact and contiguous. If you look at the Section that's suppose to be, what will become the Republican

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Section of that map, it's not compact and contiguous as the court and the law require. It's a straight line. No way that can pass Judicial muster. The Bill is also unconstitutional for other reasons. It's unconstitutional because the Constitution of the State of Illinois on this issue, relative to Cook County, has already been interpreted by the Illinois Supreme Court. The Illinois Supreme Court said already that the Appellate Court Justices from Cook County are elected at large. You cannot split Cook County. That's the clear words of the statute. Therefore, it's the clear words of the statute relative to the Supreme Court of Illinois as well. You cannot divide Cook County into three separate districts. The Supreme Court of our state has already ruled on that. So Ladies and Gentlemen, again, this is a Bill of political retribution. It's a Bill of attempting to grab an arm of government that you don't have today. It's a Bill that's designed to take from the people, their right to elect under the Constitution, the Supreme Court Judges of the State of Illinois, and you want to change it so that it's a different result. Well, Ladies and Gentlemen, I don't think anyone would argue that we should probably remap the Supreme Court, but we must follow the Constitution which requires compact and contiguous districts which requires all of Cook County to elect three Justices at large. This does not do it. And so, I would refer you to Mr. Daniels' language from June 27, 1991, and I would ask you to reconsider where you are. And Mr. Speaker, I would request a verification should this reach the requisite number."

Speaker Daniels: "Further discussion? The Gentleman from Winnebago, Representative Scott."

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

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Speaker Daniels: "He indicates he will."

Scott: "Representative Kubik, you heard the words of Mr. Lang, and that's one of those points that he made is something that I wanted to follow up on. Would you agree with me that the words of the Constitution are pretty clear that it talks about District 1 being Cook County. That's the words of the Constitution. District 1 is Cook County. Would you agree with that? With that wording?"

Speaker Daniels: "Representative Kubik."

Kubik: "The word Cook County? I would agree with that, yes."

Speaker Daniels: "Representative Scott."

Scott: "And would you also agree with the point that Representative Lang made that the case which was decided on on July 3, 1990, the people of the State of Illinois 'exrel' Chicago Bar Association versus the State Board of Elections, clearly said that that meant at large elections. That that meant that you could not split Cook County into subdistricts. Wasn't that the clear ruling of that case based on the language that we just agreed on in the Constitution?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative Scott, unlike you, I am not a lawyer, but I do understand that there are Federal Constitution issues...the constitutional issues that have not been addressed in Illinois by the court."

Speaker Daniels: "Representative Scott."

Scott: "Well, have you seen the particular case that I just cited?"

Speaker Daniels: "Representative Kubik."

Kubik: "As I indicated earlier, I'm not a lawyer, but I do understand that there are Federal Constitutional issues that have not been addressed by the Illinois Courts."

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Speaker Daniels: "Representative Scott."

Scott: "Are you saying that you don't know if this particular case addressed that point or are you saying that this case didn't address this point?"

Speaker Daniels: "Representative Kubik."

Kubik: "As I said earlier, I believe...I am not a lawyer, but I do understand that there are Federal Constitutions that have not been addressed by the Illinois Courts."

Speaker Daniels: "Representative Scott."

Scott: "Well, is this one of them? Is it your interpretation that this particular case didn't address the point that Representative Lang made, and that point is, that Cook County is one whole district for purposes of electing a Supreme Court Justice?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative Scott, as I said earlier, I'm not a lawyer, but I do understand that there are Federal Constitutional issues that have not been addressed by the Illinois Courts."

Speaker Daniels: "Representative Scott, further questions?"

Scott: "Yes Sir, thank you, Mr. Speaker. Well, I'm not talking about a Federal Constitutional issue, I'm talking about interpretation of the Illinois Supreme Court interpreting the Illinois Constitution. And in the Illinois Constitution, it says that District 1 shall be Cook County. It doesn't say we can break it up in subdistricts. It's an interpretation of the Illinois Constitution not a Federal Constitutional issue, and I'm asking you if you agree that this particular case dealt with this issue?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, under the Judicial Redistricting Act of 1997, District 1 continues to be Cook County."

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Speaker Daniels: "Representative Scott."

Scott: "Well, I beg to differ Sir, because there isn't a District 1 anymore. There's a 1A, there's a District 1B, and there's a District 1C. Not only have you subdivided Cook County, you created seven districts instead of five. I'll argue that not only are you out of line constitutionally with just the pure words of the statute, you're directly out of line with the ruling of the particular case that I cited earlier. Let me ask you in one more area Mr. Kubik. I missed the rationale and if you said it, I apologize, but I missed the rationale for doing this in the first place. What's the rationale for now going through and remapping at this particular point in time?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, the Judicial Redistricting Act of 1997, creates Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Scott, your time has expired, Sir."

Scott: "Okay."

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

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Kubik, was there a comprehensive plan as to how this map was drawn, how this Bill was drawn?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, I think this Bill which is the Judicial Redistricting Act of 1997, would create Supreme Court

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Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2 of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Granberg."

Granberg: "Well Representative Kubik, would you agree, I think that this is very similar to the legislative redistricting proposal that this Body has conducted before?"

Speaker Daniels: "Representative Kubik."

Kubik: "No."

Speaker Daniels: "Representative Granberg."

Granberg: "Why would this proposal not be similar to legislative redistricting? A process that this chamber and the Senate have gone through in the past."

Speaker Daniels: "Representative Kubik."

Kubik: "It would differ or it would be different because it is a Judicial Redistricting Act of 1997, which creates Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Granberg."

Granberg: "So given that answer, I assume you're saying Sir, that the other maps were not compact and contiguous? There were no requirements and similarly there are no requirements provided in your legislation?"

Speaker Daniels: "Representative Kubik."

Kubik: "As I said earlier, the Judicial Redistricting Act of 1997, which is this Bill would create Supreme Court Judicial Districts of substantially equal population which

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are compact and composed of contiguous areas as required by Article 6, Section 2 of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative Kubik, have there been any public hearings on this legislation and the proposed map?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, we had a hearing this afternoon."

Speaker Daniels: "Representative Granberg."

Granberg: "And that was the only public hearing on this proposed legislation?"

Speaker Daniels: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I believe the Senate had one too."

Speaker Daniels: "Representative Granberg."

Granberg: "When you brought that map before the committee this afternoon Representative Kubik, did you seek any input from any minority or any impacted Member on how the line should be drawn?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, the criteria for the creation of this map which is the Judicial Redistricting Act of 1997, would create Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Granberg."

Granberg: "So, you indicated Representative, there was only one public hearing and that was conducted shortly before this Bill has been brought to a vote. There has been no public

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input, there have been no public meetings where the citizens of this state have had an ample opportunity to have input into this process. Is that correct? There has only been one public hearing and that was held a few hours ago?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, there were at least two public hearings. I might point out that there was a very lively debate in both of those hearings and an airing of many of the issues."

Speaker Daniels: "Representative Davis, the Lady from Cook."

Davis, M.: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Scott."

Speaker Daniels: "Representative Scott."

Scott: "Thank you, Representative Davis. Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Scott: "I wanted to continue on what I was working on when my time ran out before Representative Kubik. Let me ask first, who drew this map?"

Speaker Daniels: "Representative Kubik."

Kubik: "This map was drawn in the Senate, Representative."

Speaker Daniels: "Representative Scott."

Scott: "Well, who in the Senate drew it up?"

Speaker Daniels: "Representative Kubik."

Kubik: "I do not know."

Speaker Daniels: "Representative Scott."

Scott: "So, I would assume you also don't know what input they got prior...whoever this was that drew the map, what input he or she or they got prior to their constructing the map?"

Speaker Daniels: "Representative Kubik."

Kubik: "The answer would be no."



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Speaker Daniels: "Representative Scott."

Scott: "In your statement to me a little while back, you said that this was done to provide for equal population in each district. Could you tell me district by district what the population of each district is?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, there was a handout provided in the committee and I'd like to go through it at this point in time. In Judicial District 1A in Cook County, there's a population of 1,701,624 people. In Judicial District 1B in the County of Cook, there's a population of 1,701,541. In Judicial District 1C in Cook County, there is a population of 1,701,902 people. In Judicial District 2, the population of the district is 1,571,602. In Judicial District 3, the population is 1,587,604. In Judicial District 4, the population is 1,573,661. And in District Judicial 5, the population is 1,592,688 people."

Speaker Daniels: "Representative Scott."

Scott: "So, if you were to take one piece out of any of those, I bet those numbers are very equal with the downstate districts and they're very equal in the Cook County districts. So if you were to take for example, Macon County out of district whatever it is, District 3 and move it into 4, or take DuPage County out of District 3 and move it back into 2, then you would not have substantially equal districts, so it's necessary for us to look at this map as its been drawn in its entirety?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative Scott, I believe that this map, which is a part of the Judicial Redistricting Act of 1997, creates Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous

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areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution."

Speaker Daniels: "Representative Scott."

Scott: "So, you're saying that these districts as they are right now, as they've been drawn are all substantially equal?"

Speaker Daniels: "Representative Kubik."

Kubik: "Yes. I believe that this Redistricting Act of 1997 which creates Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the U.S. Constitution."

Speaker Daniels: "Representative Scott, your time has expired. The Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker, I move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it, and the main question is put. Representative Kubik."

Kubik: "As I said, Mr. Speaker, I believe that this Bill would create the Judicial Redistricting Act of 1997, create Supreme Court Judicial Districts of substantially equal population which are compact and composed of contiguous areas as required by Article 6, Section 2, of the Illinois Constitution to insure the equal protection rights guaranteed under the United States Constitution and I would urge an 'aye' vote on the First Conference Committee Report to Senate Bill 825."

Speaker Daniels: "The Gentleman has moved for the adoption of Conference Committee #1 to Senate Bill 825. All those in favor will signify by voting 'aye'; opposed by voting 'no'."

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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 62 'aye'; 37 'no', 16 'present', and the Gentleman Representative Lang requests a verification of the Affirmative Roll. Read the Roll, Mr. Clerk."

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

Speaker Daniels: "Representative Lang. Questions of the Affirmative Roll."

Lang: "Thank you. Representative Klingler?"

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

Lang: "Representative Mulligan?"

Speaker Daniels: "Representative Mulligan is in the aisle."

Lang: "Representative Tim Johnson?"

Speaker Daniels: "Representative Tim Johnson. Is he in the chambers? Representative Tim Johnson. Remove him from the roll."

Lang: "Representative Saviano?"

Speaker Daniels: "Representative Saviano is in the back of the chamber."

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Lang: "Representative Mitchell?"

Speaker Daniels: "Representative Mitchell is in the rear of the chamber."

Lang: "Representative Jones?"

Speaker Daniels: "Representative Jones is in his seat."

Lang: "Representative Spangler?"

Speaker Daniels: "Representative Spangler is in the rear of the chamber and Representatives Wennlund and Black request leave to be verified. They're right here. And Biggins. Further questions?"

Lang: "Representative Winkel?"

Speaker Daniels: "Representative Winkel is in the center aisle in the rear, and Representative Johnson has returned, so return Representative Johnson to the roll. Further questions?"

Lang: "No further, Sir."

Speaker Daniels: "No further questions. This Bill having received 62 'aye'; 37 'no', 16 'present', the House does adopt Conference Committee Report #1 to Senate Bill 825. This Bill having received a Constitutional Majority, is hereby declared passed. On page 2 of Supplemental Calendar #2, appears under Second Readings - Senate Bills, Senate Bill 1261. Read the Bill Mr. Clerk."

Clerk McLennand: "Senate Bill #1261, a Bill for an Act making appropriations to the Department of Natural Resources. Second Reading of this Senate Bill. Committee Amendments #1, 2, and 3 were adopted. Floor Amendment #4 has been referred to Rules. Floor Amendment #5, offered by Representative Ryder, has been 'approved for consideration'."

Speaker Daniels: "Representative Ryder on Floor Amendment #5."

Ryder: "Thank you, Mr. Speaker. This Amendment is a supplemental

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appropriations. It includes all of the requests by the Governor and his original supplemental appropriations including the money for AIDS, drug reenforcement, domestic violence, to continue the Amtrack services. In addition, there are other items that have been added for home delivered meals, home base support services, family assistance programs, as well as dealing with some emergency circumstances at five of the state universities, some of which have had boiler breaks and are needing immediate repair in order to continue services and heat for their students. There is a total of \$26,390,000 of General Revenue Fund, \$62,800,000 of federal and other funds. The biggest, by far, the biggest portion includes the reimbursement for the Illinois Emergency Management Agency for the Governor's executive order in order to repay those agencies in which the dollars came. I would be happy to answer questions, Mr. Speaker."

Speaker Daniels: "Any discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Just to rise in opposition to the Amendment and to the Bill. I guess it's a little bit sad that as we conclude this last day of the 89th General Assembly, that that side of the aisle has decided that they would once again, as they have for the last two years, continue to produce appropriation Bills without the least bit of input from this side of the aisle. Now, we've stood ready for the last two years to try to work with the Majority on that side of the aisle in an effort to craft budgets and supplemental appropriations that we feel meet the needs of all the people of the State of Illinois. And unfortunately we have never, ever been taken up on that offer. So, once

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again as we conclude the final days of this Session, this is another program where some of the needs of the State of Illinois are being met and a good portion of the pork of certain Members on the Republican side of the aisle is being consumed as well. So, it's another GOP pork barrel program along with some supplemental requests and I would suggest that, probably, the Senate may not even take this issue up before we go home today but I would hope that we could save them the opportunity of even considering that and I would ask all the Members on both sides of the aisle, and particularly this side of the aisle, if they would support us in this last effort to try to find a spirit of bipartisanship in this Body and force this issue into a bipartisan solution and simply vote 'no'."

Speaker Daniels: "Representative Hannig, are you completed, Sir? Okay, further discussion? Representative Feigenholtz."

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

Speaker Daniels: "He indicates he will."

Feigenholtz: "Representative Ryder, I think I heard you talking a little bit about the AIDS Drug Reimbursement Program. Could you elaborate a little bit about the \$4 million that we're appropriating for this and where the money is coming from? Is it coming from the state GRF?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, the \$4 million is federal funds which we have received and the appropriation gives us the authority to spend those funds."

Speaker Daniels: "Representative Feigenholtz."

Feigenholtz: "Do we already have that money, Representative? Is that in the state GRF coffers already?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, we have been informed that money is

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available. We have received some, not all, and we are anticipating the receipt of the total \$4 million."

Speaker Daniels: "Representative Feigenholtz."

Feigenholtz: "And Representative Ryder, isn't it true that this \$4 million is actually money that we as a state are trying to access from our Fiscal 1998 federal budget for Illinois' 1997 AIDS Drug Reimbursement Program?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, since it only became available on the federal FY-97 budget, they start their budget after we started ours, so we are accessing from their FY-97. That's the reason for the additional now and it is our hope that we can access all of the fund of the \$4 million even though we don't have all of it now."

Speaker Daniels: "Representative Feigenholtz."

Feigenholtz: "Thank you, back in May, there was a lot of Democrats and also many Republicans who had come to Doctor Lumkin from the Illinois Department of Public Health. There has been a tremendous phenomenon in the treatment of HIV and AIDS. I'm sure that you're well aware of it. I know that I spoke with you about it this summer and how important it is but right now there is a miracle drug out on the market that is actually taking people from welfare to work and it's allowing people who are on death's door to get back out there and be productive, taxpaying citizens in the State of Illinois instead of dumping their assets and getting on medicaid where they have access to the full formulary of drugs. See, in Illinois we have a lot of people who can talk the talk but don't walk the walk, right. And what's going on here is we're failing to fund a project that is going to put us in a fiscal crisis not to mention the fact that if we don't put state GRF behind

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this, people will die, bottom line. People will die. There's not enough money in this program, 82 drugs have been cut out of this formulary. We all know that if we restrict drug formularies, this is regressive public policy and it doesn't really make sense. It doesn't make sense for productive people who can be paying taxes to dump their assets, quit their jobs, and go on Public Aid. So what I don't understand is, why we are once again we're doing this Band-Aid approach in trying to fund this project. The Senate has put some state-federal dollars behind this. Apparently the Senate is willing to walk the walk. Why are we not walking the walk? Why are we, as a chamber, going to have to come back in a day, in one day, and reappropriate \$10 million, at least, for this program to give these people a full pallet of drugs so that they can live and pay taxes? Do you have an answer to that?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, I'm tempted to respond to your walk the walk in a way that would not be serious as this matter before us. I will, however, not do that and respond very seriously by suggesting that in my personal opinion that we should be placing more money into this line item and if the Senate is successful in sending us an appropriation over that has more money in that line item, it would...I will certainly support that Senate program and hope to have the opportunity to work with you to support it even in the next coming days and weeks."

Speaker Daniels: "Representative Feigenholtz, can you bring your comments to a close? Your time has expired."

Feigenholtz: "Representative Ryder, I learned a long time ago that there's no better time than the present. It's really unfortunate that we have to continue to drag this out...I



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wish...I can't be responsible for what the Senate does, I can barely be responsible for what happens in this chamber. I would like to see us coming up with the same kind of appropriation as the Senate to get this program where it should be and I have no idea how to tell people to vote on this Bill."

Speaker Daniels: "The Lady from Cook, Representative Schakowsky. Excuse me, Representative Feigenholtz."

Feigenholtz: "'Present' or 'no'. Thank you."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Well, it's pretty obvious to me why there isn't \$5 million for persons with HIV and AIDS. And it's pretty obvious when you look at what is in this budget. There's a number of nice little farewell presents to the current Majority, less than 24 hours before you do lose that Majority. How about another \$5.5 million to the City of Wood Dale for repairing railroad crossings. A nice farewell present for our Speaker. So how about Representative Bost. You got a nice little gift here of \$3.3 million dollars for SIU underground electrical feeders. Oh, and I forgot about the \$429,400 for upgrading mechanical equipment in your district. Representative Rutherford, congratulations you're a winner. ISU equipment, \$4 million. Nothing additional in GRF for AIDS patients. We've created a nice work to welfare program for AIDS patients because they won't be able to continue working, but meantime, Representative Wirsing, you're a winner, \$3.4 million NIU flood mitigation. And Representative Winkel, another \$4 million for you for University of Illinois, Champaign expansion of the National Center for Super Computing. Seems like we've got a number

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of winners here but among the losers are not only persons with AIDS, but how about the senior citizens who have been lobbying us for more home-delivered meals. We've cut that appropriation back to a mere \$300 thousand of the \$1.7 million that they say is needed to eliminate any waiting list. So let's keep seniors waiting while we give Representative Hassert \$400 for the Taft School District and we give Representative John Jones \$500 thousand for infrastructure improvements and Representative Moffitt, we have a nice \$550 thousand for your district. Now, I think the priorities in this supplemental budget are clear. It's not senior citizens who are waiting to receive meals in their homes so they don't have to go to nursing homes and it's certainly not people with HIV who are working today but may have to go on welfare, a work to welfare program for people with AIDS. This is a shameful budget. We should look carefully at what the Senate has done. It has put in the \$5 million in GRF for persons with AIDS and this budget is not one that we should be supporting."

Speaker Daniels: "Further discussion? The Gentleman from McHenry, Representative Skinner."

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

Speaker Daniels: "He indicates he'll yield."

Skinner: "On page 27, there's an increase of about \$48 million dollars in the airport construction expenditure of line item. At least that what it appears to be. If I'm reading that correctly, could you tell me what airport's getting that money?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, that is authority to increase the airport bonds for improvements around the state. It is not for any

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particular airport that's not designated in the Bill but rather for improvements throughout the state."

Speaker Daniels: "Representative Skinner."

Skinner: "Obviously, some of it would be planned for Meigs? Could you list..."

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, no, I'm sorry. That is not correct. We do not anticipate spending these dollars for Meigs and, in fact, I've been informed that it is the hope of the Department of Transportation to receive federal dollars for improvements, if any, that are made to Meigs."

Speaker Daniels: "Representative Skinner."

Skinner: "The three maximum security prisons in the state, Menard, Pontiac, and Stateville, all have multi-million dollar increases in personal services. At least two of them, Pontiac and Stateville, were lockeddown for most of the year. Obviating the need for numerous personnel such as those that teach classes. Pontiac is now on permanent lockdown. Why should it cost more money, \$2 million more to operate Pontiac this year, than previously budgeted and a similar amount for Stateville and a similar amount for Menard?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, this is not additional money. After we left in the last week of the Veto Session, the Governor, by executive order, transferred funds from that line item to pay for Illinois Emergency Management Agency expenditures of federal dollars. This is simply to replace that which you and I passed in the budget when we left in May. It is no additional dollars for the operations of those facilities but rather to replace the dollars that are...were used by the executive order. I think your

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question is clearly an appropriate one that we shall ask during budget hearings in the next General Assembly to determine if the level of spending on personal services took into effect the lockdown or if indeed it did provide funds for instructors outside of cells, if they were there, if they taught and what it was that they did, but this does not address that issue, Sir, rather it simply replaces to the level that we approved previously. It is not an increase."

Speaker Daniels: "Representative Skinner."

Skinner: "On page 60, Section 22, \$300 thousand is being changed from the planning of Route 67, Roosevelt Bypass to the installing signalization at U.S. 34, and 11th Street in the City of Monmouth. Why so you think this money will be spent? If it is changed, do you have a commitment from the administration that they are actually going to spend some money out of the Road Fund?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, the language that you quoted is a change, a technical change of purpose from Build Illinois Funds. The dollars have not been spent, previously. We hope that the technical change will allow us to spend those dollars for the projects that we wish."

Speaker Daniels: "Representative Skinner."

Skinner: "Are there any moneys appropriated from the Road Fund in this supplemental?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, there is one appropriation to approve a road crossing in Wood Dale."

Speaker Daniels: "Representative Skinner."

Skinner: "Is that the one that was previously mentioned in debate? Thank you."

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Speaker Daniels: "Representative Ryder. Further questions?  
Representative Granberg."

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Ryder, I just have a couple of brief questions so I would think you might accommodate me and give me brief answers."

Speaker Daniels: "He indicates he will. Representative Granberg."

Granberg: "You've gone through the items but I happened to notice there is a \$100 thousand appropriation contained in the Department of Labor operations for the Beck Information Program. The Beck Program is the Right to Work Program. Now, we've talked about the Right to Work legislation that is contained in a Conference Committee Report that is floating around here some place that we have yet to see. There's an appropriation here for Right to Work. Would you please tell me why that isn't corresponding to that program?"

Speaker Daniels: "Representative Ryder."

Ryder: "Representative, the money that is there to which you refer to as Beck, does not in anyway refer to Right to Work. That is inaccurate information. The kinds of rumors that we hear during this last day of Session, unfortunately, Sir, you have participated in some of that since I've noticed some of your previous comments have unfortunately used that phrase suggesting that that would take place. The purpose of those funds would be, should the Legislature authorize it, notifying those folks who are forced to pay union dues or forced in some places to pay a fair share where they get the benefit of a union to request those portions of their union dues or fair share that are

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used for political purposes to be returned to them. There is not now, there is no intention, Sir, to have legislation before this General Assembly concerning Right to Work, but rather to allow those folks who are forced to pay fair share contribution or union dues in the event that those are used for political purposes and the member does not wish them to be so used, to allow that member to have the return of only the portion that deals with political purposes. Never was it the intent of this Legislator or, to my knowledge, any other Legislator to propose, seek passage of, or in any way ask this General Assembly to consider Right to Work legislation. I hope that was sufficiently brief for your purposes. I can, however, if you wish, elaborate."

Speaker Daniels: "Representative Granberg."

Granberg: "No, thank you. I do thank you for your time. To the Bill, Representative Ryder, you say that that was not going to happen, but there was a Conference Committee Report and there is a Conference Committee Report that contains the Right to Work provision. I have seen it. That is Right to Work. Included in that Conference Committee Report with the Right to Work, is the language for this provision, for this appropriation. This appropriation would fund the Conference Committee Report to enact the Right to Work substantive legislation. That is what concerns me because it is in the Conference Committee Report. They would be required to mail those contributions back. These are the funds that would implement that program. Secondly, there is a \$5.5 million appropriation out of the Road Funds in this Bill for a railroad crossing. So, to my friends who are always concerned about raids on the Road Fund, \$5.5 million more coming out of the Road Fund in this Bill for a

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railroad crossing. Representative Jones, understand that. Mr. Bost, \$5.5 million more out of the Road Fund. That's not going to your district. That's going for a railroad improvement in northern Illinois. That's coming out of downstate roads, going up to northern Illinois. Now, you should remember that. Representative Bost, Representative Jones, we all need those roads. So be aware. I don't want you saying you didn't know about it because it is in here and I'm sure you're going to be voting for it so, let the record be clear. You knew exactly what you were voting on in regards to this Bill."

Speaker Daniels: "Further discussion? Representative Moore."

Moore, A.: "I move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; all opposed 'no'. The 'ayes' have it. The main question is put. Representative Ryder, Senate Bill 1261. Do you wish to close, Sir? Representative Ryder now moves that the House does adopt Senate Bill #1261, Floor Amendment #5. All those in favor, signify by saying 'aye'; opposed 'no'. The 'ayes' have it and Amendment #5 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Any Motions or Note requests?"

Clerk McLennand: "The Bill's Budget Note has been requested and filed as amended on #5. Correctional Budget and Impact Note, Pension Impact Note and State Debt Impact Note have been requested on the Bill as amended by #5 and have not been filed."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The Correctional Budget and Impact Note applies only if you're aware of creating new crimes. This Bill does not, I believe that it is not

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applicable. The Pension Impact Note applies only if we are increasing, or amending the Pension Act. This Bill does not I believe it is inapplicable. The State Debt Impact Note applies only if we are adding new long-term debt authority. This Bill does not. I believe it is inapplicable, as a result, I would move that the Note Acts that I have just mentioned, are not applicable."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Just to the question as to why we requested a note. The executive order that the Governor signed probably about a month ago, took money out of the Correction's budget and that was at the maximum security prisons. And our request, I guess, was to try to find out how this supplemental may or may not impact the potential layoff of guards at the maximum security prisons around the State of Illinois so we feel it's very relevant to get a fiscal impact or to get a correctional impact note on this appropriation before we finally vote on it on Third Reading."

Speaker Daniels: "Representative Ryder has moved that the Correctional Budget Impact Note, the Pension Impact Note, and the State Debt Impact Note are inapplicable. The question is, 'Is the Note Act inapplicable as to these three items?' Those that are in favor of Representative Ryder's Motion, would vote 'yes'; those that are opposed would vote 'no'. All those in favor signify by voting 'aye' or voting 'nay'. This is a Motion to declare the Note Act inapplicable. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 63 'aye'; 46 'nay', 1 voting 'present' and the House does rule that the Note Act is inapplicable as to the requested Correctional Budget and



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Impact Note, the Pension Impact Note, and the State Debt Impact Note. Third Reading. Mr. Clerk, on the Order of Third Reading appears Senate Bill 1261. Read the Bill"

Clerk McLennand: "Senate Bill #1261, a Bill for an Act making appropriations the Department of Natural Resources. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The Amendment that we have just discussed for quite some time, is the Bill. We've discussed it. I've answered questions. I would be happy to answer other questions if you have them. I ask this Bill be adopted. Thank you."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes, Mr. Speaker, first of all I'd like to request a verification should this receive 60 votes and Mr. Speaker, to the Bill, if I might. Thank you, Mr. Speaker and Members of the House. Indeed we have talked a little bit about this Bill already and I think it's been pointed out very clearly some of the problems that exist in this Bill. \$5.5 billion of Road Fund money to go up to the City of Wood Dale to repair railroad crossings. Money that we're directing to go into the Speaker's district that will be money that will not be available for our districts in downstate Illinois. Money for railroad crossings that may or may not be those crossings that are at the top of the list of need. So we're simply directing that this money be spent. Money at SIU, \$3 million in Representative Bost's district. \$4 million in Representative Rutherford's district. Representative Wirsing has \$3 million. All these projects are programs that were not necessarily included in any request. Some of them may have been in part, but certainly when we have had hearings on these in

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the past and even as late as yesterday, many of these proposals were no where to be found. But I think what's even worse about this Bill than all this pork is that we have so many things that we've forgotten. We've forgotten about the senior citizens. When we had hearings yesterday, the Director of the Department of Aging told us that there are 1100 people on the waiting list for Meals on Wheels. And for \$1.7 million, we could fully fund that line item, but this Bill has \$300 thousand. We heard testimony in committee yesterday that we need \$10 million to keep the AIDS projects moving forward. The Senate puts \$9 million in a proposal that they have but this proposal has simply \$4 million of federal money. So it's not just a question of money that we're spending on pork projects, but it's a question of short changing many of the people in this State of Illinois who have no where else to turn but the state for help in their life. So I suspect that if you want to put pork and projects ahead of the real legitimate needs of the State of Illinois, then go ahead and vote for this project and this Bill, but I would hope that there would be enough people in this Body that would say that the purpose of the appropriation project is not just to appropriate pork barrel projects all around the state, but to look out for the legitimate needs of the people of the State of Illinois whether they be old or young or sick or they be poor or whether they are simply in need and have no where else to turn. We, in this proposal, let down many people in this state who are here asking for our help and have no where else to turn. I would suggest that we send this Bill back to Committee for consideration. That we reconsider some of this spending on pork barrel projects and that we instead direct this money to programs for people who are in

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need and in many cases it's a life and death situation. So, I would ask Members on both sides of the aisle to reconsider what we're doing here in this last, perhaps last, Appropriation Bill of the Session. To take a good hard look and think about what it is that you, what we, really ought to be doing down here in the State Legislature. I would suggest that we can do much, much better and I would hope that we could do better before this Body finally adjourns sometime this evening. I would urge all Members to vote 'no'."

Speaker Daniels: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I feel compelled to go on record about the money and the AIDS budget. Both from hearings in Committee and what's actually happening. At the federal level this year, the U.S. Congress saw fit to put in \$100 million over President Clinton's request. A very conservative Congress that is cutting in many other areas, they recognized the need for that money and some of it is being passed on to us through the 'Ryan Wright' Title II Funds. Of that money, we're going to get \$5,427,000, but it is for a 15 month period. The Director of Public Health is going to be able to access before the end of April \$1.35 million and after April he will be able to access the rest of it. A total amount that is to be spread over 15 months in which, it is my understanding, he plans to fund the end of this program. I think it is a false assumption, although there are many good things in this supplemental, that the money that's being included and what the Governor and the Director of the Budget recommend for AIDS money will in any way fund a program that is meant to keep people off of Public Aid and to put them in a position of working, being healthy, and getting money back into a

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program and paying state taxes. Although this is money that we need to access, and I will probably feel compelled to go ahead and vote for it because there are other good things such as meals on wheels and things that I would like to vote for. I must point out that what the Governor recommends and what we're doing is totally against what would be public health policy. The formula they're proposing of a \$600 reimbursement in one hearing and an \$800 reimbursement on the other of the aisle in another hearing will not adequately be met by this amount of money and certainly will not fund a reimbursement program. I think we're being very short sighted right here on what we're doing and I think it's very important that we realize that probably what will happen is we will need to access again another supplemental for this program in order to keep the program afloat. And so although I will probably vote for this Bill, I find that the money is inadequate and not what we need in order to fund a program that has a lot of merit."

Speaker Daniels: "Representative Poe."

Poe: "Mr. Speaker, I move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Ryder to close."

Ryder: "Thank you, Mr. Speaker. To the distinguished Gentleman from Montgomery. I don't know what it is that you consider Member projects but I'd simply point out to you that this appropriations does include money that pays the former state employees and sick time pay off in the amount of \$593 thousand as requested by Representative Wyvetter Younge. I don't think that's a pork project for her. She doesn't think it's a pork project for her district. She thinks

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it's paying the teachers who did the work and deserved to be paid and I agree with her. I don't think repairing the boilers at Western Illinois University so the students that paid their tuition can go to class with heat is a pork project. I think it's keeping our obligations to the students of the state. Perhaps you might want to talk to your students that attend Illinois State University where they see a fine building that you and I supported that they can't use because you didn't support the equipment in that science building. Perhaps, perhaps, Representative, you might re-look at your allegations of what this Bill contains. We think that it contains funds to operate the State of Illinois and as a result I am happy to ask this General Assembly to support this supplemental appropriation which includes the request of the Governor. Thank you, Mr. Speaker."

Speaker Daniels: "Representative Ryder now moves that the House does adopt Senate Bill 1261. All those in favor will signify by voting 'aye'; opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 66 'aye'; 42 'no', and 7 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on Supplemental Calendar #7 appears House Bill 444. Read the Bill, Mr. Clerk. Excuse me. Mr. Clerk, Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #7 has been distributed. House Bill #444, Conference Committee Report #1 has been approved for consideration."

Speaker Daniels: "House Bill 444. Representative Moore."

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

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House. Straight party voting has long been an election reform issue for independent voting organizations, the League of Women Voters and more recently the Reform Party. Conference Committee Report #1, to House Bill 444 eliminates straight party voting by single vote. Many voters do not understand that you can scratch vote, and as you know, this is the option to vote straight party and then cast a vote for an individual in the other party which cancels the straight party vote for that office. Reform Party voters are denied the straight party punch given to Republicans and Democrats. Elimination of straight party voting will encourage voters to consider the qualifications of the individual candidate, thereby putting pressure on the political parties to select better qualified candidates for all the positions. Additionally, candidates will find it necessary to campaign on their own merits. Elimination of straight party voting also would promote consideration of those very important items at the end of the ballot such as judicial retention and referenda questions. Is this election reform issue aimed at one party or the other? I think not. In 1994 straight party voting greatly favored the Republicans in our state, and in 1996, straight party voting favored the Democrats. Straight party voting undermines the democratic process because it allows voters to cast a ballot without reading the name of a single candidate who will represent them or the office the candidate will hold. In many areas of our state, straight party voting favors the Republicans and in many others it favors the Democrats. Voting Republican or voting Democrat can still occur office by office and candidate by candidate. Casting your vote should be a thoughtful process that's taken very seriously. I respectfully

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request your support for this important election reform issue."

Speaker Daniels: "Is there any discussion? The Gentleman from Clinton, Representative Granberg."

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

Speaker Daniels: "She indicates she will."

Granberg: "Representative, I really enjoyed your comments. Did you come up with this Bill after the '94 election?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I think this Bill has been reviewed a number of times. As we've discussed in committee there are very few new issues out there in the area of election reform."

Speaker Daniels: "Representative Granberg."

Granberg: "So I see you've been working on this since like November of '94, right after that election, because you're...you thought there were too many Republican straight tickets and people need to be more independent and good government kind of things?"

Speaker Daniels; "Representative Moore."

Moore, A.: "Would you have liked this Bill better in November of '94?"

Speaker Daniels: "Representative Granberg."

Granberg: "I'm just asking you, Representative, did you have this in '94? It's good government reform, independence, instead of the last day of Session?"

Speaker Daniels: "Representative Moore."

Moore, A.: "It's taken years to refine this Bill to get it to this point."

Speaker Daniels: "Representative Granberg."

Granberg: "So you've been working on this for how long, Representative?"

Speaker Daniels: "Representative Moore."

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Moore, A.: "We're all so overworked here, Representative Granberg, I can't remember exactly how long."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, thank you, Representative. This whole thing is just amazing today. Let's get on with it. I know there are other questions. I'm not even going to try to deal with the merits because there are no merits to this. It's all political, we know it. All gamemanship...gamesmanship, nothing on policy. It's all retribution. Let's get the Democrats, let's get Tom Hynes, let's get working people, let's get unions, let's do whatever we can in the last few hours of this Session. This is terrible public policy and this is going to be how you're remembered, your majority in the House doing these great government things. Thank you very much."

Speaker Daniels: "Further discussion? Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House and to the Bill. You know, two years ago the Republican Party rode the tide of the straight party vote to their majority here in the House of Representatives, and two years ago, on inauguration day, we heard a lot of speeches how they thought that there had been these tremendous shifts in people's voting pattern and that this was a new era for them. Well, I would suggest that the last election showed that that was simply not the case. But it seems to me that if the Republican Party really believed that they were the Majority Party in this state, that they represented the majority of the voters in this state, they would favor a program that made it easy for that majority to support their party. So it simply seems to me that this is an acknowledgement on the part of people on that side of the aisle that indeed they are the Minority Party and I suspect



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that the results of this Bill will that they will be the  
Minority Party in this state for many years to come."

Speaker Daniels: "Further discussion? Representative Novak."

Novak: "Thank you, Mr. Speaker. Representative Moore, when was  
the last time the Elections in State Government Committee  
met?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I don't recall. I'd have to look at the record."

Speaker Daniels: "Representative Novak."

Novak: "It is not a fact that May 23rd was the last time the  
committee met and we're just kind of curious on this side  
of the aisle why this profound piece of democracy wasn't  
considered at that time?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Actually, I think we had hearings during the summer  
all over the state."

Speaker Daniels: "Representative Novak."

Novak: "Thank you, Mr. Speaker. You had hearings all over the  
state on this issue? Is that...did I hear you say that?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Not on this issue."

Speaker Daniels: "Representative Novak."

Novak: "Thank you, Mr. Speaker. She said she didn't have any  
hearings on this profound issue across the state, cause I'm  
sure if you did, you wouldn't have any press conferences or  
press releases about it. But I think I've heard everything  
I think we all need to hear tonight. We should probably  
just gavel this Bill down, vote on it, let's try to go  
home. Is this the last Bill tonight? Is this the icing on  
the cake? You know, really, Representative Moore, you  
should consider this. Don't you think by what we're doing  
and even though people still like to vote a straight party

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ticket, but that percentage of the population is certainly on the wane, it's smaller and smaller and smaller on both sides of the political spectrum, but aren't we really telling the citizenry of Illinois that you're plain stupid because you...we think, we feel in the General Assembly you shouldn't have the right to vote a straight Democratic or a straight Republican ticket? We feel that we're smarter than the average person in our neighborhoods because they don't have the common knowledge or the wherewithal or the resources or the intelligence to go down the ballot? Now isn't this an embarrassing proposition?"

Speaker Daniels: "Representative Moore."

Moore, A.: "No, I don't think so."

Speaker Daniels: "Representative Novak."

Novak: "Well, thank you, Representative Moore. I'm glad you don't agree with me."

Speaker Daniels: "Representative Poe."

Poe: "Mr. Speaker, I move for the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Moore to close."

Moore, A.: "Thank you, Mr. Speaker. The fact is that the straight party voting will encourage people and empower the voters. This is not an issue that the party bosses like, but it is an issue that the people like. Mr..."

Speaker Daniels: "Representative Moore has moved for the adoption of Conference Committee Report #1 to House Bill 444. All those in favor signify by voting 'aye'; opposed by voting 'no'. 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 60 'aye'; 54 'no' and 0 voting 'present'. This

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Conference Committee Report, having received the necessary Constitutional Majority, is hereby declared adopted and House Bill 444 is hereby declared passed. Mr. Clerk, on Supplemental Calendar #7 appears House Bill 2735. Representative Hughes. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2735. First Conference Committee Report is approved for consideration."

Speaker Daniels: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Conference Committee Report, House Bill 2735 contains identical language to House Bill 2735 which passed this Body unanimously in the Spring. It contains Senate Amendment #1 which passed the Senate unanimously this spring. In Senate Amendment #1 are three provisions. Additional items to a town meeting of a township must be approved by a three-fifths majority. Appropriations for mental health authority is given to the town board. There are several deletions from the township code which remove inconsistencies which remove out of date provisions and put the township code in these areas in compliance with most recent legislation and present practice. Further additions to this Bill include two land transfers in Kendall County, these are through intergovernmental agreements from one local government to another. A request for the addition of one word under the Municipal Joint Action Water Agency legislation to allow for waters from the Missouri River to be received by the City of Columbia. A Bi-state Development Agency Act provision to allow for conference telephone or other communication equipment to be used if all attending members, including the public, can hear the meeting to put it in compliance with Missouri provision of the Bistate Development Agency. A provision which would require the

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counties and municipalities to provide health insurance continuation rights and pay for that insurance for surviving spouses and dependent children of police officers, fire fighters, and sheriff's law enforcement employees who are killed in the line of duty. And finally, two other provisions one amending the Insurance Code that supplies only to unauthorized foreign and out-of-state and alien reinsurance companies which are not licensed by the State of Illinois requiring they post bond of there is litigation. The last provision provides for the Southwestern Illinois Development Authority Act allowing for an additional enterprise zone within its jurisdictional authority. That is the summary of the provisions of this Conference Committee Bill."

Speaker Daniels: "Is there any discussion? Representative Novak."

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

Speaker Daniels: "She indicates she will."

Novak: "Representative Hughes, there was a little noise on the Floor here. Is there a provision in this Bill that provides for some...for rectifying a situation concerning the widow of a police officer that was killed in the line of duty in the village of Crest Hill?"

Speaker Daniels: "Representative Hughes."

Hughes: "Yes, there is."

Speaker Daniels: "Representative Novak."

Novak: "Yes, I think Representative Hassert represents that district but could you explain the provision please?"

Speaker Daniels: "Representative Hughes."

Hughes: "Only in those rare instances where a police officer, a fire fighter, or a sheriff's deputy is killed in the line of action would this Bill come into effect and it would

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mandate that that municipality or county provide health insurance coverage for the surviving spouse and dependents. This is arising out of a situation in Crescent City, I believe, where soon after the death of a police officer, the municipality withdrew support for health insurance for the surviving wife and her dependents. This has raised a great deal of concern on the part of the residents of that community. They've worked hard to get it rectified and been unable to do so."

Speaker Daniels: "Representative Novak."

Novak: "Thank you, Mr. Speaker. And correct me if I'm wrong, I think you indicated, first of all they have to be full-time officers? Is that correct?"

Speaker Daniels: "Representative Hughes."

Hughes: "That's correct."

Speaker Daniels: "Representative Novak."

Novak: "Yes, Mr. Speaker, and they also have...let's see, full-time police, full-time firefighters, as well as full-time county deputies. Is that correct?"

Speaker Daniels: "Representative Hughes."

Hughes: "That is correct."

Speaker Daniels: "Representative Novak."

Novak: "And one other question, is there any possibility there's any retroactivity in this Bill to compensate for this lady who's suffered this egregious decision up in Crest Hill, and her family?"

Speaker Daniels: "Representative Hughes."

Hughes: "There's a 30 day window."

Speaker Daniels: "Representative Novak."

Novak: "Yes, Mr. Speaker. I just really want to compliment, not only Representative Hassert but Representative Hughes. I think it's a fine, fine motivation on what we're doing on

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the part of the officers' wives. I don't think any police officer or police woman that's either a fire fighter or a full-time police officer or a state trooper or a county officer that gets killed in the line of duty should ever have to suffer an indignity that occurred to that family in the village of Crest Hill. Although it's not my district, but I think we share in all the and empathize with the family of that officer that was murdered in the line of duty. So I think this should send a message and again there may be objections from the Illinois Municipal League, unfortunately, but this should send a message that we should be a little bit more compassionate with those people that put their lives on the line everyday for protecting us, as citizens, and our children and our families from fires and from theft and from crime. So I really laud your ability to do this as well as Representative Hassert. And Representative Hughes, this is a good Bill. And I'd be glad to support it and ask my colleagues to support this fine piece of legislation."

Speaker Daniels: "Further discussion? Being no further discussion, Representative Hughes to close."

Hughes: "This is a great Bill. I'd appreciate a 'yes' vote. Thank you."

Speaker Daniels: "Representative Hughes moves the House adopt Conference Committee Report #1 to House Bill 2735. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 114 'aye'; 0 voting 'no', 0 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 2735 and this Bill having received

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a Constitutional Majority, is hereby declared passed.  
Message from the Senate."

Clerk McLennand: "Message from the Senate by Jim Harry, Secretary to the Senate. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill #207, together with Senate Amendments #1, 3, 4, and 6. In the adoption of which I'm instructed as concurrence of the House. Passed the Senate as amended January 7, 1997."

Speaker Daniels: "Committee Notice? Announcements, Mr. Clerk?"

Clerk McLennand: "Rules Committee will meet at 10:15 p m. in the Majority Leader's Office. Rules Committee will meet at 10:15 p m. in the Majority Leader's Office."

Speaker Daniels: "Mr. Clerk, on page 3 of the Calendar, appears House Bill 365 and on this Bill is Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #365, on the Order of Concurrence, an Motion to concur with Senate Amendment #1 has been 'approved for consideration'."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. With leave of my colleagues, I would ask that I might be given permission to give the introductory statements about this Bill and then I would request please that the questions be answered by Representative Lindner, who is particularly familiar with the details in this Bill. This is the legislation that has been developed by Senator Kathy Parker in the Senate with a bipartisan committee of Senators who have listened to testimony all over the State of Illinois to look at the whole subject of what we ought to do to improve the Act that we know as the Marriage and Dissolution of Marriage

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Act. Although there are many aspects as that Act that the committee believes needs some attention, this Bill deals entirely with the subject of fees that are paid by persons involved in divorce proceedings. This Bill which is now Senate Amendment #1, which was adopted to this Bill in the Senate, and I emphasize this, in the Senate this Bill, once Senate Amendment #1 was adopted to the Bill and became the Bill, this Bill passed in the Senate by a vote of 58 to 0. This Bill is endorsed by the Chicago Bar Association, the Illinois State Bar Association, the Illinois Women's Bar Association and the Illinois section of the American Academy of Matrimonial Lawyers. It has to do with temporary attorney fees, contribution hearings, written contract setting forth of clients, bill of rights and responsibilities, and identifying fees and costs. It has to do with the right to add a spouse as a party when being sued by ones own attorney for the fees with consent judgements and collateralization agreements with non-compliance with discovery orders and with alternative dispute resolution procedures for fees. I am asked, Mr. Speaker, to make certain that there is an understanding at the outset that under this Bill there are many choices available to attorneys. That is one of the reasons because of these choices that all of these Bar Associations have endorsed this proposal. Under this Bill, the use of a written engagement agreement and the statement of rights and responsibilities as well as utilization of alternative dispute resolution procedures are prerequisites for a final hearing on fees by the divorce court judge. Such a hearing is statutorily permitted and it is perceived as reasonable for their to be statutory requirements such as the foregoing. Thus if a lawyer were to accept and engagement



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on the basis of an oral agreement or a written agreement to which the statement was not appended or decline the alternative dispute resolution procedures, the only consequence under this Bill would be that the divorce court judge would not conduct a final Chapter 508 hearing. If a controversy between such a lawyer and the client over fees ultimately arose, it would be adjudicated as a separate, independent proceeding. Mr. Speaker, this is a very good Bill. It is a Bill that has been developed in the most appropriate manner. That is, by consulting the people all over this state who care about these issues to ask them what they believe is the most fair and the most just. And if I may, this is an editorial comment, Mr. Speaker, but this is a good Bill for women. It is particularly helpful to women who are involved in divorce proceedings and with that, Mr. Speaker, I would be very grateful if you would permit Representative Lindner to answer any questions. Thank you very much."

Speaker Daniels: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise in opposition to this Bill. The Supreme Court of the State of Illinois has exclusive jurisdiction over the conduct, fees, and professional conduct of lawyers in the State of Illinois. This Bill is unconstitutional and sets bad policy for the State of Illinois. It tries to usurp the exclusive jurisdiction of the Illinois Supreme Court. And it is bad legislation. It would be like passing a Bill that said any Member of the General Assembly who served eight years gets a law degree automatically, regardless of what the Supreme Court says. That's what it's like. The Illinois Supreme...we have a separation of powers under our Constitution in Illinois and this clearly violates it.

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It's bad practice. The Legislature ought to stay out of the Supreme Court's exclusive jurisdiction which it provides for by Supreme Court rule for the discipline of lawyers for how they conduct their practice, how they conduct themselves before the court and on fee disputes that are decided by the court, not by this General Assembly. This is bad policy for the State of Illinois and it ought to be defeated."

Speaker Daniels: "Being no further discussion. Representative Lindner to close."

Lindner: "I would urge passage of this Bill and I disagree with my colleague, Representative Wennlund. Certainly the fact that nothing under this Bill is mandatory. The written engagement and agreement and the statement of the clients' rights and responsibilities as well as the ADR provisions are not mandatory at all. So a lawyer still has a choice whether to do the clients' rights and responsibilities and agreement and file for his fees against his client under the divorce provisions in the Illinois Marriage and Dissolution Act. Or he may use the other procedures of contract that are now available to him. And this has been the work of three long years of the Bar Associations that are supporting this and I would commend the Illinois State Bar, the Chicago Bar Association, the National Academy of Matrimonial Lawyers and the Illinois Women's Bar Association for all working on this legislation and supporting this. This comes out of divorce hearings that Senator Kathy Parker and her committee have been conducting for at least the last year and a half and it's a good faith effort by attorneys and especially attorneys of the Domestic Relations Bar to police themselves and to do things that every good divorce attorney does now. I urge

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support for this Bill."

Speaker Daniels: "Representative Cowlshaw and Lindner have moved that the House adopt Senate Amendment #1 through concurrence to House Bill 365. All those in favor of this Motion to concur signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 'ayes'; 7 voting 'no', 1 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed and the House does concur in Senate Amendment #1 to House Bill 365."

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

Speaker Daniels: "Committee Report."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back, 'do approve for consideration'. To the Order of Concurrence House Bill 207, with the Motion to concur in Senate Amendments #1, 3, 4, and 6 to House Bill 207 'approved for consideration'."

Speaker Daniels: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #8 has been distributed."

Speaker Daniels: "Mr. Clerk, on Supplemental Calendar #8, appears House Bill 207, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #207 on the Order of Concurrence, a Motion concurs to Senate Amendments #1, 3, 4, and 6 has 'been approved for consideration'."

Speaker Daniels: "Representative Cowlshaw."

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Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendments 1,3, 4, and 6 become House Bill 207 and in that form this Bill passed the Senate by a margin of 55 to 0. I will briefly, since these materials have been in the hands of both of our staffs for approximately three weeks, I am sure that all of you are familiar with the contents of these Amendments so I will be very brief. First, there is a clarity provided for the fact that the State Board of Education does not have authority to oversee the educational policies and guidelines of private schools. The State Board of Education has no objection to our adopting this. Next, there are a couple of corrections. One is a correction...it was an error that we made when we made some changes that were suggested by the Chicago School District in relation to their hiring of speech language pathologists. This makes clear that those people have to have a masters degree. The next correction is one that repeals some language that was inadvertently included in House Bill 2596 and needs to be eliminated. Next, there are some special requests from school districts and those are being granted in this legislation. There is a request from Duquoin and from Triad from Effingham and from Mt. Carroll. Those are all being complied with here. There is a new and more clear definition of special education residency. There is a clearer process for a school to be put on the academic watch list because there was a provision in the law about that happened that involved the quality review process. Now there is no quality review process so this makes it clearer how that now happens. There is a request from the Department of Corrections. There was a misunderstanding about the language. They

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want, of course, to be able to provide educational services to young people as soon as they are within the confines of the Department of Corrections. That is taken care of here. There is a request from the Carbondale High School District to make it easier for the funding to be timely for a special education provision there. There is some language that is being included that was requested by the Chaney-Monge School District in Will County which is in the unique and unfortunate position of having 45% of its total property owned by the State of Illinois and then there are some requests that are complied with that came from Paul Vallas and the Chicago School Reform Board. Three of those have to do with removing expiration dates for block grants property tax levy consolidations and school intervention powers and finally there is a provision having to do with the Office of the Inspector General which it was once again a request from the Chicago School Reform Board. Mr. Speaker, as far as I know, none of these provisions are controversial. Many of them are the kinds of requests with which we typically comply when they are brought to us by individual school districts. I will be glad to answer any questions."

Speaker Daniels: "Any debate? The Lady from Cook, Representative Davis."

Davis, M.: "Will the Sponsor yield for questions?"

Speaker Daniels: "She indicates she will."

Davis, M.: "Representative, what does this Bill do in reference to the selection of principal?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, there is nothing in this Bill anywhere that has anything to do with the selection of principals, whether that's in Chicago or anywhere else in

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Illinois."

Speaker Daniels: "Representative Davis."

Davis, M.: "Mr. Speaker, do we have this on our computers? Is this Bill on our computers?"

Speaker Daniels: "The Clerk advises me that it is."

Davis, M.: "It's updated up there?"

Speaker Daniels: "The Clerk advises me that it is updated."

Davis, M.: "I'd like to ask the Sponsor of this legislation if she has any proponents listed?"

Speaker Daniels: "Representative Cowlshaw, do you have proponents of this legislation?"

Cowlshaw: "Representative, I would almost have to run through each of the individual sections because many of these are things that are proposed by a specific school district, for example, the first provision is one that is endorsed by the State Board of Education partly because it has to do with its authority. The second is something endorsed by the Chicago School Reform Board because we made an error in the language that we used for their speech language pathology people and in each of the other cases there are specific requests that...and of course the people who made the requests are their proponents. The fact is that there are some parts of this Bill that are endorsed by the School Management Alliance. All of those that apply to Chicago are endorsed by the Chicago School Reform Board. I don't know of any one group that endorses all of the provisions in this Bill because they are so varied. But to the best of my knowledge there are no opponents."

Speaker Daniels: "Representative Davis."

Davis, M.: "The reason there are no opponents could very well be because no one knew about this Bill. Very few people knew that at 10:40 this evening that this Bill would be

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presented for a vote. So perhaps anybody who would have been an opponent...perhaps anybody who would have been an opponent they would have come down and asked questions in a committee and been heard but they weren't given that opportunity. Mr. Speaker, this Bill may be all right. It may have absolutely no flaws in it. The flaw is in this process. It is almost 11:00 o'clock. It is the 14th hour for many of us. Many of us were here in this building at 8:00 a. m. There was not one committee meeting on education this week. Of course, we know that some people have met privately in offices and discussed what they wanted but that really is not the democratic process. When we're affecting the lives of children, affecting the lives of teachers, actually preparing people for their vocation. It really should be an open process so that we'll know that harm is done to no group. So that we'll know that absolutely no harm is being done to any particular group. And since I am holding up one eye with a toothpick and the other one with an ice cube, I'm going to vote 'yes' on this legislation."

Speaker Daniels: "No further discussion. Representative Cowlshaw now moves that the House does adopt Senate Amendments #1, 3, 4, and 6 and concur in those Senate Amendments. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 113 'ayes'; 0 voting 'no', 0 voting 'present'. And the House does concur on Senate Amendments #1, 3, 4, and 6 to House Bill 207 and this Bill having received a Constitutional Majority, is hereby declared passed. Messages from the Senate. Members

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of the House, the Senate is still acting on some legislation that may need our action but in the interim period of time, we have some work that we would like to do and that involves several Resolutions involving retiring House Members and at this point we will go to that order of business after which we will wait for some Senate action to determine whether or not we need to act as a Body. At this point, we have several Resolutions which we are going to call, have the Clerk read into the record and then we'll take them together. So, Mr. Clerk, we have House Resolutions 163, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178. Members, we still have business to conduct so we are going to take these Resolutions now. Mr. Clerk, read the Resolutions."

Clerk McLennand: "House Resolution #163 commends Representative Donald Saltsman. House Resolution #165 commends Representative Greg Goslin. House Resolution #166 commends Representative Thomas Lachner. House Resolution #167 commends Representative Stephen Spangler. House Resolution #168 commends Representative Jack O'Connor. House Resolution #169 commends Representative John Doody, Jr. House Resolution #170 commends Representative Flo Ciarlo. House Resolution #171 commends Representative Maureen Murphy. House Resolution #172 commends Representative Bill Balthis. House Resolution #173 commends Representative Larry Wennlund."

Clerk Rossi: "House Resolution #174, offered by Representative Madigan, commends Representative Ben Martinez. House Resolution #175, offered by Representative Madigan, commends Representative Fernando Frias. House Resolution #176, offered by Representative Madigan, commends Representative Jay Hoffman. House Resolution #177, offered



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by Representative Madigan, commends Representative Nancy Kaszak. House Resolution #178, offered by Speaker Daniels, commends Clerk of the House, Terrance McLennand."

Speaker Churchill: "Representative Churchill in the Chair. The Chair now recognizes the Gentleman from DuPage, Speaker Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. The Resolutions that are before us commend several outstanding Members of this Illinois General Assembly. Representative Saltsman has served this General Assembly for many years. I've had the pleasure of working with him over the years from the Pension Laws Commission to the General Assembly Retirement Fund. Watched his work as a Member of this General Assembly and let me tell you, you've been a fine Member and a great Representative of the area from which you come. And it has been my delight to work with you and I wish you nothing but the best in the future. Representative Goslin, who has been with us for a short period of time, has certainly been and can't find him right now, has been our pleasure to work with Representative Goslin. He's been an outstanding leader back in his home area and it's been our delight to work with him. Representative Lachner who came to us a short time ago and certainly has worked with the General Assembly in a very hard fashion and I could tell you we are very proud of the work that you have done and wish you nothing but the best in the future. Representative Spangler will be leaving us for other endeavors and we wish to thank you very much for all the work that you have done and it's been a pleasure to work with you, Representative Spangler and we wish you the best in the future, as well. You'll always be a part of our General Assembly. And Representative O'Connor brought

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to us a steep heritage in criminal justice and his background as police officer in the City of Chicago and also throughout his experience as a businessman in his home area. We certainly wish you the best in the future and thank you for the service that you have given to the people that you represent as well as the State of Illinois. Representative Doody has been a very hard worker from his area and I remember Representative Doody first for his service to our country. His service in Vietnam and his very strong commitment to good government and wish to thank you very much for your service here to the General Assembly. Representative Flo Ciarlo who has been a friend of mine and certainly a person that we've enjoyed being with, Miss Congeniality of the General Assembly. We wish you the best in the future as well. Representative Murphy has been with us for many years and strong in the revenue system and very strong in her beliefs and forceful in those issues that she believes strongly in. We have been very, very pleased and privileged to work with you, Representative Murphy and thank you very much, for your many years of service to the people of Illinois and we know we'll hear much more from you in the future. To Representative Balthis, I think that Bill Balthis is thinking about going to some place warmer than we are right now, in fact, even his tan indicates that he has already been there for many times. So, I know that you'll be spending some time in the states to the south of us but, Bill, you have really been an outstanding Member of the General Assembly. You brought to us a great knowledge of municipal government and we wish to thank you very much for your dedicated service to the people of Illinois. To Representative Wennlund, a person that I went to law school

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with and knew in the law school days when we worked hard to get out of law school and back starting when you first joined as a Member of the General Assembly. He's been one of the harder workers of the General Assembly and more productive Members and certainly a person I would consider to be a close personal friend. After all, Larry, I did help you get through law school. I remember those days when you were...probably was the other way around, but Larry we know that you still have a very bright future and we anticipate we'll see a lot of you in the future. We hope you'll visit us quite frequently. On the Democrat side of the aisle, we have some Members that it has also been our pleasure to work with. Representative Martinez who has undoubtedly, you know, I know he has suffered a little bit from illness and so forth but we have always respected his opinion and his insight into Legislative matters along with Representative Frias who has been equally articulate in those people that he represents. Representative Hoffman who sought a higher office, now we would have advised you differently, Jay, and if you had listened to our advice, you'd still be here. But we know that, I can remember the many years of excellent debate that you put in. Frankly, Representative, we know that you have a strong commitment to the people that you represent. You've always been very articulate in presenting those arguments in debate and it's been our pleasure to work with you and we also wish you the best in your future endeavors. Representative Kaszak, we certainly would extend to you our best wishes and know that in your leadership role in your hometown, the City of Chicago, we anticipate that we'll continue to hear your strong voice and the views that you shared. You know we talk about the Members of the House

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that are leaving us and unfortunately there are so many numbers and we don't mean to treat it as that. But we wanted each Member that will be retiring to have at least a piece of paper that talked about the high esteem that we hold all of you in. And whether or not we single out you individually whether you're Republican or Democrat, the important part of this is that you have been a part of one of the greatest deliberative bodies in the United States of America and in the history of this state. I think if you look over the two years, whether you're Republican or Democrat, there's a tremendous amount of accomplishments that you've put forth. We just passed a Bill just a few moments ago, House Bill 207, that deals with the Chicago School system once again. Once again, a dedication by the Members of this House, Democrats, Republicans, and people that believe in excellence in education and believe that their commitment is to the children of all parts of this state. And you did that in a bipartisan roll call because you know the important commitment that we made two years ago when we started on school reform in Chicago. What that represents is the best of all of you and it represents the hard work that you've all put in. To those of you that will be leaving this General Assembly, we certainly want you to carry with you our best wishes, our high esteem, and for you to always understand that you will always be a part of this institution. One day when Abraham Lincoln stood in the Illinois General Assembly and gave his speeches, nobody knew at that time what his future would hold and perhaps somebody in this Body now will go on to greater office and become, whether it's a Governor, a cabinet official, or even the President of the United States, but I'll tell you this, you will never have more productive days or better

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days than you've had in this General Assembly. So I send to each and every one of you, Republicans and Democrats alike, the best wishes from all of us to all of you. Always remember that you are a part of our hearts, a part of this institution, and a part of our wishes for the best in the future. Mr. Speaker, there's one other person that I want to comment on before I stop these remarks and that's our House Clerk, Terry McLennand. Many of you may not know but Terry McLennand came to my office years ago as a student at Elmhurst College. He was sent over by his professor, then a central committeeman from Oak Park. His professor was a Democrat central committeeman and he said to Terry, yes, I was worried about that, but he said to Terry, 'Terry, you go out and you serve an internship in an office as part of your program in this class.' And he came over to my office and asked if he could serve as an intern and I said, 'Fine, we'll work it out with your professor.' And he did such an outstanding job, that it led to his becoming full-time employed in my office and then eventually led to the head of that office. He made a decision at that time that he would like to relocate to Springfield and perhaps seek other activities in Springfield which he did and he brought his fine family here to this community of Springfield and as you all know he served as Assistant Clerk and then rose to the ranks of Clerk of the House. And, Terry, I could tell you that my friendship and feelings toward you will go on throughout my life and throughout your life. To your wife, Jennifer, and kids, this General Assembly owes you an awful lot for the many accomplishments that you and Tony Rossi implemented together, whether it be the computer system that we're now operating on and is able to expedite the Legislative

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process and to have our Bills before us in a much quicker and more cost effective fashion or whether it was dealing with the everyday flow of legislation. Your mark on that has been there, has been real, has been true. And together, you and Tony Rossi certainly have a right to be very proud in the accomplishments that you've had together and particularly over the last two years. So I know you're going to a new spot now which will keep you involved in the General Assembly process and we want you to know we are looking forward to those days of our continued work with you and certainly wish you and Jennifer and your kids the best of everything as you continue on with your career and service to the people of Illinois. So, Mr. Speaker and Ladies and Gentlemen of the House, I would ask that all Members be joined as Cosponsors of all these Resolutions and I would certainly ask that you join me in commending these retiring Legislators and our Clerk of the House, Terry McLennand."

Speaker Churchill: "The Speaker has asked leave that all Members be added as additional Cosponsors. Is there leave? Leave is granted. Further discussion? The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, thank you, Mr. Speaker. Like the previous speaker, Speaker of the House, Lee Daniels, I would like to also extend my best wishes to all the departing Representatives, but I would like to not allow this opportunity to pass up so I could say a few words about my good friend, Don Saltsman. I have the honor to be the chief Sponsor of his Resolution, #163. I came down here in May of 1987 and I sat right next to him and I cut my teeth in the General Assembly with the leadership and guidance of Don Saltsman. And, Ladies and Gentlemen, I can tell you one thing.

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There's not a finer man that has worked for his district. There's not more concrete in any other district in the State of Illinois than in the district that resembles East Peoria. Don has gotten more coupons for the, some of the best votes in Springfield and he's certainly brought that bacon home to his constituents. And I learned a lot from Don Saltsman. I learned a lot about character. And I learned a lot about compassion. And Don can sometimes be a little rough and a little gruff, but I'll tell you one thing, he's got about a heart, he's got about a heart the size of the State of Illinois, Ladies and Gentlemen. He's a kind man. He's compassionate. I know he's going to miss this place like we're going to miss him. But, Don, I'm going to really miss you very much because, as I said, I came here 11 years ago and you're the first person I knew and I really got a tremendous experience and wealth of experience from learning the process from you. So best wishes to you, Mr. Saltsman and we hope, we know we'll see you back in some shape, form, or manner or even stop by and say hello to your former colleagues. So God love you, Don, and watch them chicken bones."

Speaker Churchill: "Further discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of this House. This is indeed a bittersweet bipartisan moment. For in this institution, the Illinois House of Representatives, we've forged many friendships. We form very good working relationships across partisan divides, across geographic, race, and gender differences. Each of the 14 people to whom we send a fond farewell tonight has given a great deal to this House. Each of these 14 people has worked hard in behalf of his or her district, his or her constituents, and

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every single one of the 14 has been concerned about the welfare, the well-being of all the people of the State of Illinois. This is a wonderful job, having the opportunity to work in this deliberative Body, having the opportunity to make public policies that will help the working families, the children, all of the folks back home. Everybody who's held this job, the 14 who leave it tonight, are people who have shown the best of public spiritedness, the best of civic responsibility that this state could possibly enjoy. I know that many of you are going on to better things. Somebody reminded us that Bill Balthis goes to sunny climes and when the temperature is 14 outside, even in Springfield, we can't help but think he's perhaps chosen a better path. Some of you may come and rejoin us. Some of you will be, I am sure, on a statewide ballot someday. But wherever you go, wherever your fortunes take you, know that you have given good work, good spirit, and good commitment not just to this institution but to the people you serve and all the people across the state. We will miss you, we wish you Godspeed and we have enjoyed being part of your life in this chamber together."

Speaker Churchill: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. There's little I can add to the most eloquent remarks made by Representative Currie. I would simply like to say to those 14 people, it's been a privilege for me to have worked with you but in particular one person, I will miss a great deal, my seatmate for six years, Representative Larry Wennlund. Let me just say that Larry Wennlund is a consummate Legislator. He has probably one of the keenest legal minds, although a Gentleman by the



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name of Mike Pollack didn't always agree with that, out of anyone in the General Assembly chambers, he was an expert on the rules of the House when he and I toiled in the vineyards of the Minority for many years. Again, the Chair, often did not recognize his expertise in the rules of the House, but for six years I have had the pleasure of having as a seatmate a Gentleman who enjoyed the process, who understood the process, who never, even in the most heated of discussion and debate took anything personally nor ever meant anything personally, who has the most keen sense of humor of anybody I have ever been around. And my tenure, however long that may be here, will be diminished by the fact that I won't have Larry Wennlund as a seatmate. I won't have him as an office mate, I won't have someone to share a laugh with, to eliminate and alleviate some of the stress, although as he often told me I bring some of that or most of that stress on myself. Just a remarkable fellow. One that when you get to know, you cannot help but like and I wish you, Larry, the very best and I, Sir, will miss you a great deal."

Speaker Churchill: "Speaker Daniels now moves for the adoption of all the Resolutions. All those in favor, signify by saying 'aye', and the opposed say 'nay' and in the opinion of the Chair, the 'ayes' have it and all Resolutions are adopted. The Chair recognizes the Gentleman from DuPage, Speaker Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. We want to make sure, on both sides of the aisle, we recognize the great assistance that over these past two years we've had from staffs on both sides of the aisle. I could tell you that as a businessman and working in many areas in my own career, I have never run across people that have been

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so dedicated and so willing to serve and that's on both sides of the aisle. I've constantly been amazed at the number of hours that our staffs put in without complaint. Oh yeah, they get tired like we do, they get exhausted and sometimes they get very short with their temper but, for the most part, they are always willing to serve and do what needs to be done to get the job done because they understand there is a higher calling that we all serve in this institution, that's the people of Illinois. So, I would like to take this moment for all Members of the House to join with me in commending the staffs on both sides of the aisle, from the chief of staffs of both...my chief of staff, Mike Stokke, and the chief of staff to Mr. Madigan's Office, Tim Mapes, and to all of those that serve under them, our best wishes and thanks for these last two years of service. My congratulations to all of them. Now, Mr. Speaker, Ladies and Gentlemen of the House, today, we're going to bring to a close the 89th General Assembly. We have a few things that we still have to talk with to the Senate before we conclude our action and we may have a couple of matters that we have to deal with before we do adjourn. But in these closing moments, let's make sure that we close the 89th General Assembly with pride. In the last two years we have compiled an agenda of success that dwarfs the work of virtually any other General Assembly in the history of this state. The accolades that we have all won for our work from across the state and nation should make every Member proud, whether it's in school reform or reform dealing with other areas in our civil justice system. The Accolades have been loud and clear. Let us all remember the strong bonds and the important friendships that were strengthened these past two years. Let us never

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forget the contributions of every Member who served during this General Assembly, especially those who will be leaving this Body. To my colleagues on the other side of the aisle and to your leader, Representative Madigan, I give you my greatest hopes for success in the 90th General Assembly. You can be assured that we will hold fast to our principles as you did hold fast to your principles in the 89th General Assembly. However, we will work with you when we can. We will make sure that we do what we can to drive towards the consensus and an agreement on legislation. Always willing to participate to make things better in this state but we will never hesitate, as you didn't hesitate, to fight for what we believed was right and to fight any perceived wrong. So, I'm thankful for each day that everyone of you gave me to serve as your Speaker of one of the greatest Legislative Bodies in the United States of America, and I believe the greatest Legislative Session that this state has ever seen. It's been the highlight of my life to be able to work with each and every one of you. And I hope that as you have gone through these days, you too have had the same feeling. To my Republican colleagues on this side of the aisle, let me thank you with all my heart for the privilege and the honor of serving each and every one of you for I am humbled of your dedication and commitment, not only to what's good in this state, but also to give me the opportunity to serve you as your Speaker. We accomplished much and I believe that history will take note of our contributions but there is still much more to be done. We know that many issues still remain unresolved, but you can go forth as we bring the concluding days and moments of this Session to a close with the knowledge that you have worked hard. Never before has a General Assembly put in

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more hours or been more productive than this one has been. We've increased funding and education without increasing taxes. We've met our commitment to people whether it's in the aging area or other areas of commitment that we've had in Illinois. We've met our commitment to the people that we represent in this district and we've worked hard together to bring forth the best Legislative product that this state has seen. So I go forth into the 90th General Assembly with great hopes that we can work together to produce the Resolutions that we need to do to make this state better. And for all of you my heartfelt thanks for the opportunity to serve as your Speaker. God bless you all. Thank you very much."

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

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

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from Committee on Rules to which the following joint action Motions were referred, action taken on January 7, 1997, reported the same back, 'do approve for consideration'. To the House Floor, Conference Committee Report #2 to House Bill 375."

Speaker Churchill: "Mr. Clerk, please read House Bill 375."

Clerk McLennand: "House Bill #375, Second Conference Committee Report, 'approved for consideration'."

Speaker Churchill: "The Chair recognizes the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I would like to move that the appropriate rule be suspended and that the Second

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Conference Committee Report to House Bill 375 be immediately considered."

Speaker Churchill: "Is a leave. Leave is granted. Proceed."

Leitch: "A very, very special thanks to Speaker Daniels and a special thanks to Speaker-elect Madigan for this very important piece of legislation which is a bipartisan piece of legislation and helps each of us in effect it suspends the, or increases the time limits in a river front TIF for downtown Peoria because of a very dynamic and important program occurring there. It does the same thing for a Lincoln Program here in the City of Springfield. It provides for a technical means for a sanitary district to disconnect property when a referendum is required in Northbrook but there aren't any registered voters in a vacant piece of land. And finally, it addresses an important Metro-East concern that's been raised by Representative Holbrook and by Representative Stephens and I was asked for your support for the Bill."

Speaker Churchill: "Is there any discussion? Seeing none, Representative Leitch now moves for the adoption of the Second Conference Committee Report on House Bill 375?' The question is, 'Shall the House adopt Second Conference Committee Report on House Bill 375'. All those in favor, will signify by voting 'aye', all those opposed will signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye'; 1 voting 'no', and 0 voting 'present'. And the House does adopt Second Conference Committee Report to House Bill 375. And this Bill having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman

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from DuPage, Speaker Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move the House stand adjourned sine die. Mr. Speaker, as we consider that Motion, I wanted to announce that the Republican Members of the 90th General Assembly will have a Caucus in Room 114 at 10:30 tomorrow morning. Republican Members of the 90th General Assembly will Caucus in Room 114 tomorrow morning at 10:30. I renew my Motion to adjourn the House, sine die."

Speaker Churchill: "Speaker Daniels now moves that the House stand adjourned, sine die. All those in favor signify by saying 'aye', all those opposed signify by saying 'nay'. In the opinion of the Chair, the 'ayes' have it and the House now stands adjourned, sine die."

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