

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
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91st Legislative Day

February 6, 1996

Speaker Daniels: "The House will be in order. The Members will be in their chairs. Speaker Daniels in the Chair. The Chaplain for the day is Pastor Ken Spires of the Whitelaw Avenue Baptist Church in Wood River, Illinois. Pastor Spires is the guest of Representative Steve Davis. Guests in the gallery may wish to rise for the invocation. Pastor Spires."

Pastor Ken Spires: "Shall we pray? Our Father, we're grateful for this day, and the privilege that we have to gather together here today to do the work that needs to be done for our country and for our state. We pray to be with these folks as they make decisions, struggle through tough issues. We pray that You be with our country, dear Father that it might be that which you'd have it to be, and continue to be strong. Now, Lord, forgive us of our sin, and guide us in our pathways, in Christ's name we pray. Amen."

Speaker Daniels: "Thank you, Pastor Spires. We will be led in the Pledge of Allegiance by Representative Davis."

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

Speaker Daniels: "Roll Call for Attendance. Representative Currie, for the purposes of recognizing excused absences. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Kotlarz is excused today because of illness."

Speaker Daniels: "The Journal will so show. Representative Cross."

Cross: "Thank you, Mr. Speaker. We're all here on the Republican

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side of the aisle. Thank you."

Speaker Daniels: "Thank you. Take the record, Mr. Clerk. There are 117 Members answering the roll, and a quorum is present. The House will now come to order. Ladies and Gentlemen of the House, two things that we need to tend to right now. The first is recognizing and welcoming back to the chamber, Representative Ben Martinez. Representative Martinez, welcome back. Ladies and Gentlemen of the House, I have also if I might have your attention for a moment. We have the distinct pleasure of welcoming to our midst a new Legislator. Greg Goslin was elected the Northfield township... excuse me, Ladies and Gentlemen. Greg Goslin was elected Northfield Township Supervisor in 1985, and reelected in 1989 and 1993. He served in several positions in the Township Organization. In 1994, he was elected Northfield Township Republican Committee Man. He is a member of the Glenview Leadership Conference and an officer in a number of organizations in his hometown. Representative Gosling received a Bachelor of Science Degree in Political Science in Secondary Education from Southern Illinois University in 1975, which makes him a Saluki, and did postgraduate work in real estate. He is a licensed real estate broker, and a certified secondary education teacher in the State of Illinois. He is a real estate developer by profession. Representative Goslin is president of the Glenview based Cabbott Properties Limited and a general partner in the Abbington of Glenview, a long-term care residence. Representative Goslin and his wife Victoria, who is a special education teacher, reside in the Village of Glenview with their children Kate, Maggie, and Alexander. Would you please join me in welcoming Representative Goslin? Representative Goslin."

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Goslin: "Thank you. Thank you very much. I'm thrilled and honored to be here, and I look forward to working with each of you. Thank you. Thank you."

Speaker Daniels: "Mr. Clerk, Senate Bills Third Reading. Senate Bill 1122. What is the status of that Bill, Mr. Clerk?"

Clerk McLennand: "Senate Bill #1122 is on the order of Third Reading."

Speaker Daniels: "Okay, return that Bill to the order of Second Reading. Mr. Clerk, Committee Announcements."

Clerk McLennand: "Rules announcement. Rules Committee will meet at 12:30, Speaker's Conference Room, Rules Committee, 12:30, Speaker's Conference Room."

Speaker Daniels: "Ladies and Gentlemen of the House, may I please have your attention? Committee announcements."

Clerk McLennand: "Committee cancellation notices. For today, Transportation and Motor Vehicles scheduled for 12:30 is cancelled. Transportation and Motor Vehicles is cancelled. For tomorrow, Wednesday, February 7th, Environment scheduled for 4 p.m. is cancelled. Environment, 4 p.m. Wednesday the 7th is cancelled."

Speaker Daniels: "So now we are going to recess for approximately 45 minutes to one hour. Those in the gallery will please retire. We are going to close the chambers to those not Members of the House, or staff of the House, and to members of the press, and we are going to then proceed with the instructional period of time. So in two minutes we will proceed with the instruction. Those not entitled to the House, that is those not elected officials or staff of the House, Republican or Democrat side, please retire from the chambers. Thank you."

Speaker Daniels: "The House will be in order. Mr. Doorkeeper, the gallery can be opened now. We'll return to session."

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Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Reports from Rules Committee. Representative Bob Churchill, from Committee on Rules, reported the following legislative measures have been assigned as follows: to standing committee to Commerce, Industry, and Labor, House Amendment #7 to Senate Bill #15, referred to the House floor, Floor Amendment #5 to Senate Bill #1122."

Speaker Daniels: "Senate Bills Second Reading. Senate Bill 1122. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1122, Bill's been read a second time previously. Floor Amendment #5, offered by Representative Cowlshaw, has been 'approved for consideration'."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #5 becomes the Bill is exactly the same as the charter school legislation that was passed by a large margin of votes in this chamber last spring so I would move for the adoption of Floor Amendment #5 to Senate Bill #1122."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Question for the Sponsor. Will she yield?"

Speaker Daniels: "Indicates she will."

Schoenberg: "Representative, last session when we considered charter schools, there were some outstanding differences between Senate version of the Bill and House version of that Bill. Can you tell us all briefly how these were reconciled?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "I know that there are ongoing efforts to reconcile

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those differences. However, in this amendment the differences have not been reconciled. In this amendment, the materials that were contained in the House version of this Bill are still there and they are unchanged."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "If in fact this is unchanged and we have seen some affirmative legislative action for this version, why are we doing this a second time?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "In an effort to pass charter schools."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "For the purpose of legislative intent, Representative, could you clarify the use of public funds for religious education as far as how's it addressed in this Bill?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Yes, thank you for your question. First, this amendment provides that conversion of a private or parochial school to a charter school is absolutely prohibited. Secondly, on page 7 beginning with line 8, the amendment reads, 'a charter school shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or the need for special education services.'"

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, I have no further questions."

Speaker Daniels: "Further discussion? Representative Davis."

Davis, M.: "Representative, approximately how many charter schools does this Bill call for?"

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Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The number is precisely the same as it was in the charter school Bill that we passed out of this chamber last spring and that is an exact number. The Bill says that the number of charter schools is limited to a total of 45 statewide and there is a regional breakout of those 45 charter schools providing that there be 15 in Chicago, 15 in the collar counties, and 15 downstate. That is a maximum number, not a required number."

Speaker Daniels: "Representative Davis."

Davis, M.: "So, Representative, we are precluding the possibility of a parochial school becoming a charter school. Can a regular public school become a charter school?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The answer to both of those questions is yes. Parochial schools are prohibited from becoming charter schools. Public schools are permitted to become charter schools."

Speaker Daniels: "Representative Davis."

Davis, M.: "So we're discriminating against the parochial school by saying to them, you cannot become a charter school. Can you give me any rationale for that decision, Representative?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "I believe if the same funding provisions and the use of public funds, including state moneys, is to be provided to charter schools as called for in this amendment. If we were to permit non-public schools to become charter schools, we would be in the violation of the Constitution."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, will the charter schools be alternative schools. You know we're setting up alternative

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schools in Chicago, as well in the rest of the state. Can an alternative school also be a charter school and can a charter school be an alternative school?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, the concept of an alternative school is a separate concept entirely from the concept of a charter school. However, there is a good deal of local initiative built into this amendment and consequently, if there were a local community and a local school board and a local sponsoring group that wish to make a charter school into a school that served the same types of students that alternative schools are intended to serve, there is no reason why that proposal could not be put forward through that local school board, submitted to the State Board of Education and considered on the same basis as all other requests for charter schools."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, will the charter schools be under any other authority besides the state superintendent? Will they be one superintendent for all charter schools? Just exactly what will be that line of authority?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "All charter school proposals submitted to the State Board of Education must first have been approved by that local school board and it is that local school board that makes the decision as to what sort of government structure the charter school will have."

Speaker Daniels: "Representative Davis."

Davis, M.: "So in other words, school district 299 in Chicago has a board of trustees and that board of trustees can decide and determine what kind of authority will be over the 15 charter schools in Chicago. Can I ask what the purpose of

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the charter schools are? Exactly what's the purpose of these schools? What's different about them than our public school education that's required in the Constitution under Article 10? What is different about a charter school? What is our purpose?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The purpose of charter schools, perhaps most essentially, although there are a good many other purposes which I suppose could be discussed today, but it seems to me that the two most critical are that charter schools are intended to promote to a far greater extent than we have probably ever seen before, parental involvement and local control."

Speaker Daniels: "Representative Davis, you're almost out of time. Could you bring your?"

Davis, M.: "Well, okay. Well we in Chicago and I'm sure a lot of other areas already have a lot of local control and parental involvement. We have ESEA parents. We have PTA parents. So surely you another reason besides parental involvement, Representative. Will these staff have to be certified staff in the charter school? Will your teachers have to have degrees? Will your administrators have type 75 certificates?"

Speaker Daniels: "Representative Flowers has yielded her time to Representative Cowlshaw."

Cowlshaw: "In regard to the question about teacher certification, charter schools are required to employ instructional staff members who are certified under the provisions of the school code pertaining to teacher certification or who possess the following qualifications: were graduated with a Bachelor's degree from an accredited institution, have been employed for a period of at least

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five years in an area requiring application of that individual's education. Next, pass the test of basic skills in subject matter knowledge currently under the school code required of certified teachers, and finally, have demonstrated continued evidence of professional growth. Charter schools are permitted to employ non-certified staff, only in non-instructional positions."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, I'd like to bring your attention to page 19 of your Bill, line 688, and it states, 'charter schools employing individuals without certification in instructional positions shall provide such mentoring training and staff development for these individuals as the charter schools determine necessary for a satisfactory performance in the class.' And I'd like the Body to listen to this again. Now we were just told that certified teachers would be hired in charter schools. On page 19 of the Bill, line 688, it says, 'charter schools employing individuals without certification in instructional positions shall provide such mentoring, training, and staff development, the same as you would a regular certified teacher, if you're seeking satisfactory performance.' And I would say that means that for instructional purposes, you are being permitted to hire non-certificated personnel at charter schools."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Let me repeat my most recent response to a question. Perhaps there was one pivotal word that simply was not spoken clearly enough. As I said before, charter schools are required to employ instructional staff who are certified under the provisions of the school code, pertaining to teacher's certification or, that's spelled

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o-r, this is the alternative to regular teacher certification for charter schools. Or those who possess the four qualifications that I have already explained at some length and as an additional piece of information, I think you might be interested to know that the teacher organizations have no objection to this provision."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, do they have any opposition to any of the provisions?" Do the teacher organizations have any opposition to any of the provisions?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "In this Amendment, no."

Speaker Daniels: "Representative Davis."

Davis, M.: "I would be very concerned as an educator that we are setting up separate and what is almost privy education for some students and I'm not sure why. I still am not sure what kind of students will be selected or approved to attend a charter school. We have already established alternative schools. We have changed some systems drastically and now to decide that we're also going to have charter schools and without major debate. This Bill has not really received major debate in the elementary, secondary education committee. I am very concerned when we attempt to privatize public education with public dollars."

Speaker Daniels: "Representative Hoeft."

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

Speaker Daniels: "She indicates she will."

Hoeft: "I'd like to put into the record, please, that when we're talking about 15, 15, 15, that the 15 schools from collar county, also include the suburban Cook county schools in a group so suburban Cook is considered part of the 15 collar and that is the legislative intent of this Body. Thank

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you."

Speaker Daniels: "Further discussion? The Gentleman from DuPage, Representative Roskam."

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

Speaker Daniels: "She indicates she will."

Roskam: "Representative, just a couple of questions and you may have answered these already, but let me just see if I understand correctly or if you could just draw out these answers. Who controls the funds in these charter school situations?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The local school board."

Speaker Daniels: "Representative Roskam."

Roskam: "Is it only local school boards that can petition and get a charter or is it open to a broader scope than just that?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Roskam, I appreciate that question because it gives me an opportunity to express something I think needs to be expressed. This Bill is very open-ended. It goes through and mentions that among those groups that might want to institute a proposal for a charter school might be a group of teachers, might be a community college, it might be a university this amendment says. And then or any other entity, however in order that there be some controlling factor, some funnel through which these things must pass, we have provided that the local school board, the district in which this charter school is proposed to be established, shall review the proposal and give its approval before forwarding it to the State Board of Education."

Speaker Daniels: "Representative Roskam."

Roskam: "Representative, what is the relationship between the

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State Board of Education and these charter schools? Do you understand my question? Do you understand my concerns?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "In many respects, the relationship between the state board and the charter school is very similar to the relationship now between the local school district or a local school and the State Board of Education. However, charter schools are exempt from all, but a limited number of the provisions of the school code. So whereas the State Board of Education has an oversight function that involves enumerable provisions in the school code, there would not be any where near as much involvement because there are far fewer things in the school code that actually apply to charter schools, which is of course one of the reasons that we want to do this to give local school districts more control. However, I want to make clear that charter schools are not exempt from the accreditation process."

Speaker Wennlund: "Representative Wennlund in the chair. Further discussion? Representative Roskam."

Roskam: "If a local entity, if the college of DuPage, for example, came up with an idea to move forward and seek a charter and they were turned down by the local school board, is there any opportunity to petition or is it shut off at that level?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "There is a process for that sponsoring entity to appeal to the State Board of Education and the State Board of Education is obliged simply to make sure that the proposed charter meets all the requirements of this Amendment, is not in violation of any law, and has in fact, some educational soundness in the proposal."

Speaker Wennlund: "Representative Roskam."

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Roskam: "What other things, can you just walk me through some of the exemptions in terms of the flexibility that charters have, Representative Cowlshaw? In other words, would they be exempt from the influence of the State Board as it relates to a lot of the goals and the various initiatives, the quality schools initiative and that type of thing? Would charters be exempt from that or would they fall under that purview as well?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative Roskam, this amendment provides that charter schools are exempt from all other state laws and regulations and all local school board policies, except the following: criminal background investigations of applicants for employment, the discipline of students if there are any local school district policies that have to do with student discipline, they would still be in effect, Local Government and Governmental Employees Tort Immunity Act, the general Not-For-Profit Corporation Act regarding the indemnification of officers, directors, employees, and agents, the Abused and Neglected Child Reporting Act and the Illinois Schools Student Records Act. The amendment also requires charter schools to comply with all health and safety requirements. Those are the things with which that is it."

Speaker Wennlund: "Please bring your remarks to a close, Representative Roskam. Proceed."

Roskam: "So in other words, if the State Board of Education started to move down a particular direction with some new policy and there were a charter that were in place and wanted to ignore that and if they complied with those things that you just enumerated, they would have the flexibility to do that. Is that right?"

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Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "That is absolutely right and it is one of the purposes of having charter schools."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Younge."

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

Speaker Wennlund: "She indicates she will."

Younge: "The purpose of my question is to find out and understand more about what could possibly be the relationship between two and four year higher education institutions and the charter school. How would the fact that there is a junior college or a four year college involved in the charter school affect the funding or financing of it?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, the funding is exactly the same, regardless of what is the sponsoring entity. So it really does not make any difference whether the sponsoring entity is a public university, a community college, or Motorola or some local business or a group of teachers within a certain school district who decide they would like to try an experiment. In all of those cases, the funding is still the same, regardless of the sponsoring agent. And I don't think that you would find that there would be too many conflicts between proposals put forward by four year universities and two year community colleges, unless of course, they wish to do that as a joint project, in which case I suppose they might have some disagreements."

Speaker Wennlund: "Representative Younge."

Younge: "Basically, it's my understanding that the funding has to do with head count payments from the state. Is that right?"

Speaker Wennlund: "Representative Cowlshaw."

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Cowlishaw: "That is correct. The funding follows the children."

Speaker Wennlund: "Representative Younge."

Younge: "Thank you."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Novak."

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

Speaker Wennlund: "She indicates she will."

Novak: "Representative Cowlishaw, I understand that the State Board of Education will make the choices on the establishment of charter schools. Is that correct?"

Speaker Wennlund: "Representative Cowlishaw."

Cowlishaw: "Yes, Sir, we made that provision partly because we need to make sure that someone is keeping track of those 15 maximum numbers in each of the three regions of the state where they are permitted."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you. So as a scenario, let's take for example, the Kankakee school district applies to the State Board and they are selected for the establishment of a charter school. Is their state aid, the state aid that they receive from the State Board of Education, is it reduced by a like amount per student when the charter school is created?"

Speaker Wennlund: "Representative Cowlishaw."

Cowlishaw: "Yes, Sir, and that applies not only to the general state aid, it applies to special education funding and most of those categoricals, all of those are included in this in fact. And the fact is, as I just mentioned to Representative Younge, the money follows the student so if you establish a charter school in the Kankakee school district, the money that would normally have gone to the school board for distribution amongst all of Kankakee

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schools, only that portion of it that is for those specific children who are going to be students in this charter school, that money would go to the charter school. So in fact there is a reduction in the amount of money that the school district in general has available to it, but there is a corresponding reduction in the number of students for which it is responsible."

Speaker Wennlund: "Representative Novak."

Novak: "Okay, Representative, so as I see it, it's just a sort of transfer from one entity to another. The school district in its entirety is not losing any money because the x number of students are going to a charter school and that money's going to be diverted for that purpose. I understand that. What about infrastructure? If a charter school is created, does the charter school have to be in a building that is currently owned by the school district that applies for a charter school or could it be a lease building or what have you?"

Speaker Wennlund:-- "Representative Cowlshaw."

Cowlshaw: "Representative, that's pretty much the choice of the sponsoring organization. It is my understanding that as long as it is a public school building and not a private or parochial school, that it could be the site for one of these charter schools simply by being converted from a typical public school to a private school. There is also of course the possibility of there being a leased arrangement with some building in a given school district or even, I mean, this is a pretty open opportunity out there. I would suppose there would even be an opportunity if some charter proposal wanted to build a brand new building, provided they could make all the appropriate arrangements for the bond issues and all that's related to

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that. That is not precluded either."

Speaker Wennlund: "Representative Novak."

Novak: "Yes, Representative, I understand that, but wouldn't you think that if a school district had applied to be a charter school or to establish a charter school and if they, let's assume the school board wanted to lease a building, they would have to dig in somewhere to some other fund to lease a building that normally would, for money normally used for operating purposes so that could be some type of a debit on the school district if they choose to lease a building. Is that not correct?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, let me explain to you some of the specifics that are called for in here, which I think are pretty good protections against their being some robbing of the funding for the rest of the schools that are not the charter schools and I know that is a concern of yours. Let me explain that this amendment provides that conversion charters, that is buildings that have been converted from a regular public school to a charter are not required to pay rent for the space that is available to them as negotiated and provided in the charter contract if that space is in school district, public school district facilities. Now it says they're not required to, but that that is to be negotiated between the sponsoring charter organization and the local school board. The amendment goes on to say that all costs for the operation and maintenance of school district facilities are subject to negotiation between the charter school and the school board. So there is a protection built in there. This has to be agreed to by that local school board."

Speaker Wennlund: "Representative Novak, please bring your

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remarks to a close."

Novak: "Yes, thank you, Representative. One other question about the new waiver law we have in our books and currently in Illinois. I understand charter schools from a conceptual basis are supposed to have certain discretion and leeway in relaxation of rules that the State Board of Education promulgates the local school districts. If a charter school is created in the future under the provisions of this Bill, would they also be able to petition the State Board of Education for waivers or relaxations of regulations or mandates that currently exist in Illinois?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, that issue is not specifically addressed in this Bill, nor was it addressed in the waiver legislation which we passed approximately a year ago because at the time that we passed it, we didn't have a law in Illinois to provide for charter schools. However, I'm glad you raised this question because as a matter of legislative intent, I think it is important for me to state that I believe the waiver process should be available to charter schools, just the same as it is to all other schools in Illinois."

Speaker Wennlund: "Representative Novak, please bring your remarks to a close."

Novak: "Thank you. Thank you, Representative. No further questions."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Deering."

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

Speaker Wennlund: "She indicates she will."

Deering: "Representative, I'm assuming that these charter schools will have school boards, local boards. And if they have a

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local board, who appoints those local board members or the oversight board of that institution?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Every one of these charter schools will be under the jurisdiction of a local school board. Those local school boards and all of them are already in existence out there. Those local school boards as provided by current law are and I believe there are total of only three in the entire state that are not elected by that local constituency. All of them are elected, except for three that are appointed and of the larger ones, certainly the only one that has an appointed school board is the City of Chicago."

Speaker Wennlund: "Representative Deering."

Deering: "I noticed here on the enrollment, only 50% of a grade of resident pupils in a single attendance and I'm looking on page eight, line four, starting with section D. What happens if 75% of those students in that grade want to enroll in a charter school? Who makes the determination as to who goes? Do they do it alphabetically or how do they do that?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "That's a very good question. This amendment provides that if there are more applicants for a charter school than available spaces, the applicants must be selected by lottery. However, the amendment goes on to explain that applicants, assuming you have a charter school that's been in existence previously, in that event, applicants with siblings enrolled in the school or who were enrolled the prior year are given preference, unless they have been expelled for cause. Suspensions or expulsions from a charter school are deemed to be suspensions and expulsions from public schools of the school district in which the

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student resides."

Speaker Wennlund: "Representative Deering."

Deering: "Thank you, Representative, you kind of tweaked what was going to be my next question as far as the siblings in school. What if I'm new to the area and I move into the district and I want my son or daughter to go to a charter school, but it's full or there's a number of new students wanting to enroll in now, will I be discriminated against because someone else's son or daughter is a prior student and now my daughter or son cannot go to that school? Could -- that-not-be-a-discriminatory-case?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, I believe that there is perfect justification for providing that siblings of students who are already in that school would be given the first opportunity if there are any openings in the school. I think that promotes family stability and I can't imagine anyone here who's opposed to family stability. However, I also would point out that if you believe that holding a lottery so that every student who has chosen to ask to be included has his or her name put into this lottery system and the names are drawn out and first however many there are spaces, names that are drawn are those that are accepted. I guess that you would have to say, that's certainly as least as fair as the lottery system that we already have for gamblers in Illinois."

Speaker Wennlund: "Representative Deering."

Deering: "Well, I don't think that in the situation that someone moving in, you could say that you think it's fair to let siblings in a school. As I understand it, public tax dollars is going to follow these students. So if move into an area, I'm paying just as many tax dollars as probably

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someone else. So why should we discriminate? Nevertheless, it also says here that a new school, a charter school can be a new school or it can be a conversion of an existing public school or attendance center. If an attendance center is converted to a charter school and it has outstanding bonds for some recent construction, life safety, so on, so forth, who's responsible then to pay off those bonds?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "As I explained in at least two other responses to similar questions, that is something which has to be negotiated between the sponsoring entity of the charter school and the local school board."

Speaker Wennlund: "Representative Deering, please bring your remarks to a close."

Deering: "No further questions, thank you."

Speaker Wennlund: "Thank you. Further discussion? The Chair recognizes Representative Coy Pugh."

Pugh: "Thank you, Mr. ... Representative, could you tell me the fiscal impact of this legislation?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "There is none."

Speaker Wennlund: "Representative Pugh."

Pugh: "Can you tell me how much additional moneys will be allocated per student in the districts in which the charter schools are located?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "None."

Speaker Wennlund: "Representative Cowlshaw."

Pugh: "So would you say, you're saying that each additional charter school will replace an existing school within that district or will this be an additional school, an

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additional form of education?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, that would depend, of course, entirely upon what the proposal from that local sponsoring organization might be. There is, of course, a strong possibility that this simply might be an existing elementary school in a public school district that is already a public elementary school. It has 200 students. There is a sponsoring entity that would like to convert this to a charter school. That is approved by the local school board and the rest of the process and becomes a charter school. Now the same amount of money is available to that school district as would have been available if that had continued to just be a regular public school. But the money that is intended for those children attending the charter school now is required to be spent by the school district in that charter school. It is not available for them to spend in other schools in the district."

Speaker Wennlund: "Representative Pugh."

Pugh: "And what's the criteria for a charter school? Would the same criteria be for a charter school be used by the Board of Education for current schools in school districts or can anybody with a Bachelor of Arts degree and a board of directors start a charter school?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "There is a good deal of flexibility in the kinds of things that we might be willing to accept as sponsoring entities for a charter school. The amendment itself mentions such things as groups of teachers who might decide in one school district that they are all the adventurous type and they would like to get together and try a new kind of a program and so they want to have a charter school in

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order to give them that flexibility. However, in many states that already have charter schools, Representative, just to kind of relieve your concern about this, in many of those places, most of the sponsoring entities have been things like universities and community colleges and I am confident because we have both a requirement that whatever this is, has to be approved by that dually elected local school board before it can even be forwarded to the State Board of Education and then has to be approved by the State Board of Education. I think that provides adequate ~~safeguards--so that we~~ can be as sure as we can that there will not be some irresponsible entity involved in sponsoring a charter school."

Speaker Wennlund: "Representative Pugh."

Pugh: "So there's the additional, how will the charter school concept provide the additional dollars that's needed in order to enhance the level of education that the children are receiving in that charter school district?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, that really is a question that is not relevant to this amendment. This amendment does not attempt to change the level of funding for any school district in this state, regardless of the source of that revenue. This amendment has no relationship whatsoever to property taxes, income taxes, or any other form of taxes. It does not propose to increase the funding for education. It only proposes to make a new type of entity as a school to serve children, available to local communities who may wish to do something that is not traditional, but promising."

Speaker Wennlund: "Please bring your remarks to a close, Representative Pugh."

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Pugh: "Thank you, Mr. Chairman. So there'll be no additional cost to taxpayers and there'll be no additional moneys to the schools to enhance the level of education. So what is the purpose of reforming the entity that's currently in place with something that is not going to add to the enhancement of the level of education?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "There is what I believe to be a grossly mistaken concept that links all school improvement with money. All we need to do to make the schools better is to throw more money at them. We've been trying that for 30 years and so far it hasn't worked. This is an alternative to simply throwing more money at them. I think we should adopt it."

Speaker Wennlund: "Further discussion. The Chair recognizes Representative Lang."

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

Speaker Wennlund: "She indicates she will."

Lang: "Thank you. Representative, what will this Bill do to collective bargaining rights of teachers and the systems that would elect to do the charter schools?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Nothing."

Speaker Wennlund: "Representative Lang."

Lang: "Nothing at all, Representative?"

Speaker Wennlund: "Representative Cowlshaw."

Lang: "The collective bargaining rights are still the same? The teachers that are in this system would be able to go to the school board and have the same rights they have today?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative Lang, this amendment provides that employees of charter schools shall be deemed to be employees of that specific charter school unless a

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collective bargaining agreement or the charter school contract otherwise provides and therefore, that particular collective bargaining agreement would have to be arrived at by those employees within that charter school."

Speaker Wennlund: "Representative Lang."

Lang: "Doesn't this also say though that a bargaining unit of charter school employees shall be separate and distinct from any other bargaining units?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Yes, let me explain one other thing please along this same line. — Local school boards under this amendment are required to give teachers who accept employment with a charter school up to a five year leave of absence. At the end of that authorized leave, the teacher must either return to the public school district in a comparable position or resign."

Speaker Wennlund: "Representative Lang."

Lang: "But in fact the teachers that become employees of the charter school end up in a new bargaining unit so that if the city of Chicago schools had a charter school, then the teacher that ended up working for that charter school would no longer be in the same bargaining unit as the other members of the Chicago teachers. Is that correct?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "That would depend entirely upon the proposal of the sponsoring organization for that charter school."

Speaker Wennlund: "Representative Lang."

Lang: "Well, that's not what your Bill says, Representative. Let's go on. Your Bill also says that a teacher may resign from working at a charter school only if they give notice to the charter's governing body at least 60 days prior to the end of the school term. Does that mean that a teacher

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cannot quit their job without permission from somebody?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative Lang, you read that very carefully. Where does it say anything about somebody having to give permission? It simply says you have to give 60 days notice before you can quit your job in a charter school. It seems to me that that is not an unreasonable kind of thing to request in order that the governing body of that charter school might have some time to do some planning to be sure that that individual is replaced by somebody who is as well qualified as the person who wishes to resign."

Speaker Wennlund: "Representative Lang."

Lang: "Well, I thought we gave up involuntary servitude in this country when we passed the United States Constitution and the Illinois Constitution. What is somebody had to quit? Their husband got sick. Their wife got sick. They got sick. Any number of other things. Are we going to require people to give notice to a board if they have a family emergency? Are there any exceptions for that is your Bill?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "All those things are bargained now. They would be bargained under this amendment."

Speaker Wennlund: "Representative Lang."

Lang: "Well that's not what you say in the Bill, Representative. The Bill says they have to give 60 days notice. It doesn't say anything about bargaining. Let's go on to another issue. The Bill said that staff employed by a charter school may contribute to the Teacher's Retirement Fund and the Chicago Teacher's Pension and Retirement Fund. Is that the current rule with the current teacher that they may contribute or that they must contribute?"

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Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Well since apparently you don't believe that the whole question of sick leave is something that is currently negotiated and I find that kind of interesting. Why don't you tell us the page number and the line ..."

Speaker Wennlund: "Representative Cowlshaw, please complete your answer. The time has expired."

Cowlshaw: "I did."

Speaker Wennlund: "Okay, thank you. Further discussion? The Chair recognizes Representative Durkin."

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

Speaker Ryder: "The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye'; opposed same sign. In the opinion of the Chair, the 'ayes' have it. And the main question is now put. Representative Cowlshaw to close."

Cowlshaw: "I move for the adoption of Amendment #5 to Senate Bill #1122."

Speaker Ryder: "You've heard the motion. All in favor of adoption of Amendment #5 to Senate Bill #1122 signify by saying 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Third Reading. Further Amendments?"

Clerk Rossi: "No further amendments have been approved for consideration. A fiscal note and a state mandate's note have been requested on the Bill 'as amended' and have been filed."

Speaker Ryder: "Third Reading. Senate Bills Third Reading. Mr. Clerk, read Senate Bill #1122."

Clerk Rossi: "Senate Bill 1122, a Bill for an Act in relation to education. Third Reading of this Senate Bill."

Speaker Ryder: "The Chair recognizes Representative Cowlshaw."

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Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There isn't one person in this chamber who does not know what is in this Bill. I move for its adoption."

Speaker Ryder: "Is there any discussion? The Chair recognizes Representative Davis."

Davis, M.: "Thank you very much for this opportunity, Mr. Chairman, Mr. Speaker. Representative, if a student goes to a charter school and wants to go to the University of or let's say Chicago State, does this Bill protect that student and make sure Chicago State will accept them?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "This legislation prohibits colleges and universities, both public and private, from discriminating in the admissions process against applicants enrolled in charter schools."

Speaker Ryder: "Representative Davis."

Davis, M.: "This Bill prohibits public and private universities from discriminating against students who graduate from a charter school. Is that correct, Representative?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "In the admissions process, yes."

Speaker Ryder: "Representative Davis."

Davis, M.: "Does this take charge of Harvard? Do we talk about Northwestern? Are we talking about Elkhorn, Moorehouse? Are we legislating to all the universities in the United States of America that you, too, must take children who come out of charter schools or do we realize, Representative, that there's a problem with this mess and that the children are going to face difficulties in being accepted in a regular university? We realize that there's such a problem that we have to mandate in this Bill that the state universities take these children. The only

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problem is, Representative, you can't mandate it in other states. Children who want to go out of Illinois to the university, you can't mandate it in this Bill. So my question is, do you still want to continue?"

Speaker Ryder: "Representative Cowlshaw, if that's a question."

Cowlshaw: "Mr. Speaker, I did not detect any question."

Speaker Ryder: "Thank you. Representative Davis."

Davis, M.: "My question was, with that knowledge that I just provided you with, do you still want to continue and provide some children with such an inadequate education that in your Bill itself, you state that universities must take these children, regardless to the flaws that could have occurred in that particular child's education at a charter school. In other words, we don't know what might happen to that child's education, but we're saying to the universities in Illinois, you got to take the kid regardless. Well we have an opportunity to protect those children right now today by not passing this flawed amendment. It is flawed because it does not give us enough opportunity to tell what kind of education these charter schools will have. You stated yourself that a teacher may come up with an idea. It could be an idea of let's have school for four hours a day instead of six. Let's get home a little earlier than we already get home and you stated on this floor that no teacher organization was opposed to this Bill. That was not true. I received a note from Dave Petersen from Chicago Teacher's Union, a member of AFT, that they are opposed to this Bill. Why? Because they want to protect the education of the children in the State of Illinois. I don't care how poor we are. I don't care how few our dollars are. The last thing we should be able to do is give these kids an education and stop looking for

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ways to water it down. You're looking for ways to water down education for the children in the State of Illinois. You're going to start with 45 and then maybe you'll grow to 90. You should be halted. We should be discussing what kind of technology these children will get in every school instead of attempting to water down the education of some children. And then you talk about local control and yet if a district, if a school district opposes a charter school, he can come to the gods again and the State Board of Education can overrule the local controlling district who pays the majority of the money for the education of kids in this state anyway. I think you should put this Bill in the garbage, Representative."

Speaker Ryder: "Further discussion? The Chair recognizes the Lady from Cook, Representative Fantin. Representative Fantin."

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

Speaker Ryder: "Further discussion? Representative Lang."

Lang: "Thank you. That deep breath you took, Mr. Speaker, was noted over here. Will the Sponsor yield?"

Speaker Ryder: "She indicates she will."

Lang: "Thank you. Representative, the Bill indicates that the State Board should adopt any rules necessary to implement the charter schools' law. What do you mean by any rules? Could they waive any mandate? Could they waive the school aid formula? Could they take away school bus safety? What can they do to implement this law?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "That is at the discretion of the State Board of Education and you know just as well as I do that rules and regulations of state agencies cannot be in violation of

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state laws. They don't have the right to waive provisions of the school code. Only we can do that."

Speaker Ryder: "Representative Lang."

Lang: "Thank you. Let me ask this. Representative, you have a Bill to require merit pay for Chicago public school teachers. Does that have anything to do with this Bill at all? It's a lot of people that don't like that Bill very much. I guess there are a lot of people that do. But I'm very concerned about the collective bargaining rights of the teachers of the State of Illinois, particularly the Chicago public school teachers and I want to make sure that as your merit pay Bill takes away their collective bargaining rights, you don't affect the collective bargaining rights with this Bill? Is there any crossover here?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "Both Bills have merit."

Speaker Ryder: "Representative Lang."

Lang: "Well I frankly wasn't discussing the merits or lack of merit, I was asking you whether there's any crossover, whether if you pass your merit pay Bill, it will have any impact on this Bill should it pass."

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "To the extent that the contents of House Bill 1000 might involve there being a new collective bargaining arrangement arrived at by the City of Chicago with its teachers, then of course that would affect what kinds of provisions would be provided for the teachers in the 15 charter schools, if there were that many in the City of Chicago. But there is no direct relationship between House Bill 1000 and Senate Bill 1122."

Speaker Ryder: "Representative Lang."

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Lang: "Representative, your Bill indicates that the charter schools may incur short term debt in anticipation of receipt of funds from a local school board. How do they make that determination as to what they can anticipate? In particular, how would it work with the very first year, the very first charter schools and how will they do their budget? How will they determine whether they need short term debt in that very first year?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "All such items must be included in the provisions of the suggested charter and must be negotiated and agreed to, both by the chartering organization and the local school board."

Speaker Ryder: "Representative Lang."

Lang: "How do the charter schools determine and who's responsible for making decision to determine how to borrow the money, where to borrow the money from, what interest rate to pay? Who is in charge of that if not the local school board? How does the charter school go about doing this?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "Such provisions, as I have already stated repeatedly, are contained in the negotiated agreement between the sponsoring organization and the local school board which then becomes the proposal for the charter school. All questions related to any kind of funding have to be included in that proposal which is then approved by the local school board and forwarded to the State Board of Education for its approval."

Speaker Ryder: "Representative Lang."

Lang: "So not only are charter schools separate and distinct from the local schools in that they have certain rules and regulations and mandates they don't have to live by, each

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charter school within one school district could have different rules and regulations. Is that correct?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "That most certainly is correct, Sir. We don't believe one size fits all."

Speaker Ryder: "Representative Lang."

Lang: "So I guess that would be local control in its finest. Let me ask you this. Are charter schools going to be exempt from state rules regarding health and safety requirements and criminal background investigations and state school assessment laws?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "Well, Mr. Speaker ..."

Speaker Ryder: "Representative Cowlshaw, the time has expired. Please if you can, answer Representative Lang's question."

Cowlshaw: "This Bill specifically states that charter schools are not exempt from any of the requirements related to health and safety."

Speaker Ryder: "There being no one further seeking recognition, Representative Cowlshaw to close."

Cowlshaw: "This is a good Bill. You should pass it. I move that we adopt Senate Bill 1122. Thank you, Mr. Speaker."

Speaker Ryder: "The question is, 'Shall Senate Bill 1122 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 82 'yes', 31 'no', 3 voting 'present'. And this Bill, having received the Constitution Majority, is hereby declared passed."

Speaker Ryder: "Mr. Clerk, please read Senate Bill 21."

Clerk McLennand: "Senate Bill #21. A Bill for an Act that amends

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the Illinois Public Labor Relations Act. Third Reading of this Senate Bill."

Speaker Ryder: "The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I presented an Amendment that dealt with the subject matter last Spring in which a lot of questions were brought up, and I would suggest that the Body take some time with me, and let me go through answering some questions for you because this legislation is complex on the face of it, but once we get into it, I hope that it'll be clearer to you by the time it's ready for a vote. Senate Bill 21 would restore overtime benefits mistakenly taken away by the General Assembly in 1994 to thousands of Illinois employees. Under Senate Bill 21, interstate truck drivers and other motor character... carrier employees who are not entitled to overtime under current law, would have that right restored. Only drivers and others involved in the actual transportation of goods in the interstate commerce will be exempt from the overtime provisions of the law. The exemptions for these employees will be made retroactive to reflect the long-standing enforcement policy of the Illinois Department of Labor. The question that would be asked is why did the Illinois Department of Labor consider interstate truck drivers exempt from the overtime provisions in the Illinois Minimum Wage Law? I'd like to answer that for you. For many decades the Fair... Federal Fair Labor Standard Acts has excluded interstate truck drivers from its overtime requirements. This is called the Motor Carrier Exemption. When the Illinois Minimum Wage Law was amended to include overtime requirements, the Motor Carrier Exemption was omitted from the statute. In view of the United States and the Illinois Department of Labor, the

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State cannot regulate interstate commerce anyway. So it was not necessary to include the Motor Carrier Exemption in the Illinois statute. Since 1977, since 1977, the Department has refused to accept claims for overtime from interstate truck drivers. Another question was brought up; is how can we say that what the legislation intent was in 1976? We've looked at the legislative wording on that debate, and the debate revealed that the General Assembly had no intention of imposing on Illinois employers greater overtime requirements than those imposed by federal law. A mission of the Motor Carrier Exemption from Illinois law would impose a significant burden on Illinois employers. Approximately 44 states, 44 states, including all states surrounding Illinois, have incorporated the Motor Carrier Exemption into their state overtime laws. Another question was why was the statute amended to include the Motor Carriers Exemption in 1994? Despite the Illinois Department of Labor enforcement policy in recent years, several interstate truck drivers threatened to file, or actually filed lawsuits seeking to collect overtime under state law. In response, Business and Labor acted to close the loophole in 1994. Representative Woolard was the Sponsor of that legislation at that time. But what happened in '94 when we passed the legislation? The legislation was authored by Labor and Business with the intent of exempting interstate truckers from the overtime provisions of the Illinois law, and was hurried through the Legislature and signed in the law as Public Act 88-594, again sponsored by Representative Woolard. Unfortunately, the legislation actually exempted all motor carrier employees from the entire minimum wage law, not just the overtime pay provisions. As a result, thousands of

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Illinois employees who should be entitled to protection under the law, are being deprived of that protection. Who would benefit if we passed this law today and sent it to the Governor? Interstate truck drivers and other motor carrier employees who are not entitled to overtime under current law will have their rights restored. Only drivers and others involved in the actual transportation of goods in interstate commerce will be exempt from the overtime provisions of the law if Senate Bill 21 is passed and signed by the Governor. Another question, is there any ... precedent for making the Interstate Motor Carrier Exemption retroactive? Which is a big problem that some Members have. And the answer is 'yes'. In 1977 the General Assembly made the Executive Administrative Professional Exemptions retroactive using the following language in Public Act 80-735, and I quote, 'The provisions of the exemptions subsections have been effective, and were always intended by the General Assembly to be effective as of August 22nd, 1976.' This is the same language that we have in Senate Bill 21 that's before you now, as amended. And is there any precedent for allowing some claimants to proceed while others cannot? Yes, the answer is. In 1977, when the Executive Administrator and Professional Exemptions were made retroactive, employees whose claims already had been resolved were protected against actions to recoup those payments, even though the employers whose claims were pending would not be allowed to proceed. Under Senate Bill 21 all the employees who actually have filed claims will be allowed to pursue those claims. Let me go over that one more time for you. Under Senate Bill 21, all employees who actually have filed claims will be allowed to pursue those claims. So we're not taking away those rights

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of those individuals who have already filed the claims. Employees who have not filed claims on their own behalf were not allowed to be... to proceed. Nor will employees with pending claims be allowed to turn their claims into a class action. ... Says, aren't we interfering with pending legislation that some members legitimately will bring up in their questions. And the answer to that is no. Pending lawsuits seek to apply the law in a manner which directly contradicts the Illinois Department of Labor's long-standing enforcement policy. By passing Senate Bill 21, we are saying that the Illinois Department of Labor was right. Wherever... whenever the Illinois General Assembly closes a loophole, there is a chance that this action will affect pending claims. But when those claims are based on an erroneous view of the law, the Legislature's action is entirely appropriate, which means that we can have a say in this legislation. Is it retroactively constitutional, which is a question that Representative Hoffman continually brought up, and the answer is 'yes'. Courts have held the rights... that rights which are created by... of statute may be taken away by retroactive application of repealing legislation. For example, the People versus Stothoff, the Illinois Appellate Court held then in attempt to the Vehicle Code's definition of first offender in the DUI cases had to be given retroactive application to pending cases, to pending cases. Similarly, when the General Assembly amended the Dram Shop Act to reduce the statute of limitations, from five to two, the Illinois Supreme Court held that the Amendment applied retroactively to bar cause of action not filed within two years, and that is Orlicki versus McCarthy. And finally, isn't it unconstitutional to allow some claimants to proceed while barring others? And

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the answer is 'no'. There is a rational basis for doing so, which is all the Constitution requires. It is fair and rational to allow persons who file claims before the statute was amended to proceed with those claims while barring claims by individuals who did not file such claims. This is confusing. I'm sure there's a lot of questions. I stand ready to answer those questions."

Speaker Ryder: "The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Ryder: "He indicates he will."

Granberg: "Representative Parke, you indicated a couple of dates that are in your Bill, specifically on page 5, and you talked about the Bill being retroactive, and I think, if I read this correctly, from August 22nd, 1976 until August 26th, 1994, that class of individuals, those people who work for UPS, would now be barred for seeking any redress for their claims. Is that correct?"

Speaker Ryder: "Representative Parke."

Parke: "It is my understanding that that is correct."

Speaker Ryder: "Representative Granberg."

Granberg: "So anyone who worked for UPS as a truck driver would now be denied for any violation of the law by UPS as an employer in regard to overtime wage provisions. Is that correct?"

Speaker Ryder: "Representative Parke."

Parke: "I'm not sure I understand that question. Can you say it again?"

Speaker Ryder: "Representative Granberg."

Granberg: "Representative, I think you indicated that we are applying your law retroactively, your legislation, and that we would allow those people who have filed suit against UPS

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to go forward with that suit, and we are now taking away the legal rights of those people who worked for UPS in this 20 year time period, from 1976 to 1994. Those people who worked for UPS during that 18 year period would now be denied any rights they have legally for overtime provisions that they were not given according to law. Is that correct?"

Speaker Ryder: "Representative Parke."

Parke: "That, I don't believe is correct. The reason is that they never had the rights in the first place that the Department of Labor had indicated that according to the federal law that was passed, that there was an... the exemption because the State of Illinois did not control interstate commerce anyway. So we're not taking away any rights that they had. They never had those rights in the first place."

Speaker Ryder: "Representative Granberg."

Granberg: "But the people who already have filed suit have those rights...It's the people who have not availed themselves, they're the ones who have no rights. Is that your interpretation?"

Speaker Ryder: "Representative Parke."

Parke: "It certainly is not. Let me read to you the collective bargaining from the teamsters so that maybe you'd have a better understanding on that. Time and one half rate shall be paid for all work performed by an employee before and after his regularly scheduled work day. Time and one half rates shall be paid after eight hours in one day, after eight hours in one day, and 40 hours in one week, except otherwise provided in this agreement. But overtime shall not be paid twice for the same hours worked. They cannot collect twice. That's a fairness issue. Most people would

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say, 'that's fair'. Overtime for all employees shall be prorated in a minute basis for all overtime work. That's right from the collective bargaining agreement between UPS and the Teamster's Union. So, in fact, your answer is not true."

Speaker Ryder: "Representative Granberg."

Granberg: "Representative, I don't think I misunderstood, because I think, that there is now pending before the court, or before the authorities, a 3000 member class action lawsuit against United Parcel Service. Is that not correct?"

Speaker Ryder: "Representative Parke."

Parke: "The Bill quite frankly allows those 17 or 16 members who have filed individual lawsuits to proceed. We are saying that it is set in precedent to not allow a class action suit to be filed against this company, and all the trucking companies in the State of Illinois. I'll remind you, that not only are you keep bringing up UPS, but the Illinois Trucker's Association, the Illinois Chamber, all supports this, because not only does this affect this company, but it affects every company doing business in the tunes of hundreds of millions of dollars when in fact, they are getting paid what they should be paid. And I might point out, Representative, if this was such a terrible thing, if this was such a terrible thing, with a union as strong and as powerful and well represented as the teamsters, they would have filed grievances. Not one grievance was filed against this company or any other company until, until in Washington State, a lawyer found that there was a case to be brought. That lawyer found a loophole in that law and has subsequently gone all over the United States trying to find people that fall in this loophole that we're trying to close with this legislation, and trying to get them to sue

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the various companies that they represent. We don't think that's fair, and what we're trying to do with this legislation is close that loophole. And they, if they have a current lawsuit they have the right to proceed with that lawsuit, and all 16 have the right to do that."

Speaker Ryder: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would avail myself an additional minute since Representative Parke used the remaining two minutes of my time, Sir. Thank you. To the Bill, this is not a complicated issue, Ladies and Gentlemen. It's very simple. We're going to take away the rights of 3000 working people who have filed suit against UPS, because they were not paid overtime. This is 'special interest' at its worst. You're allowing 16 people to go forward and you're taking away the rights of 3000, 3000 people who have worked overtime and they had not been given overtime according to law. UPS, a large corporation, is coming here, one interest, to knock out 3000 lawsuits because they know they didn't pay them overtime. That's a very, very simple issue. That is the subject of this legislation. If you want to go along with special interest in a large corporation, vote for this measure. But if you want to take away and turn your backs on 3000 people who have worked for a living and cannot get legal redress, then go with the corporation who comes up here and gets what they want. I urge a 'no' vote."

Speaker Ryder: "Further discussion. The Chair recognizes Representative Zickus."

Zickus: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Bill. It does two things. First, it restores overtime wage protections to thousands of Illinois transportation workers, the dock workers, clerks,

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secretaries, and other Illinois truck company drivers. These protections were inadvertently removed through a drafting error in our 1994 Amendments to the Minimum Wage Act. This provision of Senate Bill 21 is supported by both employers and organized labor. The second part of the Bill prevents use of a statutory loophole to provide a potential windfall of millions of Illinois employers' dollars to interstate truck drivers for overtime wages, mostly for lunch hours, for which they have already been paid time and a half under the union contracts. So I hope you'll take a good look at this legislation, and add your support to it."

Speaker Ryder: "Further discussion. The Chair recognizes Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Ryder: "He indicates he will."

Hoffman: "Yes, Representative, with regard to the points that Representative Granberg made, in that individuals will not be able to bring actions under this Bill because of the provisions. How do you address that, and why do we want to take this away?"

Speaker Ryder: "Representative Parke."

Parke: "Representative, I know that you listened to the debate. I know you listened to my answer, but because I certainly respect you I'll repeat the answer again. We're not taking away anybody's right. They can proceed with their lawsuits. That is a fact. I don't know how I can say it any other way."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Now the 16 individuals that have already filed can proceed with their lawsuits. What about the other people who have a claim or a potential for a claim? They can't proceed with their lawsuits. Is that correct?"

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Speaker Ryder: "Representative Parke."

Parke: "Representative, I don't know where you're getting your information, but the facts indicate that they have not filed individual lawsuits other than these 16. If other people felt that they were not fairly dealt with by any trucking company in Illinois, they have the right to file a lawsuit. They have a right to file grievance. Those were not done. I don't know what we can do for people. Either you file it, or you don't, and that is what we're here for. We are trying to bring some fairness and resolution to this issue, and I think that I've answered your question."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Yes. Those 16 people are essentially the named individuals for a potential class in a lawsuit with the United Parcel Service. Is that correct?"

Speaker Ryder: "Representative Parke."

Parke: "I believe the answer to your question is yes."

Speaker Ryder: "Representative Hoffman."

Hoffman: "And this would prohibit the certification of a class? In other words, other than these 16 people, we're going to take away their right to bring, even bring an action in this matter. Is that correct?"

Speaker Ryder: "Representative Parke."

Parke: "That is correct, also."

Speaker Ryder: "Representative Hoffman."

Hoffman: "And to your knowledge currently, this is going to have a direct impact on a current lawsuit in which United Parcel Service is involved. Is that right?"

Speaker Ryder: "Representative Parke."

Parke: "Representative, this Bill does not affect the 16 lawsuits that have been filed. Those 16, as I keep saying to you, will continue and proceed."

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Speaker Ryder: "Representative Hoffman."

Hoffman: "Well, to the Bill, Mr. Speaker, Ladies and Gentlemen of the House. I think everybody, everybody in this General Assembly needs to sit up and take notice of this proposal. In the five years that I have been in the Illinois General Assembly this is the absolute worst, the absolute worst 'special interest' legislation that I have ever seen. I gotta tell you, if we allow this company to come in here and take away these people's rights, on the floor of this House, who's going to be next? Will IBM come in here and want to take away their worker's rights? We just saw a layoff, AT&T laid off what, 40,000 people? Are they going to come in here and say 'Well, now we're going to take away their benefits'? Should we allow General Motors to come here, and on this floor of the House rip away the rights of their workers? That's what we're doing. We're saying that you, as a 'special interest', you as a corporation, in Illinois, can come here and you can retroactively remove the rights of workers by passing a law that is retroactive to 1976. I said it before when we argued this Bill back in the Spring of 1995. Why don't we just retroactively go back to our Constitution and take it and tear it up? Why don't we go back to Davis Bacon, remove that, what do we need that for? Taft-Hartly we don't need that, no reason to have that, retroactively change that and every worker's right that we have given to these, the people of the State of Illinois, take that away, too. I have never, ever, on the floor of this House seen a more disgusting, despicable piece of 'special interest' legislation than we're about to vote on today. This stinks."

Speaker Ryder: "Further discussion. The Chair recognizes a Representative from DuPage, Representative Biggins."

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Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 21. Most Illinois interstate truck drivers have collectively bargained agreements that pay them overtime wages for hours worked at rates in excess of those provided under the State Minimum Wage Act. Currently, this is time and a half after eight hours, and double time on Sundays. In addition, drivers such as those employed by these delivery services, participate in an additional bonus system whereby they are paid additional overtime upon early completion of their daily delivery routes. As was stated by Representative Parke earlier, this is an issue of fairness. Sixteen drivers have filed individual suits to attempt to 'double dip' or collect lunch hour overtime under the State statute on top of overtime wages already paid them for such worked hours under their bargaining agreements and bonus payment arrangements. This double recovery was never intended or contemplated by the original legislation, nor do I believe it was intended or contemplated by their unions. Senate Bill 21 simply clarifies the State Minimum Wage Statute, and I urge an 'aye' vote."

Speaker Ryder: "Further discussion. The Chair recognizes the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This is a piece of legislation that really, that proves that it really pays to have 'friends in high places'. You know, if you're in court, and you don't like what's going on, maybe you can find a 'friendly Legislator' who can come and change the law for you so that you won't have to face that lawsuit. Here we have a situation, where an influential company in Illinois, UPS, is afraid it might lose in court. It might have to pay not 17, but 3000

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workers overtime. It just might have to part with some money for its workers. Well, that would be too bad. So let's go to the Legislature and see if we can't just get that law changed, so that the outcome of the case will be decided in the State Legislature. Why don't we do that with parking tickets? Maybe some people we know around here have some bad parking... have some parking tickets. They can come and get the law changed, or speeding tickets, get the law changed so you don't have to go to court. That's what this is about. We've got a company that doesn't want to have to 'face the music'. If you want to vote for this kind of a way, to 'skirt' around the judicial system if you want to support special interests who are coming to this Body, so that they don't have to face their day in court, then this is perfect legislation. But if you want to see that our system has some integrity, that we support everybody's rights, not just the big companies who can find somebody to sponsor a Bill, then you have to vote 'no' on this legislation."

Speaker Ryder: "Further discussion. The Chair recognizes Representative Deering."

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

Speaker Ryder: "He indicates he will."

Deering: "Representative, I know this is a very important Bill for you, and for a lot of people in the state. I've just got one question. Does anything in this Bill take away our 'right to own guns'?"

Speaker Ryder: "Representative Parke."

Parke: "Not with me sponsoring it."

Speaker Ryder: "Further discussion. The Chair recognizes Representative Brady."

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

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Speaker Ryder: "Representative Brady now moves that the previous question be put. The question is, 'Shall the previous question be put?' All in favor signify by saying 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The previous... Representative Parke to close."

Parke: "Thank you, Mr. Speaker. My colleagues on the other side of the aisle, in their own minds, are trying to present to you a 'worst case scenario'. Believe me, they have stretched the truth in their own minds, beyond what it really is. There is, was no lawsuit filed by 3000 drivers. There was a lawsuit filed by 17. From five of 60 centers throughout the state. They would be allowed to proceed with the lawsuits that they have filed under Senate Bill 21. Ladies and Gentlemen, this is something that absolutely needs to do, to close the loophole in the law from 1977. It is actually good legislation and I would ask that my colleagues vote 'yes'."

Speaker Ryder: "The question is, "Shall Senate Bill 21 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 45 voting 'nay', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills Second Reading. Mr. Clerk, please read Senate Bill 454."

Clerk Rossi: "Senate Bill 454, a Bill for an Act concerning farm produce. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No motions have been filed. No floor amendments approved for consideration."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate

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Bill 1154."

Clerk Rossi: "Senate Bill 1154, a Bill for an Act concerning automated railroad grade crossing enforcement systems. Second Reading of this Senate Bill. Committee Amendment #1 failed. Committee Amendment #2 was referred to rules. No Amendments have been approved for consideration."

Speaker Ryder: "Third Reading."

Clerk Rossi: "A fiscal note and a state mandate's note have been requested on the Bill."

Speaker Ryder: "The Bill will remain on Second. House Bill Second Reading. Mr. Clerk, please read House Bill 2667."

Clerk Rossi: "House Bill 2667, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Amendments have been approved for consideration. A balanced budget note has been requested on the Bill and has been filed. A correctional budget and impact note has been requested on the Bill and has not been filed."

Clerk Rossi: "Hold the Bill on Second Reading, Mr. Clerk. ... Announcements, Mr. Clerk."

Clerk Rossi: "Committee Announcements. Members are encouraged to listen to the following Committee Announcements. Rules Committee will meet immediately upon adjournment in Speaker's Conference Room. Rules immediately upon adjournment, Speaker's Conference Room. Cities and Villages Committee will meet at 3:00 p.m.. Public Utilities will meet at 3:00 p.m.. Cities and Villages and Public Utilities at 3:00 p.m.. Agriculture and Conservation and Registration and Regulation will meet at 4:00 p.m.. Agriculture at 4:00 p.m.. Registration and Regulation at 4:00 p.m.. Commerce, Industry, and Labor will meet at 4:30.. Commerce, Industry, and Labor will meet at 4:30 to hear floor amendment #7 to Senate Bill 15.

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Again, Rules Committee immediately upon adjournment. Cities and Villages and Public Utilities at 3:00 p.m.. Agriculture and Registration at 4:00 p.m.. Members are encouraged to attend their committees."

Speaker Ryder: "Representative Waite, for what purpose do you seek recognition?"

Waite: "Yes, Mr. Chairman, I'd just like to announce the Transportation Committee has been cancelled for today. Transportation Committee has been cancelled for today. Thank you."

Speaker Ryder: "Thank you very much. The Chair recognizes Representative Brady. Mr. Brady, for what purpose do you seek recognition?"

Brady: "Mr. Speaker, I move to rule the correctional impact note on House Bill 2667 inapplicable."

Speaker Ryder: "You've heard the motion. All those in favor signify by saying 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the wote is ruled inapplicable. Mr. Clerk, any further motions?"

Clerk Rossi: "No further note requests."

Speaker Ryder: "Third Reading."

Clerk Rossi: "Representative Churchill now moves that the House stand adjourned until Wednesday, February 7th at the hour of 12:00 noon. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Allowing perfunctory time for the Clerk, the House now stands adjourned until Wednesday, February 7th at the hour of 12:00 noon."

Clerk McLennand: "House Perfunctory Session will be in order. Introduction of First Reading of House Bills. Introduction - First Reading of Bills. House Bill 2844, offered by Representative Dart, a Bill for an Act to amend the School

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Code. House Bill 2845, offered by Representative Kaszak, a Bill for an Act in relation to senior citizens. House Bill 2846, offered by Representative Kaszak, a Bill for an Act in relation to education. House Bill 2847, offered by Representative Kaszak, a Bill for an Act to create the Women's Issues Amendments Act of 1996. House Bill 2848, offered by Representative Schakowsky, a Bill for an Act and to amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 2849, offered by Representative Black, a Bill for an Act to amend the Emergency Telephone System Act. House Bill 2850, offered by Representative Lachner, a Bill for an Act to amend the Nursing Home Administrators Licensing and Disciplinary Act. House Bill 2851, offered by Representative Balthis, a Bill for an Act to amend the Illinois Municipal Code. House Bill 2852, offered by Representative Kenner, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2853, offered by Representative Deering, a Bill for an Act to amend the Illinois Pension Code. House Bill 2854, offered by Representative Tom Johnson, a Bill for an Act to amend the Illinois Local Library Act. House Bill 2855, offered by Representative Cross, a Bill for an Act to amend the Illinois Pension Code. House Bill 2856, offered by Representative Andrea Moore, a Bill for an Act to amend the Illinois Clean Indoor Air Act. House Bill 2857, offered by Representative Ronen, a Bill for an Act to amend the Election Code. House Bill 2858, offered by Representative Ronen, a Bill for an Act to amend the Election Code. House Bill 2859, offered by Representative Stephens, a Bill for an Act to amend the Airport Authorities Act. House Bill 2860, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Banking Act. House Bill 2861, offered

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by Representative Moffitt, a Bill for an Act to amend the State Printing Contracts Act. House Bill 2862, offered by Representative Moffitt, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2863, offered by Representative Zickus, a Bill for an Act to amend the Adoption Act. House Bill 2864, offered by Representative Black, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2865, offered by Representative Leitch, a Bill for an Act to amend the Illinois Antitrust Act. House Bill 2866, offered by Representative Leitch, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. House Bill 2867, offered by Representative Tom Johnson, a Bill for an Act to amend the Humane Care for Animals Act. House Bill 2868, offered by Representative Black, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2869, offered by Representative Black, a Bill for an Act to amend the Illinois Rural/Downstate Health Act. House Bill 2870, offered by Representative Persico, a Bill for an Act to amend the Environmental Protection Act. House Bill 2871, offered by Representative Persico, a Bill for an Act to amend the Hazardous Material Emergency Response Reimbursement Act. House Bill 2872, offered by Representative Ryder, a Bill for an Act to amend the Medical Practice Act. House Bill 2873, offered by Representative Feigenholtz, a Bill for an Act concerning infectious and communicable diseases. House Bill 2874, offered by Representative Krause, a Bill for an Act concerning access to emergency medical services. House Bill 2875, offered by Representative Hughes, a Bill for an Act in relation to environmental laboratory certification. House Bill 2876, offered by Representative Cross, a Bill

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for an Act to create the Managed Care Patient Rights Act. House Bill 2877, offered by Representative Scott, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. House Bill 2878, offered by Representative Black, a Bill for an Act making an appropriation to the Department of Commerce and Community Affairs. House Bill 2879, offered by Representative Black, a Bill for an Act to amend the Illinois Economic Opportunity Act. House Bill 2880, offered by Representative Hartke, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2881, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2882, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2883, offered by Representative Lang, a Bill for an Act in relation to rights and remedies. House Bill 2884, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2885, offered by Representative Lang, a Bill for an Act to amend the Experimental Cancer Treatment Act. House Bill 2886, offered by Representative Bost, a Bill for an Act to amend the Illinois Pension Code. House Bill 2887, offered by Representative Phelps, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2888, offered by Representative Saviano, a Bill for an Act to amend the Illinois Pension Code. House Bill 2889, offered by Representative Saviano, a Bill for an Act and to amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 2890, offered by Representative Smith, a Bill for an Act making appropriations. House Bill 2891, offered by Representative Andrea Moore, a Bill for an Act to amend the Election Code. House Bill 2892, offered by Representative Andrea Moore, a Bill for an Act to amend the

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Election Code. House Bill 2893, offered by Representative Andrea Moore, a Bill for an Act to amend the Election Code. House Bill 2894, offered by Representative Saviano, a Bill for an Act 17-116.7 and to amend the State Mandates Act. House Bill 2895, offered by Representative Saviano, a Bill for an Act to create the Electrician Licensing Act. House Bill 2896, offered by Representative Boland, a Bill for an Act to amend the Illinois Horse Racing Act. House Bill 2897, offered by Representative Pankau, a Bill for an Act to amend the Counties Code. House Bill 2898, offered by Representative Lang, a Bill for an Act to amend the Humane Care for Animals Act. House Bill 2899, offered by Representative Scott, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2900, offered by Representative Skinner, a Bill for an Act in relation to local open space and recreational land acquisition. House Bill 2901, offered by Representative Dart, a Bill for an Act in relation to workers' compensation and occupational diseases. House Bill 2902, offered by Representative Dart, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2903, offered by Representative Deering, a Bill for an Act to amend the State Police Act. House Bill 2904, offered by Representative Steve Davis, a Bill for an Act concerning Secretary of State police, amending named Acts. House Bill 2905, offered by Representative Gash, a Bill for an Act to authorize executors and administrators to access certain financial records, amending named Acts. House Bill 2906, offered by Representative Gash, a Bill for an Act to amend the Toll Highway Act. First Reading of these House Bills. Introduction - First Reading of Bills. House Bill 2907, offered by Representative Krause, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2908,

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offered by Representative Krause, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2909, offered by Representative Clayton, a Bill for an Act to amend the Child Care Act of 1969. First Reading of these House Bills."

Clerk McLennand: "Committee Reports. Committee Report from Representative Churchill, Chairman of Committee on Rules to which the following Joint Action Motions were referred. Action taken on February 6, 1996, reported the same back 'do approve for consideration'; Conference Committee Report 1, ~~House Bill 1470 to~~ House Committee on Commerce, Industry and Labor. Committee Notice. For Tuesday, February 6th at 4:30 P.M. in room C-1, Commerce, Industry and Labor will meet to consider Conference Committee Report #1 to House Bill 1470. Introduction First Reading of House Bills. Introduction - First Reading of Bills. House Bill 2910, offered by Representative Wirsing, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2911, offered by Representative Saviano, a Bill for an Act to amend the Regulatory Agency Sunset Act. House Bill 2912, offered by Representative Saviano, a Bill for an Act to continue the Medical Licensing Board and the Medical Practice Act. House Bill 2913, offered by Representative Holbrook, a Bill for an Act to amend the Counties Code. House Bill 2914, offered by Representative Spangler, a Bill for an Act to amend the Counties Code. House Bill 2915, offered by Representative Spangler, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2916, offered by Representative Spangler, a Bill for an Act concerning license plates. House Bill 2917, offered by Representative Mautino, a Bill for an Act to amend the Wildlife Code. House Bill 2918, offered by Representative Wojcik, a Bill for an Act to

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amend the Illinois Horse Racing Act of 1975. House Bill 2919, offered by Representative Wojcik, a Bill for an Act to amend the Public Utilities Act. House Bill 2920, offered by Representative Saviano, a Bill for an Act making an appropriation for home energy assistance. House Bill 2921, offered by Representative Wojcik, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2922, offered by Representative Biggert, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2923, offered by Representative Scott, a Bill for an Act to amend the School Code. House Bill 2924, offered by Representative Brady, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2925, offered by Representative Brady, a Bill for an Act to amend the Criminal Code. House Bill 2926, offered by Representative Brady, a Bill for an Act to amend the Child Labor Law by changing Section 22. House Bill 2927, offered by Representative Brady, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2928, offered by Representative Brady, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2929, offered by Representative Balthis, a Bill for an Act to amend the Retailers' Occupation Tax Act. House Bill 2930, offered by Representative Pederson, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2931, offered by Representative Lang, a Bill for an Act to amend the Illinois State Collection Act. House Bill 2932, offered by Representative Lang, a Bill for an Act to amend the Attorney General Act. House Bill 2933, offered by Representative Lang, a Bill for an Act to amend the State Comptroller Act. House Bill 2934, offered by Representative Lang, a Bill for an Act to amend the Illinois State Auditing Act. House Bill 2935, offered by Representative

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Lang, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2936, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Educational Labor Relations Act. House Bill 2937, offered by Representative Lopez, a Bill for an Act to amend the School Code. House Bill 2938, offered by Representative Black, a Bill for an Act to amend the School Code. House Bill 2939, offered by Representative Howard, a Bill for an Act to amend the Riverboat Gambling Act. House Bill 2940, offered by Representative Biggert, a Bill for an Act in relation to rights and remedies. House Bill 2941, offered by Representative Black, a Bill for an Act to amend the School Code. House Bill 2942, offered by Representative Woolard, a Bill for an Act to amend the Election Code. House Bill 2943, offered by Representative Erwin, a Bill for an Act to prohibit the use of DNA information on the basis for certain insurable decisions, amending named Acts. House Bill 2944, offered by Representative Cross, a Bill for an Act concerning administrative review, amending a named Act. House Bill 2945, offered by Representative Hughes, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2946, offered by Representative Feigenholtz, a Bill for an Act to require the use of certain safety equipment by children when they are bicycle operators or passengers. House Bill 2947, offered by Representative Hughes, a Bill for an Act to amend the School Code. House Bill 2948, offered by Representative Hughes, a Bill for an Act concerning discontinuance of township organization, amending named Acts. House Bill 2949, offered by Representative Feigenholtz, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2950, offered by Representative McAuliffe, a Bill for an Act State Mandates

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Act. House Bill 2951, offered by Representative McAuliffe, a Bill for an Act 5-154 and 5-154.1 and to amend the Illinois Pension Code. House Bill 2952, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 2953, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 2954, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 2955, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code. House Bill 2956, offered by Representative McAuliffe, a Bill for an Act and to amend the Illinois Pension Code. House Bill 2957, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code. House Bill 2958, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code. House Bill 2959, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code. House Bill 2960, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 2961, offered by Representative Wennlund, a Bill for an Act to amend the Environmental Protection Act. House Bill 2962, offered by Representative Wennlund, a Bill for an Act to amend the Firearm Owners Identification Card Act. House Bill 2963, offered by Representative Wennlund, a Bill for an Act to amend the Criminal Code. House Bill 2964, offered by Representative Rutherford, a Bill for an Act to amend the Hospital Licensing Act. First Reading of these House Bills."

Clerk Rossi: "Committee Reports. Representative Balthis, Chairman from the Committee on Cities and Villages which

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the following Bill was referred. Action taken on February 6, 1996, reported the same back with the following recommendations: Do pass, as amended, short debate, House Bill 2516. Introduction First Reading of House Bills. House Bill 2965, offered by Representative Howard, a Bill for an Act making an appropriation to the State Board of Education. House Bill 2966, offered by Representative Howard, a Bill for an Act making an appropriation to the State Board of Education. House Bill 2967, offered by Representative Mulligan, a Bill for an Act to amend the Health Maintenance Organization Act. House Bill 2968, offered by Representative Hoffman, a Bill for an Act relating to partial tuition waivers for children of employees of public colleges and universities, amending named Acts. House Bill 2969, offered by Representative Hoffman, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2970, offered by Representative Hoffman, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2971, offered by Representative Hoffman, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2972, offered by Representative Hoffman, a Bill for an Act to amend certain Acts in relation to rights and remedies. House Bill 2973, offered by Representative Hoffman, a Bill for an Act to amend the Wrongful Death Act. House Bill 2974, offered by Representative Cowlshaw, a Bill for an Act concerning criminal offenses. House Bill 2975, offered by Representative Biggert, a Bill for an Act to amend the Public Utilities Act. House Bill 2976, offered by Representative Jim Meyer, a Bill for an Act to amend the Professional Boxing and Wrestling Act. House Bill 2977, offered by Representative Cross, a Bill for an Act to amend

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the Illinois Vehicle Code. House Bill 2978, offered by Representative Doug Scott, a Bill for an Act to amend the Illinois Municipal Code. House Bill 2979, offered by Representative Hoffman, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. House Bill 2980, offered by Representative Noland, a Bill for an Act to create the School Construction Retailers' Occupation Tax Referenda Act. House Bill 2981, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2982, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 2983, offered by Representative Wojcik, a Bill for an Act in relation to assisted living. House Bill 2984, offered by Representative Wojcik, a Bill for an Act to amend the Health Maintenance Organization Act. House Bill 2985, offered by Representative Gash, a Bill for an Act to amend the Criminal Code. House Bill 2986, offered by Representative McGuire, a Bill for an Act to amend the Criminal Code. House Bill 2987, offered by Representative Scott, a Bill for an Act in relation to organized gang activities, and to amend named Acts. House Bill 2988, offered by Representative Gash, a Bill for an Act concerning the sale of tobacco to minors, amending named Acts. House Bill 2989, offered by Representative Scott, a Bill for an Act to amend the Sex Offender Registration Act. House Bill 2990, offered by Representative Hoffman, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2991, offered by Representative Novak, a Bill for an Act in relation to sex offenders, amending named Acts. House Bill 2992, offered by Representative Howard, a Bill for an Act to amend the Criminal Code. House Bill 2993, offered by Representative Art Turner, a Bill for an Act creating the

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Service Revenue Act. First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand in recess until the hour of 5:00 p.m."

Clerk McLennand: "House Perfunctory Session will be in order. Introduction of Resolutions. House Joint Resolution #84, offered by Representative Ann Hughes. Committee Reports. Committee Reports from Representative Ackerman, Chairman for Committee on Public Utilities to which the following Bill was referred. Action taken on February 6, 1996, reported the same back with the following recommendation: Do pass as amended House Bill 2571. Committee Report from Representative Noland, Chairman of Committee of Agriculture to which the following Bill was referred. Action taken on February 6, 1996. Reported the same back with the following recommendation: Do pass House Bill 2665. Committee Report from Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills and Resolutions were referred, action taken on February 6, 1996, reported the same back with the following recommendation: 'do pass as amended Short Debate' House Bill 2626 and Senate Bill 1143. Introduction - First Reading of Bills. House Bill 2994, offered by Representative Deuchler, a Bill for an Act concerning the investment authority of certain financial institutions, amending named Acts. House Bill 2995, offered by Representative Saviano, a Bill for an Act to amend the Criminal Code. House Bill 2996, offered by Representative Saviano, a Bill for an Act in relation to public housing. House Bill 2997, offered by Representative Saviano, a Bill for an Act concerning service of summons by a housing authority police force. House Bill 2998, offered by Representative Saviano, a Bill for an Act to amend the

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Criminal Code. House Bill 2999, offered by Representative Saviano, a Bill for an Act to amend the Clerk of Courts Act. House Bill 3000, offered by Representative Art Turner, a Bill for an Act to prohibit the sale and possession of firearms on property owned, operated, and managed by a public housing authority. House Bill 3001, offered by Representative Art Turner, a Bill for an Act regarding fees paid by housing authorities to clerks of courts. House Bill 3002, offered by Representative Art Turner, a Bill for an Act to amend the Illinois Municipal Code. House Bill 3003, offered by Representative Art Turner, a Bill for an Act to amend the Clerks of Courts Act. House Bill 3004, offered by Representative Art Turner, a Bill for an Act to amend the Criminal Code. House Bill 3005, offered by Representative Saviano, a Bill for an Act to amend the Clerks of Courts Act. House Bill 3006, offered by Representative Saviano, a Bill for an Act to amend the Clerks of Courts Act. House Bill 3007, offered by Representative Lang, a Bill for an Act in relation to certain games of chance. House Bill 3008, offered by Representative Ryder, a Bill for an Act making appropriations. First Reading of these House Bills. Committee Report. Representative Parke, Chairman from the Committee on Commerce, Industry, and Labor, to which the following Bills and Resolutions were referred, action taken on February 6, 1996, reported the same back with the following recommendations: 'Do pass' Senate Bill 769. 'Do approve for consideration' Conference Committee Report #1 to House Bill 1470. There being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in full session on Wednesday, February 7th at the hour of 12:00 noon.

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