

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

26th Legislative Day

March 3, 1995

Speaker Black: "The House will come to order. Members will be in their seats. Those people not entitled to the House floor please retire from the chamber. The Chaplain for the day will be our assistant doorkeeper, Assistant Pastor Lee Crawford of the Victory Temple Church of God and Christ. Our Guests in the gallery may wish to rise for the invocation. Pastor Crawford."

Pastor Crawford: "Let us pray. Precious Lord in heaven we pray according to the scripture and the book St. Johns that this is the confidence that we have in You that whatsoever we ask You, according to Your will that You will hear us. We ask that You will hear us O'Lord as we ask You for Peace, we ask You for love, we ask You for joy, comfort, compassion, wisdom, understanding, and above all we ask You for guidance throughout this day. Lord we ask these special blessing in Your Son's name. Amen."

Speaker Black: "We will be led in the Pledge of Allegiance today by Representative Julie Curry."

Curry - 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 Black: "Representative Black in the Chair. Roll Call for Attendance. Representative Currie is recognized to report any excused absences on the Democrat side."

Currie: "Thank you, Speaker. Let the records show that Representatives Martinez and Younge are excused today."

Speaker Black: "Thank you, with leave of the House the Journal will so indicate. Representative Cross is recognized to report any excused absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. Would the record please reflect

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that Representative McAuliffe is excused today."

Speaker Black: "With leave of the House the Journal will so indicate. Mr. Clerk take the record. There are 114 Members answering the roll and a quorum is present. The House will come to order. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Reports. There is a corrected Committee Report from Representative Krause, Chairman from the Committee on Health Care and Human Services, to which the following Bill was referred, action taken on March 2, 1995, reported the same back with the following recommendations: House Bill 921 is on the order of 'do pass Short Debate'. It was reported out as 'do pass Consent Calendar'. Committee Report offered by Representative Maureen Murphy, Chairman from the Committee Revenue, to which the following Bills were referred, action taken on March 3, 1995, reported the same back with the following recommendations: 'do pass' House Bill 1055. Committee Report offered by Representative Andrea Moore, Chairman from the Committee on Elections and State Government, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass' House Bill 197. Committee Report offered by Representative Hughes, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass' House Bills 939, 123; 'do pass Short Debate' House Bills 801, 1276, and 897; 'do pass as amended Short Debate' House Bill 864. Committee Report offered by Representative Zickus, Chairman from the Committee on Consumer Protection, to which the following Bills were referred, action taken on March 2, 1995, reported the same

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back with the following recommendations: 'do pass as amended Short Debate' House Bills 1132, 1197. Committee Report offered by Representative Persico, Chairman from the Committee on Environment and Energy, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 729; 'do pass as amended Short Debate' House Bills 901, 257. Committee Report offered by Representative Wirsing, Chairman from the Committee on Higher Education, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass Short Debate' House Bills 820, 471. 'do pass as amended Short Debate' House Bills 602, 122.

Speaker Black: "Introduction of Resolutions, Mr. Clerk."

Clerk McLennand: "House Joint Resolutions #31, offered by Representative Churchill."

Speaker Black: "We'll now proceed to the Order of House Bills Third Reading. Mr. Clerk, read House Bill 206. Excuse me...excuse me Representative Currie, I take offense at you snapping your fingers at the Speaker of this House as it is a dog. In fact, I just may file a written Motion. I'll recognize you in due time. Representative Cowlshaw, House Bill 206."

Cowlshaw: "House Bill 206, a Bill for an Act to amend School Code, Third Reading of the Bill."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. I would request, please, that this Bill be returned to Second Reading for the purposes of an Amendment."

Speaker Black: "Representative Cowlshaw has moved to take House

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Bill 206 from Third Reading back to Second Reading for purposes of Amendment. Any discussion? Seeing none all those in favor of the Motion signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. Representative from Cook, Representative Currie for what purpose are you seeking recognition?"

Currie: "Thank you, Speaker for recognizing me. I started putting my light on as soon as Session began because I would wish to lodge a Parliamentary complaint about procedures in the House Revenue Committee this morning. Your rules House Rule 3-11, your rules, rules adopted by you, drafted by you, drawn by you, provide a six day posting notice before a committee can take action on a legislative measure. House Bill 1055 was posted today on the House Calendar, page...whatever it is, was posted for a subject matter assignment of that Bill to subcommittee notice. That was the only notice provision with respect to House Bill 1055. House Bill 1055 was then heard in subcommittee and then the full Revenue Committee voted on a measure that failed to meet the posting requirement. Why did you draw and draft the rules the way you did? Why did you adopt them as you did? If only so you could turn your back on them. If we had a rule book it might be time to start tearing them up because obviously the rules that you adopted do not apply when you choose that they should not. It is an absolute outrage and disgrace that you have completely subverted your own process, you've completely ignored a six day posting requirement clearly stated in the rules. You had an easier way to do it, you could have double posted. You didn't need to post that Bill for subject matter assignment to subcommittee you had the opportunity to do it right. If you didn't do it right you

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had plenty of time next week to hear that Bill in the full committee. But instead for reasons unclear to me you decided to tear up your own rule book, you decided that the full committee would vote on a Bill that was not properly before it for action today. Speaker, it's a disgrace, and if it's possible for the Chair to explain how that procedure happened, I would certainly appreciate knowing it."

Speaker Black: "Thank you very much, Representative. It's my understanding this issue was discussed in committee and has been handled in that place so your remarks are not timely. Representative Churchill, are you seeking recognition."

Churchill: "Thank you, Mr. Speaker. Ladies and Gentleman of the House just for the purpose of an announcement there will be a Rules Committee meeting at 1:30 it'll be very brief, but we will have a Rules Committee meeting at 1:30. Thank you."

Speaker Black: "Thank you, Representative Churchill. On the Order of Third Reading. Mr. Clerk, would you please read House Bill 358."

Clerk McLennand: "House Bill 358, a Bill for an Act that amends the Environmental Protection Act. Third Reading of this House Bill."

Speaker Black: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 358 addresses a problem which I first learned about in Peoria when we had explosions in two schools caused by chemicals and other items that had just not been paid attention to and allowed to accumulate in closets and so forth. House Bill 358 would create a program through the EPA whereby the EPA would over every three years offer an opportunity for our schools to dispose

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of hazardous lab chemicals and hazardous materials that are on the school site. It's a Bill that flew out of here last year and didn't get through the Senate, but it's a Bill that I think enjoys strong bipartisan support. I don't think it's controversial in anyway and I would ask for your favorable support."

Speaker Black: "Thank you very much. You've heard the explanation of House Bill 358 from the Sponsor. Are there any discussion? Yes the Gentleman from Cook, Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. I also rise in support of this Bill. It's a very good Bill because it effects everyone, in everyone school...in everyone's district, every school especially Junior High Schools and the High Schools that have chemistry labs. They have these chemicals sitting around in their facilities for a number of years. They do not know the proper disposal of these chemicals and a lot of cases they do not even know what chemicals they have in what bottles because they are mislabeled and they are not labeled and this is a very good program for the schools and all of our districts. So, I rise in support of this Bill and I ask for a favorable roll call. Thank you."

Speaker Black: "Thank you, Representative. Yes, the Gentleman from Clinton, Representative Granberg. Are you seeking recognition on the issue?"

Granberg: "Thank you Mr. Speaker. I've been seeking recognition ever since the Session started this afternoon. Point of order, Representative Cowlshaw."

Speaker Black: "State your point."

Granberg: "Representative Cowlshaw asked for leave to bring her Bill back to Second Reading for purposes of Amendments."

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Was that Amendment distributed? Clearly you heard us object to that on a leave to bring that Bill back to Second Reading, Mr. Speaker. You heard our objections we asked for a roll call. We were ignored once again. We have not seen the Representatives Amendment. We don't know what it does. It's supposed to go to Rules Committee under your own rules, Mr. Speaker. You have violated your own rules once again so why are we here? Your Amendment...the Amendment is supposed to go to Rules Committee it has not gone to Rules Committee. The Bill has been brought back to Second. We've objected, you avoided the question so what...are you going to abide by your own rules or not, Mr. Speaker?"

Speaker Black: "Well, thank you very much, Representative. It is certainly my intent to do the very best I can to abide by the rules. I thought your objection was on what happened on Revenue Committee. I had no idea you were objecting to the Ladies Motion. I believe the Amendment will go to Rules Committee, I believe Representative Churchill said at 1:30. Yes, Representative Granberg."

Granberg: "Mr. Speaker, with all due respect to you, Sir. You know better than that. We wanted a roll call on bringing that Bill back to Second. You should know better, you know these rules. If you want to steamroll the Minority that's one thing, but you had the votes Mr. Speaker, you could do anything you want, you don't just have to go all over us without any objection whatsoever. You know better than this. You were in a Minority."

Speaker Black: "Well said, Representative Granberg. Yes, the Gentleman from Kankakee, Representative Novak are you seeking recognition?"

Novak: "Mr. Speaker, yes, I wanted to speak on House Bill 358."

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Speaker Black: "Oh, I think that would be an immanent order, would you proceed."

Novak: "Thank you, Mr. Speaker. I too rise in support of this Legislation. I think it's a grand idea. For the edification of the Members of this Body it's not a mandate so were no ramming some rule or regulation down a school districts throat there will be a small appropriation, I believe that's going to be contained in the Environmental Protection Agencies budget. I believe it was about \$50,000, Representative Leitch, I think that's correct. And as a former chemistry major in High School I can tell you that all these chemicals and residual chemicals that are left over from experiments that lay around certainly pose a toxic threat and a hazardous threat to the students and to the environmental concerns within school buildings. So I think it's a good idea, as you can see I'm a Co-Sponsor of the Bill and I would urge all our colleagues to support this fine public policy."

Speaker Black: "Thank you, Representative. Yes, Representative Granberg are you seeking recognition. Yes, Representative Granberg."

Granberg: "Well, Mr. Speaker the point was are you going to follow your own rules, Sir. Are you going to recognize us on any inquiries when you ask for leave of the Body to move a Bill back to Second Reading, Sir?"

Speaker Black: "Oh, if I'd any idea, seriously if I had any idea that what the murmur was, I would have granted you the roll call. I really thought it was over the issue of the Revenue Committee. I'll do the very best I can to follow the rules. My Grandfathers middle name was fair."

Granberg: "Well, obviously some things aren't passed down, Mr. Speaker. While you were a lot more fair earlier, now if

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we're going to deal with this Body you have the votes Mr. Speaker, there's no sense in doing this in this point in time. We have a lot of serious issues to address in this Body. You have refused to do so, you haven't addressed truth and sentencing, you've objected to our Motions, you hadn't addressed the TRS funding crisis you've routinely, over our objections, not, refused to hear our Amendments, refused to hear our discussion on the floor. So in all fairness Sir, are you going to recognize us and abide by your own rules. Four weeks ago I asked you Sir, and you said you would take it under consideration when you would go to the Order of Motions so we could deal with truth and sentencing. We are still awaiting that response, Mr. Fairness. Will you please answer that today."

Speaker Black: "Yes, if I hadn't had the flu last week. I had to spend a day and a half in the hospital. That was the week I was going to consider that and because of my illness I wasn't able to. But, I'm going to consider that in the very near future, believe me. Anybody seeking recognition on the Bill at hand, we're in the middle of Third Reading. Yes, Representative Lang are you seeking recognition on the...House Bill 358."

Lang: "Well, thank you, Mr. Speaker. And because we've been ignored continually on this side of the aisle and because we don't get our points heard and because the Chair seems to be deaf, dumb, and blind to these issues we're forced to do the following. We now move and I'm joined by many, many, many of my colleagues who's hand are up to immediately change the Order of Business and move to the Order of Motions to discharge committee so that we can address fund education first. And so we can address police on the streets and so we can address truth and sentencing

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and so we can address the TRS crisis, and so we can address all the things in short, Mr. Speaker that the Majority Party refuses to do for the citizens in the State of Illinois. We demand a Roll Call Vote on this Motion, Sir."

Speaker Black: "Yes, thank you very much. Representative Lang in attempt to live up to my grandfathers heritage I'll grant you your Motion just as soon as we finish the order of business. That is in the rules. We can not go to your Motion until we conclude this Order of Businesses. So I'll ask once again. Anyone seeking recognition on the issue of House Bill 358? Seeing none, Representative Leitch to close."

Leitch: "Simply ask for a favorable roll call."

Speaker Black: "The question is, 'Should House Bill 358 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 114 'ayes', no 'nay', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang now that we're done with that Order of Business I'll get back to you. Your Motion is to change the Order of Business is that correct, Representative Lang."

Lang: "Well, thank you for giving me the opportunity to repeat my Motion, Mr. Speaker and I will try to repeat all of it. Because we've been steamrolled on this side of the aisle and were not able to get our Amendments heard in committee on such important issues such as police on the street, truth and sentencing, funding education, the TRS insurance crisis for the teachers, downstate teachers in our state. We're forced to make a Motion now to change the Order of

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Business and I'm joined by the requisite number of people with a requisite number of hands and I demand a Roll Call Vote to change the Order of Business and go directly to the Order of Motions and discharge committee."

Speaker Black: "Yes, Representative Lang has asked...has moved that we change the Order of Business. All those in favor signify by saying...I'm sorry all those in favor of Representative Lang's Motion, please indicate by voting 'aye'; those opposed to the Motion indicate by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 50 voting 'aye', 64 voting 'nay', the Motion fails. Mr. Clerk, read House Bill 505."

Clerk McLennand: "House Bill 505, a Bill for an Act that amends Counties Code. Third Reading of this House Bill."

Speaker Black: "Representative Brady on House Bill 505."

Brady: "Thank you, Mr. Speaker. Ladies and Gentleman, House Bill 505 amends the County Code by providing the sheriff or a court, judge clerk of court, county clerk, deputy county clerk or Notary Public designated by sheriff shall administer the oath of office required of a deputy sheriff. Presently sheriffs are administrating the oath of office to their deputies, this just clarifies the law to make sure they have the authority to do so. I ask for your 'aye' vote."

Speaker Black: "Thank you, Representative. Is there any discussion? Any discussion? Yes, the Gentleman from Cook, Representative Dart."

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

Speaker: "He indicates he will."

Dart: "Representative, has this been a problem has there been

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deputies who's offices have been invalidated because of the ambiguity."

Speaker Black: "Representative Brady."

Brady: "Representative, the Illinois Sheriffs Association came to me with this. I don't know that there has been any major problem, but this is just a point to clarify so that there is no future problem once this is brought up."

Speaker Black: "Representative Dart."

Dart: "Thank you. So we aren't sure...I've always introduced Bills to change the law too, but usually it's because something is broken. Has there been any incidents whatsoever, something that leads us to change this. I mean it's obvious this isn't a major earth shaking change but I'd like to feel that there's been a problem that we're pushing this legislation at this moment. There is a lot of other matters that are very heady issues that we aren't discussing at all and I just would like to feel at least that there is a reason why we are doing this at this time because there's been a problem and trying to rectify the problem. Do you know of any type of incident at all?"

Speaker Black: "Representative Brady."

Brady: "I only know there are certain sheriffs that now, with the understanding of the law are reluctant to swear in their own deputies because it isn't clarified technically in the statutes. And that's all we are trying to do here."

Speaker Black: "Yes, Representative Dart."

Dart: "But as of this time there's been none that have been invalidated or there's been none...there's not a court case pending or anything of that nature that has been a problem here correct."

Speaker Black: "Representative Brady."

Brady: "That's my understanding."

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Speaker Black: "Representative Dart."

Dart: "Would this apply throughout the entire state? Would this apply throughout the whole state?"

Speaker Black: "Representative Brady."

Brady: "Yes."

Speaker Black: "Representative Dart."

Dart: "And have the sheriffs and the judges of Cook County been consulted about this as far as any of the changes here. Are they in favor of this?"

Speaker Black: "Representative Brady."

Brady: "This Bill was proposed by the Illinois Sheriffs Association and there was absolutely no opposition."

Speaker Black: "Representative Dart, you have any further questions? Ladies and Gentleman this Bill is on Short Debate and there is still two people seeking recognition. Representative Hartke do wish to remove the Bill from Short Debate? Are you joined by the requisite number of your colleague? I see two or three out there. All right. Representative Brady our colleagues on the other side of the aisle have asked that we remove this Bill from Short Debate. We'll entertain questions and for purposes of a question Representative Hartke I assume you want to ask a question. proceed."

Hartke: "Thank you very much, Mr. Speaker. Mr. Brady I think you indicated there was absolutely no major problem that you are trying to solve here, but it came as a request. Is that correct?"

Speaker Black: "Representative Brady."

Brady: "As I did in the committee where you voted for this Bill Representative."

Speaker Black: "Representative Hartke."

Hartke: "Yes, I intend to vote for this Bill again. You know we

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get a lot of requests for various legislation and some of the legislation I've been requested here recently was a meeting were there were 300 retired teachers. And not one of them mentioned that they needed the sheriffs authority and so forth to swear in deputies. There concern was the TRS system and I think we all ought to sit back and look at what we are doing here. We got a crisis brewing and it's not with swearing in deputies. It's with our teachers retirement system and I would suggest that this Body take a good look at that issue and start working on that issue. Thank you."

Speaker Black: "Yes, Ladies and Gentleman of the House in all due respect to those of you who feel strongly about issues. If you can confine your remarks to the Bill while were on final action it would be most appreciated. Yes, the Gentleman from Cook Representative Lang, are you seeking recognition."

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

Speaker Black: "He indicates he will."

Lang: "Representative why do we need this Bill I heard you explain what it does and I don't have any real problem with what it does, but why do we need it? Is there a factual example somewhere out there is some community that has come to you that requires this drastic action in this matter."

Speaker Black: "Representative Brady."

Brady: "Representative, as I spoke to your colleague to your right earlier there are certain sheriffs understanding the statutes now that have some concern about there ability to swear in deputies. Now, if you would wish that sheriffs would not be able to swear in their deputies according to their statutes vote 'no', but as I responded to your

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colleague to your right this is a very simple clarification Bill that will allow sheriffs to swear in their deputies as I believe we all wish they had the right to do."

Speaker Black: "Representative Lang."

Lang: "Representative I'm prepared to vote for your Bill, but you've said there are certain sheriffs that want to do this. And I would just like to know which sheriffs."

Speaker Black: "Representative Brady."

Brady: "Representative, this was brought to me by the Illinois Sheriffs Association who's president is the sheriff from McLain County, Sheriff Steve Breenan. That is the only one I can mention by name, but my assumption is based on what they've told me is that every sheriff in the State of Illinois wants this to be done."

Speaker Black: "Representative Lang."

Lang: "So the chairman of that association didn't tell you which sheriffs he only told you there were certain sheriffs that needed this for their counties. Is that correct?"

Speaker Black: "Representative Brady."

Brady: "No, it is not correct this was unanimously supported by all sheriffs in the association."

Speaker Black: "Representative Lang."

Lang: "Let me ask you this, this Bill deals with sheriffs is this part of the Republican crime package. To deal with the problems of crime in the State of Illinois?"

Speaker Black: "Representative Brady."

Brady: "You can call it whatever you want."

Speaker Black: "Representative Lang."

Lang: "Well I do have a few things to call it Representative, but I won't do that now. Let me ask you if you feel that this is more important that some of the things you've been voting against. You've been voting against the Houses

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ability to vote about police on the street, about funding education..."

Speaker Black: "Representative Lang...Representative Lang that is not germane to this Bill please confine your remarks to this Bill. Now Representative Lang, do you have a specific question about House Bill 505?"

Lang: "Excuse me, Sir. First of all...debate me from the Chair that's first of all. Second of all, I have a right to ask this Representative a question relating to sheriffs. The question I have relates to sheriffs. It relates to police, it relates to crime that relates to sheriffs and I wasn't debating these other issues. I was asking the Representative a question which I have every right to do. And for you to shut a Member off from the Chair during questioning of another Representative during his Bill is a little silly. Now, I would like to continue my questions if the Chair pleases."

Speaker Black: "I will allow you to continue your questioning if it relates directly to House Bill 505."

Lang: "And who will make that decision, Mr. Speaker. You? Will you make that decision?"

Speaker Black: "I most certainly except that responsibility, Sir. And I would make that decision. Representative Brady to close."

Brady: "Thank you, Mr. Speaker. I just ask for your 'aye' vote."

Speaker Black: "The question is, 'Should House Bill 505 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 102 'ayes', 5 'noes', 1 voting 'present'. This Bill, having received a Constitutional

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Majority, is hereby declared passed. Rules Committee will now convene in the Speaker Conference Room. Representative Currie you were seeking recognition for an announcement I believe on the absentees."

Currie: "Thank you, Speaker. Let the record also show that Representative Lopez is excused today."

Speaker Black: "Thank you. The record will so reflect. Mr. Clerk House Bill 560."

Clerk McLennand: "House Bill 560, a Bill for an Act that amends the Disables person Rehabilitation Act. Third Reading of this House Bill."

Speaker Black: "Yes, Representative Myers."

Myers: "Yes. Thank you, Mr. Speaker. Ladies and Gentleman of the House, this Legislation would require the admissions policy at the Illinois school for the visually impaired to permit parents to enroll children with visual handicaps who would go to regular schools. Such enrollment is permitted after the normal enrollment is complete, and when resources are sufficient. This requires the Department of Rehabilitation Services to establish a deadline for enrollment of the qualified children and to adopt any rules and regulations necessary for the enrollment after the deadline of other handicapped children at the request of their parents or guardians and who can benefit from attending the Illinois school for the visually impaired or regular education facilities. I would be glad to answer any questions, Mr. Speaker."

Speaker Black: "Thank you, Representative. Is there any question on House Bill 560? Gentleman from Madison, Representative Stevens. Representative Stevens are you seeking recognition? Yes, the Representative from Cook, Representative Schakowsky. Are you seeking recognition on

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the issue? Proceed."

Schakowsky: "Yes, Mr. Speaker. Ladies and Gentleman of the House. First of all I'd like to take this Bill off of Short Debate and I'm joined by a sufficient number of my colleagues..."

Speaker Black: "That's fine. We'll be off Short Debate."

Schakowsky: "Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Schakowsky: "Representative, could you tell us what the problem is that this Bill is intended to address."

Myers: "Representative, the problem is that the school is not at this time completely filled to the enrollment capacity and there are a number of students around the state who would like to attend this school who do not have the ability or have not be granted the permission from their local school districts to attend this. Many of these students feel like they want a closer environment with many other students of their same problem and feel like the opportunities that are afforded them at this institution provide them better opportunities than a normal school."

Speaker Black: "Yes, Representative Schakowsky."

Schakowsky: "So in other words...because there's a decreased enrollment at this school we need to change state policy in order to fill up the school. Is that what you're saying?"

Speaker Black: "Representative Myers."

Myers: "That's not necessarily the problem. The part of the problem is that current law requires direct enrollment from...referred enrollment from the school systems this would allow direct enrollment much like it's sister school. The Illinois School for the Deaf. Which is also in state law. It's already in existence in that admission policy."

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Speaker Black: "Representative Schakowsky."

Schakowsky: "Are you aware of the rationale for the initial policy that is to have the school districts...to have it go through the school districts and could you explain what that policy was."

Speaker Black: "Representative Myers."

Myers: "Yes, I am aware of that policy and currently we...the reason for doing this is that some school districts are reluctant to after diagnosis and evaluation to send students to the Illinois School for the Visually Impaired, for a variety of reasons and for those parents and students who wish the opportunity of what they consider a more appropriate or a better opportunity for them. This allows just the direct enrollment."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Is this Bill an attempt to get around the notion of school inclusion which would have school districts provide for children with disabilities to be served in their home schools?"

Speaker Black: "Representative Myers."

Myers: "No, Representative this is definitely not an attempt to get around inclusion. Inclusion is still a part of the overall goal of the educational system but out of the thousands of thousands of students that are in today's schools and this enrollment is certainly...in the Illinois School for the Visually Impaired is only limited to a maximum of 125 students or so. The percentage of students that will be participating in this is very minimal compared to the number of other students that will be participating in full inclusion."

Speaker Black: "Representative Schakowsky."

Schakowsky: "How many students do you think that...would apply

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directly then to the school?"

Speaker Black: "Representative Myers."

Myers: "Representative currently they have an enrollment of 90 students at ISVI. They have a maximum of 125, so they are anticipating only about another 45...15 to 20, excuse me. Another 15 to 20 enrolling."

Speaker Black: "Representative Schakowsky."

Schakowsky: "But I'm wondering how many you anticipate might apply for the school. And are we going to see as a result of this new policy. Now a number of students turned away if you say there is really a need."

Speaker Black: "Representative Myers."

Myers: "Representative when the Illinois School for the Deaf encountered this same situation and when they were able to open their enrollment to other than qualifies students after the enrollment deadline they only saw a 10 to 15% increase in their enrollment and we are anticipating the same at the Illinois School for the Visually Impaired."

Speaker Black: "Representative Schakowsky."

Schakowsky: "So you're saying that this Legislation would make that school consistent with the school for the deaf."

Speaker Black: "Representative Myers."

Myers: "That is correct."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I've asked my questions."

Speaker Black: "Thank you very much. The Gentleman from Adams Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. In response to Representative Schakowsky's question I think I can point out an instance within my own district. I got a call from a parent who was speaking about the fact that she has three visually impaired children and one of

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them had attended the Illinois School for the Visually Impaired in Jacksonville and she had been seeking without success and the children...the other two would like to attend the school in Jacksonville, certainly are qualified, but ran into a situation because a local school district wanted to keep those Special Ed. dollars within their district and not allow her or those children the opportunity to attend this school in Jacksonville, which they felt as parents was very, very important issue. So...and you see this all over one of the problem that has come about because of the appeal process for those who have children who would like to attend, and parent who would like to have their children attend school in Jacksonville, School for the Visually Impaired, have not actually had that opportunity in some cases because of the local school districts. So, this allows for an opportunity for those parents to participate if after the normal enrollment deadlines are passed or normal enrollments are filled from local schools. It's an important issue I would certainly urge the support of Members on both sides of the aisle. And I see that Representative Hannig has been added as a hyphenated Co-Sponsor and I know for those of us in Central Illinois this is an important issue and we'd really appreciate your help. Thank you."

Speaker Black: "Yes, the Gentleman from St. Clair, Representative Halbrook."

Halbrook: "Thank you, Mr. Speaker. As a point of order my light has been on since the last roll call I could not get my 'yes' button to work and I'd like to be recorded as 'yes' on the last Bill. House Bill 505, please."

Speaker Black: "I'm sorry I didn't see your light at that time we can't do what we use to do, but we'll certainly see that

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the Journal will reflect that."

Halbrook: "Thank you."

Speaker Black: "Yes, the Gentleman from Cook, Representative Lang."

Lang: "Thank you. Bare with me one moment, Mr. Speaker. Representative, will the Sponsor yield first of all, Mr. Speaker?"

Speaker Black: "He indicates he will."

Lang: "Thank you. Representative were there any opponents to this in committee?"

Speaker Black: "Representative Myers."

Myers: "None that I'm aware of."

Speaker Black: "Representative Lang."

Lang: "Well were you in committee when the Bill was presented?"

Speaker Black: "Representative Myers."

Myers: "Yes."

Speaker Black: "Representative Lang."

Lang: "So were there any opponents in committee?"

Speaker Black: "Representative Myers."

Myers: "It was reported out of committee by a 23 to 0 vote."

Speaker Black: "Representative Lang."

Lang: "So were you in committee when the Bill was presented?"

Speaker Black: "Representative Myers."

Myers: "Yes."

Speaker Black: "Representative Lang."

Lang: "So was there any opposition to the Bill in committee?"

Speaker Black: "Representative Myers."

Myers: "Not that I recall."

Speaker Black: "Representative Lang."

Lang: "So were you in committee when the Bill was presented?"

Speaker Black: "Representative Lang...are we having trouble hearing each other here...I think that's about the third

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question..."

Lang: "Mr. Speaker, I haven't gotten an answer to the question as to whether there was any opposition to the Bill. He says not that he recalls I'm simply...if he was in committee he must know whether there was opposition it's his Bill. He's under the responsibility to know the answer to this question it's a basic question. I will ask it again. Was there any opposition to the Bill in committee. Simple question."

Speaker Black: "Representative Myers do you have a simple answer?"

Myers: "Mr. Speaker I believe I've already answered that question."

Speaker Black: "Representative Lang."

Lang: "Well you're starting to sound like John Dean, not that he recalls. Let me go on to another area. What's the cost of this Legislation Representative?"

Speaker Black: "Representative Myers."

Myers: "There will be no additional cost."

Speaker Black: "Representative Lang."

Lang: "There will be no initial cost. And what will the long term cost of this legislation be?"

Speaker Black: "Representative Myers."

Myers: "There will be no additional long term cost either."

Speaker Black: "Representative Lang."

Lang: "So there's no cost at all is that what you are telling me Representative?"

Speaker Black: "Representative Myers."

Myers: "Not to the State of Illinois. No."

Speaker Black: "Representative Lang."

Lang: "Then to who, Sir. Who will there be cost to?"

Speaker Black: "Representative Myers."

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Myers: "Possibly to some school districts that might loose a little money."

Speaker Black: "Representative Lang."

Lang: "Will this result in any increased property taxes for anybody?"

Speaker Black: "Representative Myers."

Myers: "No Representative."

Speaker Black: "Representative Lang."

Lang: "Since the Bill would allow parents to circumvent special education features of their regular school districts have any parents come to you with an interest in doing this?"

Speaker Black: "Representative Myers."

Myers: "Mr. Speaker, I'm sorry I did not hear the question...the first part of the question could he repeat the question, please."

Speaker Black: "I'm sure he will. Representative Lang."

Lang: "Thank you. Your Bill would allow parents to circumvent the special education features of their regular school districts and I see that your list of proponents are many fine but large organizations so the question is have any parents themselves come to you to suggest that this is something they would like to do?"

Speaker Black: "Representative Myers."

Myers: "Yes, they have Representative."

Speaker Black: "Representative Lang."

Lang: "And they've all been in favor of this legislation, Sir?"

Speaker Black: "Representative Myers."

Myers: "Everyone of them that has contacted me."

Speaker Black: "Representative Lang."

Lang: "Since the schools are involved does this involve mandates in anyway, Sir?"

Speaker Black: "Representative Myers."

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Myers: "No, it does not Representative."

Speaker Black: "Representative Lang."

Lang: "I have nothing further. Thank you, Representative. Thank you, Mr. Speaker."

Speaker Black: "Thank you. The Gentleman from Effingham Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Will the Gentleman yield?"

Speaker Black: "He indicates he will."

Hartke: "Representative Myers, I appreciate you bringing out this piece of legislation. I think it's a fine piece of legislation I plan on voting for it. For the discussion I've come to learn this school is in Jacksonville, Illinois, is that correct and there is 125 students max that..."

Speaker Black: "Correct, Representative Hartke, continue. Please turn on Representative Hartke."

Hartke: "Thank you, Mr. Speaker. There's 125 students max that can attend this school. How long do those students attend this school? Six months...nine months?"

Speaker Black: "Representative Myers."

Myers: "Representative Hartke, sometimes they can attend up to four years. It's a four year high school, Sir."

Speaker Black: "Representative Hartke."

Hartke: "So this is a high school and we wait till then before they attend if they are visually impaired, so young students who are between the ages of five, six to 14 or 13 get no help. Is that right?"

Speaker Black: "Representative Myers."

Myers: "Representative, we're not clear on that. It may involve younger students we are not clear on that, but we'd be glad to find out about that."

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Speaker Black: "Representative Hartke."

Hartke: "Well, you know, if you would please. It's not going to change my mind, but I would think that we ought to try to open this school up to those younger individuals because the first 12, 14 years of your life going through visually impaired does not seem quite fair. Why should we wait till high school to do this. If we have a room in the school, and I'm sure it's to teach them how to get along without seeing not necessarily history and geography and everything else, but to teach them to read and maybe to write and to type. It would be important that we do this for the youngest, that we could do as opposed to waiting till they are older. I'm glad I asked that question because I think that's important and maybe we ought to look at that to see how we can encourage younger students to be admitted to this school. And I appreciate your bringing this out so we do fully utilize the facility there. I plan on supporting your legislation. Thank you, Mr. Speaker."

Speaker Black: "Seeing no one seeking recognition, Representative Myers to close."

Myers: "Thank you, Mr. Speaker. I just simply ask for an 'aye' vote on this piece of legislation."

Speaker Black: "The question is, 'Shall House Bill 560 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. 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 109 voting 'yes', 2 voting 'nay', 2 voting 'present'. House Bill 560, having received a Constitutional Majority, is hereby declared passed. I might add that was the Gentleman's first Bill. Mr. Clerk, House Bill 567."

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Clerk McLennand: "House Bill 567, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of this House Bill."

Speaker Black: "Excuse me just a second...I'm sorry, Mr. Clerk. The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker. Just a point of inquiry to the Chair what has happened to our time honored tradition here. I mean I know the Republicans have taken over the House and gosh...you mean those traditions are just out the window that Bill was suppose to only have...suppose to have no votes."

Speaker Black: "I'm in total agreement with you I voted 'no' and I didn't understand all the green votes. Something obviously has happened. Must be something in the water."

Novak: "We've lost our life blood our enthusiasm, I mean what's happened? Since I voted on a prevailing side, I now make a Motion to move to reconsider the vote."

Speaker Black: "Well the Gentleman...excuse me yes, the Representative from Cook, Representative Shirley Jones are you seeking recognition?"

Jones, S.: "Mr. Speaker, on the last Bill I voted 'no', and I wish to vote 'yes' on the Bill before."

Speaker Black: "Well it appears that you may have a chance to vote however you want because Representative Novak..."

Jones, S.: "Can he change it to 'yes', please."

Speaker Black: "I tell you want we're going...Representative Novak is just..."

Jones, S.: "Are you going to run the Bill again?"

Speaker Black: "Well, he made a sneaky...he made a sneaky Motion. He's in order I'm going to have to do that. The Gentleman from Kankakee, Representative Novak is within his rights having voted on the prevailing side on House Bill 560 to

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reconsider the vote by which that Bill passed. Any discussion? With no one seeking recognition, all those in favor of the Motion to reconsider the vote say 'aye'; opposed, 'nay' the Chair is in doubt. I think we better have a roll call on the Gentleman's Motion. All those in favor of reconsidering the vote by which House Bill 560 passed will signify by voting 'aye'; those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On the question to reconsider there are 87 'ayes', 23 'nays', 1 voting 'present'. The Gentleman's Motion prevails and the vote by which House Bill 560 passed earlier will be reconsidered. We've heard debate on the Bill. Representative Myers do you wish to close once again on this piece of legislation. Excuse me, Representative from Cook, Representative Davis, yes, are you seeking recognition?"

Davis, M.: "Yes, Sir. Thank you. I'd like...what committee did this Bill pass out of?"

Speaker Black: "I have no idea. Representative Myers can you enlighten us?"

Myers: "Bill passed out of health care and human services."

Speaker Black: "Representative Davis."

Davis, M.: "Thank you."

Speaker Black: "Yes, the Gentleman from Williamson, Representative Woolard are you seeking recognition?"

Woolard: "Point of order I couldn't even be a personal privileged I've got a question. I think that this may have been the first time that I voted with a Majority this Session. Did I make a mistake on that last vote were there 80 on my side that time?"

Speaker Black: "Spirit of bipartisanship. I've never know you to

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make a mistake however..."

Woolard: "Thank you I'm glad you confirmed that."

Speaker Black: "You rose to a point of order a question and a personal privileged have all those been satisfied?"

Woolard: "All answers were good."

Speaker Black: "Yes, the Lady from Cook Representative Shirley Jones."

Jones, S.: "Mr...Representative Myers. What do you mean impaired admission. I don't understand what you...you saying impaired admission what is that?"

Speaker Black: "Yes, Representative Myers would you answer the question. You willing to yield? He indicates he will."

Myers: "The parents have the opportunity for a direct admission to the schools rather than going through the school district."

Speaker Black: "Yes, Representative Jones you have any further questions?"

Jones, S.: "I can't hear you. Your going to have to talk louder I can't hear you."

Speaker Black: "Representative Myers, Representative Jones can't hear you please talk louder."

Myers: "The parents have the opportunity for a direct admission to the school rather than going through their local school district."

Speaker Black: "Representative Shirley Jones."

Jones, S.: "But you said that's impaired admission I still want to know admission what is admission I don't understand what you talking about. What is admission? Tell me what admission means."

Speaker Black: "Representative Myers."

Myers: "Admission means they can be enrolled into the school."

Speaker Black: "Representative Jones are we making any progress?"

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Jones, S.: "Well were did the parents come from? What you talking about parents I'm talking admission you talking about parents."

Speaker Black: "Representative Myers."

Myers: "Representative, the parents are the parents of the children. The parents of the students that want admission or enrollment into the school."

Speaker Black: "Representative Jones."

Jones, S.: "Where are these schools where are these schools?"

Speaker Black: "I think there is only one, but let me ask Representative Myers. Yes, Representative Myers."

Myers: "The school that they are to be enrolled in is the Illinois school for the Visually Impaired in Jacksonville."

Speaker Black: "Representative Jones."

Jones: "In Jacksonville. You mean to tell me that someone from Chicago got to go all the way to Jacksonville?"

Speaker Black: "Representative Myers."

Myers: "There are several now currently enrolled from the Chicago area and they appreciate that school being there very much, yes."

Speaker Black: "Representative Jones."

Jones, S.: "Well I don't think we should vote on this Bill. I think everybody should vote 'no' on this Bill because I do not think it's fair. Thank you."

Speaker Black: "Yes, the Gentleman from Will, Representative Wennlund are you seeking recognition."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentleman of the House. It's Friday afternoon it's 2:00 Representative Myers has been already severely pimped by half the other side of the aisle I move the previous question let's get it over with and send Representative Myers along with his Bill off to the Senate."

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Speaker Black: "The Motion isn't necessary no one seeking recognition. Representative Myers do you wish to close, again? Representative Myers is moved the passage from House Bill 560 this is final action. The question is, 'Shall House Bill 560 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 111 'ayes', no 'nays', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 567."

Clerk McLennand: "House Bill 567, a Bill for an Act that amend the Metropolitan Water Reclamation district Act. Third Reading of this House Bill."

Speaker Black: "The Gentleman from Will Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. It's a very simple Bill. The Metropolitan Water Reclamation District can only serve territory that is annexed to it and the only way to annex territory to the Metropolitan Water Reclamation District is by an Act of this General Assembly. That's kind of unfortunate, but that's what the law is. There's an area in Rich township called Crawford country side which has been served by contract with the Metropolitan Water Reclamation District for several years. They have made a decision that they will no longer serve area by contract and will only serve them if they are a annexed to the Water Reclamation District and that's all this does is a next the land described in the Bill which is basically known as Crawford country side to the Metropolitan Water Reclamation District. The Water Reclamation District is in favor of

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this they want to eliminate service contracts and have all area served as part of the Metropolitan Water Reclamation District. I ask for your 'aye' vote, simple as that."

Speaker Black: "Is there any discussion? The Gentleman from Cook Representative Lang."

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

Speaker Black: "He indicates he will."

Lang: "Representative, what you're doing here is by state action doing something that the Reclamation District can do on their own."

Speaker Black: "Representative Wennlund."

Wennlund: "Representative Lang, if they could do it on their own I would have never introduced the Bill to duplicate what they could do on their own. As I stated...as I stated the only way the Metropolitan Water Reclamation District can serve property is if it is annexed by an Act of the General Assembly. Thank you."

Speaker Black: "Representative Lang."

Lang: "Representative, I didn't ask you a question that would require you to get so volatile. It was a simple question perhaps I didn't understand your explanation of the Bill. I just wanted to make sure this wasn't another preemption Bill. So, you answered my question, thank you very much."

Speaker Black: "Representative Wennlund."

Wennlund: "Mr. Speaker, is there a question pending?"

Speaker Black: "No, I'm sorry. The Gentleman from St. Clair, Representative Hoffman."

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

Speaker Black: "He indicates he will."

Hoffman: "Is there any requirement for a referendum to be passed by the Crawford Countryside residents in order to become members of the Metropolitan Water Reclamation District? In

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other words do they get a voice in this decision."

Speaker Black: "Representative Wennlund."

Wennlund: "They have requested that the Metropolitan Water Reclamation District annexed them so they can continue to flush their toilets."

Speaker Black: "Representative Hoffman."

Hoffman: "Are they currently taxed by the Metropolitan Water Reclamation District?"

Speaker Black: "Representative Wennlund."

Wennlund: "No."

Speaker Black: "Representative Hoffman."

Hoffman: "So, this Bill would allow the Metropolitan Water Reclamation District to begin to tax people at the Crawford Countryside area."

Speaker Black: "Representative Wennlund."

Wennlund: "Yes, as opposed to paying high service contract fees to the district."

Speaker Black: "Representative Hoffman."

Hoffman: "The present system is that they pay...individual residents pay service contract fees to the district."

Speaker Black: "Representative Wennlund."

Wennlund: "Correct because they are not currently annexed to or within the corporate limits of the Metropolitan Water Reclamation District."

Speaker Black: "Representative Hoffman."

Hoffman: "By putting this tax...this additional tax from the Metropolitan Water Reclamation District on these individuals, does this have any effect regarding the tax cap."

Speaker Black: "Representative Wennlund."

Wennlund: "No."

Speaker Black: "Representative Hoffman."

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Hoffman: "Well, Representative wouldn't the EAV of the taxing district naturally go up because of the addition of these new homes, therefore effecting the tax cap."

Speaker Black: "Representative Wennlund."

Wennlund: "Representative Hoffman let me tell you why the residents of Crawford Countryside want to be annexed to the Metropolitan Water Reclamation District because when they flush their toilets they can deduct it from their federal income tax because it's part of their tax bill. As a service contract they could not."

Speaker Black: "Representative Hoffman."

Hoffman: "Well, do individual residents in this area has the ability to object to being made a part of the Metropolitan Water Reclamation District."

Speaker Black: "Representative Wennlund."

Wennlund: "Anyone could object to anything."

Speaker Black: "Representative Hoffman."

Hoffman: "Well, Representative I guess the question is what we're doing here it's like many times when annexations take place with regard to municipalities. What we're doing is we're going to an individual area we're saying whether you want to or not your going to be made a part of the Metropolitan Water Reclamation District, you have no right to get out of that, no right to object to it and we're going to increase your taxes because of it. To me that's problematic especially in light of the fact we're trying to reduce taxes here in Illinois we got property tax Caps we just voted on less than three weeks ago and this is going to affect that directly. So I have some grave concerns. I mean, if we had something in this Bill that would allow there to be a referendum, allow them to make the determinations on their own I think that would be a lot

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better and I could possibly support it. But I'm concerned when we're saying, 'Hey you in this area are going to be a part of the Metropolitan Water Reclamation District and you don't have any say'. And if you want to object we don't care.

You can object, but you have no recourse. That's my problem with this legislation I just think this tax increase which we should be very careful when you on that side of the aisle decide to vote for tax increases such as this."

Speaker Black: "With no one seeking recognition Representative Wennlund to close."

Wennlund: "Thank you, Mr. Speaker. First of all the residents of Crawford Countryside in Rich township in Cook County, Illinois have a strong desire to continue to flush their toilet. Secondly the residents of Crawford countryside have a strong desire to be able to deduct the act of flushing that toilet which they previously do not now enjoy. Thirdly, the residents of Crawford Countryside came to me and asked me to Sponsor this legislation because it will be much cheaper to be part of Metropolitan Water Reclamation District and be taxed than it is to pay for a service contract for that same service. The Metropolitan Water Reclamation District has said that as of, as a matter affect, last January 1, 1995 they will no longer serve areas that are not within their corporate boundaries. This will allow those residents to continue to have sewer and water service from the Metropolitan Water Reclamation District, and I ask for your 'aye' vote."

Speaker Black: "The question is, 'Shall House Bill 567 pass?' All those in favor vote 'aye'; opposed, 'nay'. Voting is open. This is final action. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 4 voting 'nay', none voting 'present', this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 587."

Clerk McLennand: "House Bill 587, a Bill for an Act that amends the Illinois Uniform Transfers to Minors Act. Third Reading of this House Bill."

Speaker Black: "Representative Johnson."

Johnson, Tim: "Mr. Speaker, Members of the House. This may qualify for the most non controversial Bill of the Session. It simply makes a change from 21 to 18 to conform the law with respect to the Uniform Transfers to Minor Act to the whole rest of the law. Oversight somewhere down the line passed unanimously in committee. I know of no objection. This is brought to my attention by the Champaign County Bar Association and I urge your passage."

Speaker Black: "Is there any discussion? Yes, the Gentleman from Cook, Representative Lang."

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

Speaker Black: "He indicates he will."

Lang: "Representative the...my information is that the Illinois State Bar Association is opposed to this legislation. Would you know why?"

Speaker Black: "Representative Johnson."

Johnson, Tim: "They've never brought that to my attention. And if that's the case, that wasn't the case in committee."

Speaker Black: "Representative Lang."

Lang: "What is the policy consideration behind changing the...age from 21 to 18."

Speaker Black: "Representative Johnson."

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Johnson, Tim: "The definition with respect to everything except the consumption of alcohol in Illinois is that an adult mean an individual has attained the age of 18 with respect to this limited provision the law now provides 21. This simply changes it to 18, if someone wants to set up a trust or a transfer that is to the contrary to that they have the right to do so. This Bill simply conforms the law in this limited area to what the law is in every other area. If the Bar Association objects to it I certainly have never heard about it. And every probate lawyer every real estate lawyer and everybody else that I've talked to feels that this is a silly oversight in the law that they don't understand."

Speaker Black: "Representative Lang."

Lang: "Why do you feel Representative, that an 18 year old is fully equipped to manage the kinds of funds that they might be receiving, or the kinds of property they might be receiving."

Speaker Black: "Representative Johnson."

Johnson, Tim: "For the same reason that someone at the age of 18 is able to be married, to execute contract, to be drafted in the military, to do any variety of other things that the law in Illinois now permits and virtually every other state in the union permits. There is no difference here."

Speaker Black: "Representative Lang."

Lang: "Aren't you not creating some difficulty for members of the public who if they want their child not to get the property until they're 21 won't they have to create many more, trust agreements and many more documents and won't there be a greater morass of documentation and need to hire lawyers where they might not need to do that now."

Speaker Black: "Representative Johnson."

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Johnson, Tim: "You have to do that now even if the child's 18, if there is any change."

Speaker Black: "Representative Lang."

Lang: "Well you have to do that now if the child's 18. If you want the child who's 18 to get it, but you don't have to do it if the child...if you don't want the child to inherit till the child is 21 but aren't you creating some difficulty for some people who are writing their wills when they have younger children and they would like them to wait till they are 21."

Speaker Black: "Representative Johnson."

Johnson, Tim: "Right now the age being 21 if you want to make it 18, as many people would, you'd have to create a special trust to circumvent the Act. This is free from situations where there's a voluntary or created instrument simply by operation of law. It's the only area I know other than the consumption of alcohol where someone becomes an adult at the age of 21 rather than 18."

Speaker Black: "Representative Lang."

Lang: "Well, thank you, Mr. Speaker. I think the Sponsor has done a responsible job answering my questions unlike certain other Sponsors over the last few weeks, and I appreciate Representative Johnson's efforts to directly answer my questions. Thank you."

Speaker Black: "Representative Johnson, this Bill is on Short Debate, but I neglected to call on Representative Deering who's light was on first. Would you entertain a question from Representative Deering?"

Johnson, Tim: "I have no problem with listening to Representative Deering, or answering to his inquiries."

Speaker Black: "The Gentleman from Washington, Representative Deering."

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Deering: "Thank you, Mr. Speaker and thank you, Representative.

A question for those of us nonlawyers this basically says that now you're an adult at 18 instead of 21?"

Speaker Black: "Representative Johnson."

Johnson, Tim: "No. That's what the law says anyway. This law simply applies to the Uniform Transfers to Minors Act and says your an adult at age 18 as the rest of the law says in every regard."

Speaker Black: "Representative Deering."

Deering: "Well thank you, Mr...I'm sorry thank you Representative. Will this in anyway was effect the legislation this Body passed last year as far as the zero tolerance legislation for any individuals under the age of 21?"

Speaker Black: "Representative Johnson."

Johnson, Tim: "The answer is, no."

Speaker Black: "Representative Deering."

Deering: "Thank you, Representative that answers my question."

Speaker Black: "With no one seeking recognition, Representative Johnson to close."

Johnson, Tim: "I urge a favorable roll call."

Speaker Black: "The question is, 'Shall House Bill 587 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. 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 110 voting 'aye' 2 voting 'no' none voting 'present'. This Bill, having received a Constitutional Majority is hereby declared passed. Mr. Clerk read House Bill 8."

Clerk McLennand: "House Bill 8, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this House Bill."

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Speaker Black: "Yes, the Gentleman from Macon, Representative Noland. Representative Noland."

Noland: "Thank you, Mr. Speaker, Ladies and Gentleman. House Bill 8 defines a construction zone or maintenance area then determines the temporary speed limits for those areas and then finally it doubles the fine for speeding in a construction zone or maintenance area to \$150."

Speaker Black: "Is there any discussion? Gentleman from Cook seeking recognition, Representative Dart."

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

Speaker Black: "He indicates he will."

Dart: "Representative, this is the Bill as it was amended by Amendment #1, correct?"

Speaker Black: "Representative Noland."

Noland: "That is correct."

Speaker Black: "Representative Dart."

Dart: "As far as like the...it talks about the signs it would then lay out and then the fines. Were would that funding for that come. Who pays for that. Do you know where that would come from?"

Speaker Black: "Representative Noland."

Noland: "The fiscal note Representative indicates it would cost approximately \$70,000.00 for the new signs then a \$17,000.00 annual appropriation for replacement from the DOT and of course in the contract if a contractor receive that contract for construction area they'd be responsible for putting up those signs and maintaining them."

Speaker Black: "Representative Dart."

Dart: "The Bill lays out that the additional fines for the speeding would occur while they're in the construction zone. I had a concern because actually on my rides back and forth to Springfield I notice this quite often there's

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no end of construction sign. What do you do in the event that that occurs because technically you could be ticketed for any place along that line then because there is no end."

Speaker Black: "Representative Noland."

Noland: "Representative, that's a good point. If you look on line 23 the second page in section B it states that it's when workers are present that it would be applicable. So if workers are not present in the site it would be the regular fine. If workers are present it would then double the fine."

Speaker Black: "Representative Dart."

Dart: "And that applies whether or not the signs are up there's got to be workers present so, if there are clearly marked signs both saying the start of it and the end of it and there is no workers then it just reverts to the regular fines?"

Speaker Black: "Representative Noland."

Noland: "Correct the language says the signs shall be posted so they have to be up, and it will be indicated in the beginning of the zone it'll have an official sign that says speed zone begins here also there be a sign at the end saying that speed zone...excuse me construction zone begins here it'll also say construction zone ends, and from that point if there are workers present you would then be doubled the fine."

Speaker Black: "Representative Dart."

Dart: "Would there be any problems if a construction project goes through more than one municipality if the one municipality does not take any part in the putting up or taking down of the signs."

Speaker Black: "Representative Noland."

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Noland: "Whoever has responsibility or jurisdiction for the project would be responsible for the signs."

Speaker Black: "Representative Dart."

Dart: "My final question is, what is the provisions dealing with the bail amounts. There is some reference to bail amounts I believe."

Speaker Black: "Representative Noland."

Noland: "The conviction is for twice the bail amount set by the Supreme Court Rule 526. So it's based on...which is now \$75 so it would be 2 times 75 or \$150 under this legislation."

Speaker Black: "Representative Dart."

Dart: "So, then they would just stay at whatever the Supreme Court leaves as the bail amount and this will stay. Thank you."

Speaker Black: "Since this Bill is on Short Debate and Representative Hoffman is seeking recognition. Do you wish to take the Bill off Short Debate? Proceed, Representative Hoffman."

Hoffman: "Yes, Representative this Bill I would assume one of the reasons by increasing the fine on the speed limit in construction zone is to protect the workers in that construction zone, is that right?"

Speaker Black: "Representative Noland."

Noland: "Representative that is true, but a common misconception is that actually more motorist were killed. In 1982 there were more motorist killed in construction zones than there were workers. So, actually it's a safety affect for both the worker as well as the motorist."

Speaker Black: "Representative Hoffman."

Hoffman: "Well, I agree will the Bill and I'm for the Bill Representative. I just find that ironic that last week or

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two weeks ago just out of the Senate we voted to repeal the Road Workers Safety Act. Well we repealed that and threw that out the window and act that protected the lives of construction workers on the roads in the State of Illinois and now we're doing this. We're coming back because we have to do something, I guess, to cover up our tracks to make sure that there's at least some type of safety mechanisms out there for people who work on the roadways and do that ultrahaarodous activity. All in all, I think it's a good Bill, Representative."

Speaker Black: "Gentleman from Coles, Representative Weaver."

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

Speaker Black: "He indicates he will. He has doubts but he did say he would yield."

Weaver: "And he's short too. What is the bail amount set by the Supreme Court Rule 526?"

Speaker Black: "Representative Noland."

Noland: "Supreme Court Rule 526 sets the bail at \$75 so this would be double 75 or \$150 when workers are present if you speed in a construction or maintenance area."

Speaker Black: "Representative Weaver."

Weaver: "But, also in the Bill you've established a minimum fine of 250 how do those numbers..."

Speaker Black: "Representative Noland."

Noland: "Representative the Bill was amended in committee originally was \$250 we reamended the Bill to say twice the bail which would be \$150."

Speaker Black: "Representative Weaver."

Weaver: "Okay, that answers that question. The only other thing I would have is I know several...well more than just several highway maintainers workers on the highway and I'm

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concerned does your Bill still currently only allow them to drop the speed limit by 10 miles an hour in 55 zones and no more than 20 miles an hour in those above 55? Is that slow enough?"

Speaker Black: "Representative Noland."

Noland: "It's the opinion of the State Police and The Department of Transportation that is correct. So it would be 10 miles per hour you can reduce it at a 55 mile per hour and 20 miles per hour if the speed limit is greater than 55 so that's the opinion of the State Police and the DOT and the Federal Highway Administration.

Speaker Black: "Representative Weaver."

Weaver: "So correct me if I'm wrong, if we're traveling on I-57 which has a 65 mile an hour speed limit the lowest they could drop that limit to would be 45 in a construction zone. And my question again is, is that slow enough for safety?"

Speaker Black: "Representative Noland."

Noland: "Well Representative, we can never reduce speed enough to be safe enough but it's an opinion of all the ones working and also in that group that worked on this was Hal Asphalt from your hometown or from Mattoon. So it's the opinion of the laborers the construction workers, truckers, DOT, State Police, that group agreed to this language."

Speaker Black: "Representative Weaver."

Weaver: "One last question. Don't they currently have the ability to set the speed limit as low as they want, wouldn't it be better to leave it that way. If conditions actually require that traffic come to a stop or traffic come down to 20 miles an hour because you've got a paver there or you've got a roller there or some major pieces of equipment wouldn't it be better to leave it in the hands of

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those at the site to establish that speed limit."

Speaker Black: "Representative Noland."

Noland: "Well, there's a fine line I guess between slowing traffic too much to impede the traffic flow, but yet being slow enough to make sure the motorist see the construction worker or the worker in the maintenance area. So, they could lower it our purpose is to raise the fine enough that people will have a second thought about observing speed limits in these construction zones and maintenance areas."

Speaker Black: "Representative Weaver."

Weaver: "Mr. Speaker, to the Bill I appreciate the Representatives answers to the question and I will support the Bill and I urge everyone in the chamber to support the Bill. But I think we need to be reminded of the fact that highway maintainers and people working on the highways in Illinois suffer more fatalities and more injuries than do the State Police. I think we would be better served to allow them to make that speed limit decision at the site based upon the construction being currently undertaken, but like I say, I intend to support the Bill I just wish it went further."

Speaker Black: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Hartke: "Now Representative Noland listen up. What is the minimum speed limit on the interstate."

Speaker Black: "Representative Noland."

Noland: "Forty-five miles per hour."

Speaker Black: "Representative Hartke."

Hartke: "Okay, now that's just my point. If your going through that speed zone and the maximum speed limit is 45 miles per

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hour, but you're going under 45 mile an hour, are you not breaking the law as well? And I think some attorney will argue this in court no matter what you travel unless you're going exactly 45 miles an hour your subject to arrest because you're either going under the minimum, set by federal standards or over set by the State of Illinois. Now, I want to protect those workers too, but I think this may be a legal question which will null and void what we are trying to do. Your comment please."

Speaker Black: "Representative Noland."

Noland: "Representative...Representative the Department of Transportations lawyers have looked at this legislation and they feel comfortable with it, so I hope you are too."

Speaker Black: "Representative Hartke."

Hartke: "Well I want to protect the workers out there too, I've got a brother in law that works out there on the road and I don't want him run over and I want to see this done. But do you see my point and I think we ought to slow down here and maybe work on this piece of legislation next week until we address that issue. Because 45 miles an hour is the minimum speed on the interstate, but yet your saying over 45 miles per hour is also a violation of law so unless your traveling exactly 45 miles an hour your wrong going through this construction zone."

Speaker Black: "Representative Noland."

Noland: "Representative, the Bill states that the maximum speed limit shall not be reduced more than 10 miles per hour if you are under 55. And under 20, under 65 so is your question...so would the minimum also be reduced 20, is that your question?"

Speaker Black: "Representative Hartke."

Hartke: "Do we then say that the interstate maximum speed limit

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or minimum speed limit is 45 miles an hour. If your going 40 down the interstate your subject to arrest, correct?"

Speaker Black: "Representative Noland."

Noland: "That is correct."

Speaker Black: "Representative Noland, did you answer the question? Representative Hartke, proceed."

Hartke: "Yes, he just said that if I'm going down the interstate and I'm traveling 40 miles an hour I'm subject to arrest by the State Police because the minimum speed limit is 45. If you go over 45 miles an hour through the construction zone your also subject to arrest. So you better be going exactly 45 or your illegal. Now, I think that will be a contention that will be...or something that would be contended in Court that no matter what you do your wrong for going through that construction zone. I don't know exactly how to fix this, but I think the cases are going to be judged on this and I think we ought to slow this down, maybe there's some better wording that we can use on this piece of legislation. I know what you want to do and I am for it, but I don't think this is the right language."

Speaker Black: "Representative Noland."

Noland: "Representative construction zone speed limits supersede the existing speed limit, so you can go as fast as conditions will allow."

Speaker Black: "Representative Hartke."

Hartke: "Yes, and that is in the statute now construction zone speed limits supersede federal law? And that's in the Federal Highway Code? Fine, I'm glad I got that question answered it was really bothering me."

Speaker Black: "Yes, the Gentleman from Washington, Representative Deering."

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

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Speaker Black: "He indicates he will."

Deering: "Representative, I have a copy of House Bill 8 on my desk and I noticed it's been amended and I noticed in the original Bill there's a \$250 fine. Did the Amendment lower that fine or is it still \$250?"

Speaker Black: "Representative Noland."

Noland: "Representative...Representative Weaver asked that same question. The answer is it's two times Supreme Court Rule 526 which is \$75 so \$75 would be doubled to \$150."

Speaker Black: "Representative Noland. Representative Deering do you have any additional questions? No one seeking recognition. Representative Noland to close."

Noland: "Thank you, for the excellent questions and I'd appreciate your support."

Speaker Black: "The question is, 'Shall House Bill 8 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. 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 109 voting 'aye', 3 voting 'nay', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Rutherford, Chairman from the Committee on Constitutional Officers, to which the following Bills were referred, action taken on March 3, 1995, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 823. Representative Churchill, Chairman from the Committee on Rules, to which the following Bills and Amendments were referred, action taken on March 3, 1995, reported the same back with the following recommendations: 'do adopt' House Joint Resolution 31; 'do approve for

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consideration' Amendment #74 to House Bill 206.

Speaker Black: "Mr. Clerk, what is the status of House Bill 206?"

Rossi: "House Bill 206 has been read a second time previously Amendment #1 was adopted in committee Floor Amendment #74 has been approved for consideration."

Speaker Black: "Let's recognize the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentleman of the House, I move for the adoption of floor Amendment #74 to House Bill 206. What this Amendment does is to take everything that was in this Bill out of it so that it simply becomes a shell Bill. As I say, I move for the adoption of this Amendment."

Speaker Black: "Yes, is there any discussion? Gentleman from Cook Representative Lang."

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

Speaker Black: "She indicates she will."

Lang: "Thank you. Representative was this just an oversight or did you previously not intent to have an immediate effective date on this Bill."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Representative Lang, I have always had a very strong opinion about the importance of having an immediate effective date on shell Bills."

Speaker Black: "Representative Lang."

Lang: "Maybe I'm reading the Amendment wrong. Are you just making this a shell Bill?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "As I said, this Amendment takes everything that was previously in this Bill out of it and makes it a shell Bill with an immediate effective date. So we are going to do nothing promptly."

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Speaker Black: "Representative Lang."

Lang: "Well, why are you doing this Representative what's your intention we with great rancor and debate passed this Bill for you and now we're making obviously substantial changes in it, what are we doing what's the purpose."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Representative Lang, we are trying to be very cooperative in regard to a request from the Senate that we provide a Bill that amends the School Code that could be used by the Senate for whatever purposes they may have in mind, I'm sure whatever it is it would be very worthy."

Speaker Black: "Representative Lang."

Lang: "Well that leads me to two questions the first on is the Senate can take this Bill and amend it anyway they want, why are we doing it here."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Representative Lang, we are sending this Bill to the Senate as a shell Bill. The Senate has the opportunity to use this in whatever way the Senate believes to be suitable, but you understand fully and you need not ask the question. The Bill if they put anything in it other than an immediate effective date has to come back here for concurrence. So it's not as though we will not have our opportunity to have our say on whatever it is that the Senate may choose to use House Bill 206 for."

Speaker Black: "Representative Long."

Representative Long: "Yes, Representative we would have an opportunity on concurrence but by the same token if we sent the Bill the way it was they would have the opportunity to change it there. Now the majority of this Body voted for your original Bill what are you saying to them by this Motion? By this Amendment."

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Speaker Black: "Representative Cowlshaw."

Cowlshaw: "We are saying to them that since the contents of House Bill 206 were already...at least 3/4 of the contents of House Bill 206 were incorporated in Senate Bill 22 which has not only passed both chambers, but been signed into law by the Governor there is no longer a need for House Bill 206 to simply be repetitious of a Bill that has not only passed but actually been enacted. Therefore we are simply making this available as a shell Bill for the Senate."

Speaker Black: "Representative Lang."

Lang: "Well, thank you for your answers. Mr. Speaker, to the Amendment. I frankly want to listen to more debate on this. I don't know how I'm going to vote but I find it kind of usual that this Bill needs to be changed in this way at this time. The Senate has every opportunity to do whatever they want with it. I don't know why we need to shell out the Bill to do that. I don't know why the Members of this Body should take the risk that the Senate is going to do some really nasty things to this. Perhaps, people on the other side of the aisle are clairvoyant. Perhaps, you know what they're going to put in it and you're not telling us. Or, perhaps you don't or perhaps you're guessing or perhaps you're hoping or wishing but the bottom line is that you're going to take a Bill that has some guts to it, some of which I like; some of which I didn't, completely overturn it, completely make it do nothing and send it there for whatever the Senate wishes to do with it. Now, if you folks want to turn over to the Senate, the rights and responsibilities of the Illinois House to deal with legislation, well you go right ahead and do that but I'm not sure this is what we ought to be doing. I'm not sure this is good policy."

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Speaker Black: "Yes, the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, will the Lady yield, please?"

Speaker Black: "She indicates she will."

Granberg: "Representative Cowlshaw, is it your intention to consider Amendments 75, 76, and 77 on this legislation as well that will deal with funding education first and dealing with the crisis in the Teacher's Retirement Health System?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "No."

Speaker Black: "Representative Granberg."

Granberg: "Do you not feel as some of your Members, that the crisis in the Health Insurance Funding is a critical issue that should be addressed right now?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "That is a critical issue that will be addressed. It has nothing to do with this Bill."

Speaker Black: "Representative Granberg."

Granberg: "Representative, I believe we're dealing with education and on the emergency nature on the fast track. We're trying to deal with critical issues that impact the people of this state. You don't feel that dealing with the Health Insurance Crisis right now is of critical importance to those teachers who are living with no Social Security, living on \$400 a month and may have to pay up to \$400 a month in Health Insurance premiums?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, if the questioner had been present this morning in the Education Appropriations committee meeting, he would have realized that everyone of us, at least certainly everyone of us who is a Member of that committee,

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is deeply concerned about the necessity to resolve the problem with the Health Insurance plans for our pensioners. We all understand that that is a critical issue and that it must be addressed. However, this is not the Bill that is likely to be used for that purpose. That's the first point that needs to be made and the second point that I think needs to be made is that we are no longer on the fast track legislation. This Bill will be treated slowly, deliberately, and so forth because there may be some things in it that are not new. Everything that was on the fast track was something that had been around here for years and years and years. So there is absolutely no justification to any claim that the things that were on the fast track were new to people and they didn't know what was in there. Of course, they knew what was in there. They just hadn't passed it until you finally had some Republicans who had the courage to get out there and do these things. We will address all of the issues that need to be addressed but almost none of them other than those things directly related to the School Code have anything to do with House Bill 206."

Speaker Black: "Representative Granberg."

Granberg: "Representative, you intend to make this Bill a shell Bill. Do you not think that dealing with the Health Care Funding Crisis for retired teachers shouldn't be on the fast track?"

Speaker black: "Representative Cowlshaw."

Cowlshaw: "There is adequate time to address that issue. Before the new fiscal year begins, that issue will be addressed. I am reluctant, Mr. Speaker, to have to raise this issue but I think this issue has been raised before and that is it seems as though it is somewhat wasteful for us to be

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answering the same questions repeatedly. If the prior speaker has a new question to ask, I will be glad to try to answer it, but repeatedly asking the same question is dilatory."

Speaker Black: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House to the Amendment. We can see what the priority is in this Body. We now want to make a Bill, a shell Bill. So, what do we tell these retired teachers who are living on \$400 a month? No Social Security and their bills can go up \$400 by themselves for their health insurance. We're gonna go back and tell them, 'I'm sorry, it's not critically important yet. This is not important. The fiscal year is not over.' So, let's go tell these 80 year old women who have taught our kids and us that, no it's not important they're living on \$400 a month. It's not important that their health premiums can go up to \$400 a month by themselves. No, that's not critically important. We'd rather deal with a shell Bill. We'd rather deal with a shell Bill because we'd rather have those children and those teachers out there. They should not be concerned. We don't need to address their problems. It's not ripe yet. The issue is not ripe. It's not critical. What a hoax. What a hoax. We've had Bills and Amendments in this Body we've offered. We can't get them heard to address this crisis. The Majority Party of this House will not let that issue be heard. Is that your priority to say 'no' to retired teachers? Is that the priority of this new Body? Is that it? Is that what you're showing your colors? You don't want to help retired teachers? Turn your back on these people? Well, we have no intention. We're still going to go forward with this because it's the right thing

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to do. If you want to tell those teachers that, that's your business but we have no intention of doing it."

Speaker Black: "Yes, Representative Johnson, for what purpose are you seeking recognition?"

Johnson: "I would belatedly point out, as it turns out, hope that we would be listened to in that regard. But I realize there's a lot of issues. But I would hope that speakers on both sides of the aisle would conform themselves and conform their comments or confine their comments to the Legislations before us rather than use every Bill as a forum for discussing these various political issues. We'll have an opportunity to discuss Teacher's Retirement. We'll have an opportunity to discuss truth in sentencing. We'll have an opportunity to discuss a number of these things but please, let's obey the House rules. Comply with the Rules and limit our comments to the Bills before us."

Speaker Black: "Thank you, Representative Johnson. Your comments are well taken. A Gentleman from Cook, Representative Parke."

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

Speaker Black: "The Gentleman from Cook, Representative Parke, has moved the previous question. Any discussion? You'll have your roll call. The Motion is to move the previous question. All those in favor of the Motion, signify by voting 'aye'; those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 64 voting 'aye', 49 voting 'no', none voting 'present'. And the Motion to move the previous question has passed. Representative Cowlshaw to close."

Cowlshaw: "I move the adoption of Amendment #74 to House Bill 206."

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Speaker Black: "Representative Cowlshaw has moved the House pass Amendment #74 to House Bill 206. And on that question, all those in favor vote 'aye'. Are you requesting a roll call? We'll have a roll call. All those in favor of Amendment #74 to House Bill 206 will vote 'aye'; those opposed vote 'nay'. 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 63 voting 'aye', 49 voting 'no', none voting 'present', and the Amendment passes. Third Reading. Yes, a Gentleman from Cook, Representative Lang, are you seeking recognition?"

Lang: "Inquiry of the Chair. Were there not Motions pending on this Bill?"

Speaker Black: "Let me check. Mr. Clerk, were any Motions pending?"

Clerk Rossi: "There are no Motions pending."

Lang: "Speaker."

Speaker Black: "Yes, Representative Lang."

Lang: "Thank you. Mr. Speaker, I had filed three Motions relative to Amendments 75, 76, and 77 to discharge the Rules Committee and send these Amendments to the floor for hearing. These Bills deal with the critical issues in our state of funding education and dealing with the TRS pension crisis...insurance crisis for the down state teachers. Accordingly, I move and I'm joined by the sufficient number of my colleagues and demand a Roll Call Vote that we immediately go to the Order of Motions to discharge committee. And I remind my colleagues that if you vote against this Motion, you are clearly voting against an effort to fund education in our state properly, to lower property taxes in your local homes properly, and to deal

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with this insurance crisis on TRS. So, particularly Freshmen and particularly targets, I would be really careful about voting 'no' on this Motion to change the Order of Business."

Speaker Black: "The Representative From Cook, Representative Lang, has moved that we change the Order of Business so he can go to Motion to discharge. All those in favor of changing the Order of Business will vote 'aye'; those opposed will vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the Record. On this question, there are 52 voting 'aye', 61 voting 'no', no one voting 'present'. The Motion fails. Mr. Clerk, House Bill 206."

Clerk Rossi: "House Bill 206, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Black: "Representative Cowlishaw."

Cowlishaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, I would appreciate your support for House Bill 206, which in it's present form is a shell Bill with an immediate effective date. Thank you very much."

Speaker Black: "Yes, the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. I want to tell you I'm really offended by being asked to vote for this Bill and the Sponsor's condescending and really contemptuous tone when people try and discuss it and this and other Bills. No really, you know we have now rules in this House. You can smirk all you want but we're not allowed to add Amendments on the Floor of this House, Motions to discharge so we don't even have committee, and now we're being asked to vote on a Bill that has absolutely

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nothing in it. Why should we be asked to vote for a Bill and been told by Members across the aisle that we should only ask questions about the content of this Bill? Well, that's pretty hard to do because there is no content to this Bill whatsoever. I think that it is an outrage that Members of this House should be asked to vote on a Bill that has nothing in it. I would urge on both sides of the aisle, that on this nothing Bill that we should vote 'no'."

Speaker Black: "That's the Lady from Cook, Representative Monique Davis."

Davis, M.: "Hello. Yea, Representative, isn't it highly, highly unusual for people to vote on a Bill on Third Reading that's just a shell that no one knows what will be in this Bill?"

Speaker Black: "Representative Cowlshaw, do you care to answer that?"

Cowlshaw: "No."

Speaker Black: "Representative Davis, do you have another question?"

Davis, M.: "I have another question."

Speaker Black: "Proceed."

Davis, M.: "Do you really think that the children and their parents in the City of Chicago, are so unimportant than even the Legislators who are elected to represent them, do not have to know what you have planned or what you're going to put in this piece of legislation? Do you really feel that, that insignificant?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "I would not dignify any such a question by any answer whatsoever."

Speaker Black: "Representative Davis."

Davis, M.: "Mr. Speaker, I don't know who's planning or drafting

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the legislation for House Bill 206 or Amendment #74. But my next question is, are any of the Chicago Representatives meeting with you or those who are drafting this atrocious Bill? Are you meeting with any of the people elected from Chicago to draft legislation and vote on legislation for their city? Are you meeting with these people sitting on this side of the aisle who were elected by these children's parents?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "We always take everyone's views into account."

Speaker Black: "Yes, Representative Davis."

Davis, M.: "Response."

Speaker Black: "Pardon, Representative Davis."

Davis, M.: "I did not hear your response."

Speaker Black: "Representative Cowlshaw, could you repeat your response, please?"

Cowlshaw: "We always take everyone's views into account."

Speaker Black: "Representative Davis."

Davis, M.: "In drafting House Bill 206, Amendment #74, that has absolutely no content, are you meeting with any Members of the Legislative Black Caucus to draft and form this Legislation?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "I'd be glad to meet with you on any issue of importance to you or anything that you want to discuss. We are always open to those kinds of things but I don't think that has anything whatsoever to do with House Bill 206 which in its present form does absolutely nothing."

Speaker Black: "Representative Davis."

Davis, M.: "Mr. Speaker, to the Bill, since the Bill does absolutely nothing, I don't think anybody sitting in this room can go home to their districts and say, I voted on

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House Bill 206 that did absolutely nothing and then when the Governor puts his two pennies on here. How are you going to explain that you didn't know what you were voting for because there was nothing there to vote for? You didn't know he was going to put those 10 things he plans to put on there but you voted for it anyway. You know it's really, it's highly peculiar, first of all, that people who don't live in Chicago are drafting the legislation to affect that district. There are over 14 Legislators here elected by the people who live there, the people who pay taxes there, and this Body sees itself so superior until you don't even have to meet with these Legislators and offer your ideas. Until you can just decide this is what's gonna happen to Chicago's children. This is what their parents will be expected to do and the person who's the ruler of that will be sitting here in Springfield and the people in Chicago will have absolutely nothing to say about it. I think that's why the American Revolution took place. The people in England were trying to tell, the people in England were trying to tell the people that were here in America what to do and how to do it without any input from those. I don't understand people who really pretend to be a part of a Democracy who want to just pretend that they have the best solution for the Chicago public schools and yet that solution is not in writing. Are you so ashamed of it until you want to get the vote before you put the words in place? Is it so embarrassing to you and so humiliating to the Chicago public that you want to...it's what you call it, disappearing ink? Does the ink disappear on this Bill? And to the people on my side of the aisle, see what you get. You voted for it, didn't you? You voted for 206 and now they don't want it themselves because it's not a good

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piece of education legislation. It's called a meddling Bill. Let's meddle in Chicago. We have the numbers to pass what we want but in this case we're not gonna even tell those dumb Legislators what's in the Bill. Those dumb Legislators are gonna just sit there and vote 'yes' because we told them to. And anybody who thinks that the parents and children of Chicago are gonna sit still and let this happen, you have another thought coming. We may not have a lot of money but we do have a lot of sense. Vote 'no'."

Speaker Black: "Yes, the Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I rise in opposition to this Bill that does absolutely nothing. Isn't it ironic that we have 77 Amendments that are proposed on this Bill? And when we adopted the rules, we were told that the Executive Committee in this case, or that the committees would be the experts on these subjects and they would study the issue and they would determine the consensus and they would try to come out with the problem, they would try to come out and solve the problem for these issues. But of the 77 Amendments that we have offered and various Members have offered them on subjects that range from mandates to funding education, to finding a way to solve the retired teacher's health care problem. None of those Amendments have even been heard. They've all been referred for the most part to the Rule's Committee and there they sit or they were sent to another committee or they were sent back to the Standing Committee after the Bill had left. So all this really is, is a parliamentary way under these rules not to have any substantive debate on these important issues. And I think that the rules we adopt early on we're seeing now are nothing more than a

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sham to stifle debate and to keep the real issues of the day from being debated and I suggest that we should consider these important issues, not only on this Bill, but on every Bill that's been introduced. We're elected to debate these issues, to try to find solutions, not to try to avoid voting on solutions. So I would say let's vote 'no' on this Bill that the Sponsor says does absolutely nothing and let's try to look at solving some of the important problems that the State of Illinois faces."

Speaker Black: "Yes, the Gentlemen from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. I find this particular galling as well to be voting on a shell Bill, when we have a state right now with wildfires burning out of control that are left and right. What are we spending our time doing? We're voting on shell Bills. Just yesterday we had an opportunity to take a major step in trying to recruit more foster parents into this state to try to help us with DCFS and what happened, the Republicans and the Judiciary Committee voted the Bill down. They voted against the Bill that the Director and myself worked on together but where the Director mysteriously turned up MIA when it came up time supporting his own Bill. So, I don't find this particularly surprising at all, actually. It's the same message we've been sending out loud and clear from here. We don't really care too much about the kids in this state and the future here. We're just gonna go ahead pushing our special interest legislations and the children will wait and they will keep waiting and they will wait until we start building those new cells and those new beds in the prisons for them. And that's what we're doing and we'll continue that."

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Speaker Black: "Yes, the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in opposition to House Bill 206. When the Sponsor was questioned about if she had met with people about the Bill, she indicated, 'well, I meet with everybody, everybody who has got ideas, we're gonna talk to them, we're gonna put in the Bill'. Well, I don't know what ideas she got, but there's nothing in the Bill. Obviously, no one had any good ideas. So, I guess what this House is about to do is turn over to the Senate our responsibilities to create and pass legislation. I guess we're gonna take the Senate's ideas about what belongs in this Bill. And you know, Ladies and Gentlemen, particularly the Freshmen, and particularly the Republican Freshmen, let me indicate to you that for many years when the Democrats controlled this Body, Republicans were incensed over shell Bills. They would get up and rant and rave and talk about what rotten government shell Bills are. Well, If it was rotten then, it's rotten now and I think you're making a serious mistake to send a Bill to the Senate when they could do just about anything they want to do with it. We've got a serious crisis in education in lot of different areas of education. We passed a fast track Bill out of here that dealt with some areas that were interesting and important but certainly not of crisis proportions. But we have a crisis in funding education in this state. There's nothing on the table by the Republican Party to do anything about that. Democratic Party has probably ten Amendments, ten Bills sitting on the floor, sitting in the Rules Committee waiting for a vote that will deal with the education funding crisis of Illinois. If you think that sending a

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shell Bill to the Senate is addressing the problem of education funding, you're making a mistake. The downstate teachers have a crisis with the TRS. The Sponsor of the Bill says, 'well, we'll deal with that later'. Well, fine, you want to deal with a crisis later when you have a Bill now with an Amendment pending that can deal with that crisis, then you go ahead and deal with the crisis later and you keep sending an empty, do nothing shell Bill to the Senate. Let's not send to the Senate legislation that we can be proud of. Let's not send to the Senate legislation that does something to cure the educational ills of our state or to reduce property taxes as opposed to capping them. Let's just send them nothing. Let's a matter of fact, why don't we shell out every Bill and advocate our entire responsibility to Pate Philip and let him decide everything we should put in every Bill and then we'll just ship them back here for concurrence and then 64 people on that side of the aisle can rise and say what a great job Pate has done to take care of education in Illinois. So, if you want to leave everything about education to Pate, if you want to completely advocate your responsibility to do what you were elected to do, which is to come here and propose solutions to the people's problems, then go ahead and vote for this Bill. I don't think we're going to."

Speaker Black: "Yes, the Gentleman from Jersey, Representative Ryder, were you seeking recognition? Yes, the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I, too rise in opposition to this Bill and I think it is legitimate to talk, not only about what is in it which is nothing, but what isn't in it which is a measure to respond to legitimate and real crisis facing school children and

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facing retirees. You know when the Governor retires or perhaps when the people retire him in 1999, he'll get \$110,900 annually in pension benefits and he will not have to pay a penny out of pocket for his health insurance. He'll only have to pay 40% for dependent children coverage. We've heard each and everyone of us in this chamber from our retired teachers who are looking at incredible health care costs and those costs will hit them solidly between the eyeballs starting July 1 unless we take action. We know that the Senate is slow to act. I believe that the current incumbent of our Chair reminded us of that not too long ago in debate on this floor. The Senate would rather go fishing. They're not always here as often as we are, somewhat somnolent perhaps. I don't know that we don't need to move quickly on this issue so we can assure ourselves that there will be action from the Senate on the Teacher's Health Care Crisis before we come to July 1. Our responsibility is to enact legislation. This Bill does nothing. There's a risk you should all know that the Senate in its somnolence could just pass this Bill directly on to the Governor without making a single change. I'm not sure what the cost of passing a Bill is these days but I'm sure that it doesn't come cheap. Changing the statute books in order to say nothing is hardly what our taxpayers ask us to do. So there are lots of good reasons to vote 'no' on House Bill 206. It's a Bill that does nothing that should do something and there's a risk if you vote for it today that on your record will be a measure that goes to the state statute books and doesn't change a thing. Vote 'no'."

Speaker Black: "If there be no one seeking recognition,
Representative

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Cowlshaw to close."

Cowlshaw: "I urge a 'yes' vote."

Speaker Black: "The question is, 'Shall House Bill 206 as amended pass?' All those in favor vote 'aye'; opposed vote 'nay'. 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 61 'ayes', 51 'nays', no one voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bill's Second Reading, what is the status of House Bill 340?"

Clerk Rossi: "House Bill 340 has been read a second time previously. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandate's note have been requested on the Bill. Those notes have been filed."

Speaker Black: "Third Reading. Mr. Clerk, what is the status of House Bill 513?"

Clerk Rossi: "House Bill 513 has been read a second time previously. No Committee Amendments. No Floor Amendments. The fiscal note and a state mandate's note that were requested on the Bill have been filed."

Speaker Black: "Third Reading. Mr. Clerk, what is the status of House Bill 878?"

Clerk Rossi: "House Bill 878, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Bill. No Committee Amendments. No Floor Amendments. The fiscal note that was requested on the Bill has been filed."

Speaker Black: "Third Reading. Yes, the Chair recognizes a Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker. I move to suspend House Rule 3-6(a) for the immediate consideration of the Adjournment Resolution, Senate Joint Resolution #32."

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Speaker Black: "Is there leave of the House to proceed with the Adjournment Resolution? Mr. Clerk, please read the Resolution."

Clerk Rossi: "Senate Joint Resolution #32, offered by Representative Churchill, be it resolved by the Senate of the 89th General Assembly of the State of Illinois. The House of Representatives concurring herein that when the two Houses adjourn on Friday, March 3, 1995, the Senate stands adjourned until Tuesday, March 7, 1995 at 12:00 noon and the House of Representatives stands adjourned until Tuesday, March 7, 1995 at 11:00 a.m."

Speaker Black: "All those in favor of Senate Joint Resolution 32, signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. Excuse me, I'm sorry. Representative Hartke, are you seeking recognition?"

Hartke: "Yes. When Mr. Churchill announced that he wanted to suspend the rules, I scrambled around here looking for my Rules Book and I couldn't find it. Now, a couple of weeks ago I asked when we were going to have the Rules Book and I don't have one, yet. And I just wonder if you could give me a time certain when I could sit down and verify what rule there suspending or not suspending or which one you're quoting. I want to follow the Rules, Mr. Speaker, and I don't have a Book."

Speaker Black: "You've always been a fellow who plays by the rules. Mr. Clerk, what is the status of the Rule Books?"

Clerk Rossi: "The Rules Book is at the Legislative Printing Unit in line to be printed."

Speaker Black: "Yes, Representative Hartke."

Hartke: "Yes, could you tell me how long that line is? I mean are we going to have one before May 26 or 27 or what date certain? Could you give me a date certain?"

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Speaker Black: "I can't give you a date certain. It is right behind your Legislative newsletter and as soon as they get that done they'll go to the Rule Book."

Hartke: "Wait a minute, wait a minute I don't have one ordered. I don't have one ordered so it can't be behind mine."

Speaker Black: "Well, they must have had a mistake. Maybe it was somebody else on your side of the aisle whose name starts with an h."

Hartke: "Thank you, Mr. Speaker."

Speaker Black: "Mr. Clerk, are there any announcements?"

Clerk Rossi: "No announcements."

Speaker Black: "Representative Churchill now moves that the House stand adjourned until Tuesday, March 7, 1995 at the hour of 11:00 a.m. All those in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. In allowing perfunctory time for the Clerk, the House now stands adjourned until Tuesday, March 7, 1995 at 11:00a.m. The House adjourned."

Clerk Rossi: "Introduction - First Reading of Senate Bills. Senate Bill 51, offered by Representative Stephens, a Bill for an Act to amend the School Code. Senate Bill 77, offered by Representative Andrea Moore, a Bill for an Act to amend An Act authorizing the Lake County forest preserve district to exchange lands in Vernon township with the Brentwood North Nursing Center. Senate Bill 109, offered by Representative Durkin, a Bill for an Act to amend the Probate Act. Senate Bill 160, offered by Representative Tenhouse, a Bill for an Act to amend the Public Utilities Act. Senate Bill 216, offered by Representative Leitch, a Bill for an Act amend the Community Integrated Living Arrangement Licenser and Certification Act. Senate Bill 222, offered by Representative McAuliffe, a Bill for an Act

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to amend the Illinois Public Labor Relations Act. Senate Bill 238, offered by Representative John Jones, a Bill for an Act to amend the Property Tax Code. First Reading of these Senate Bill."

Clerk Rossi: "Senate Bill 70, offered by Representative Salvi, a Bill for an Act amend the Snowmobile Registration and Safety Act. Senate Bill 165, offered by Representative Salvi, a Bill for an Act to amend the School Code. First Reading of these Senate Bills."

Clerk Rossi: "Introduction and First Reading of House Bills. House Bill 2494, offered by Representative Currie, a Bill for an Act to amend Public Act 99-551 in relation to the expenditures of appropriations to the Department of Transportation. House Bill 2495, offered by Representative Speaker Daniels, a Bill for an Act providing for the ordinary, contingent and distributive expenses of the Office of the Secretary of State. House Bill 2496, offered by Representative Pugh, a Bill for an Act making appropriations for the Westside Restoration Initiative Area of the City of Chicago. House Bill 2497, offered by Representative Cross, a Bill for an Act to amend the School Code. First Reading of these House Bills.

Clerk McLennand: "No further business, the House Perfunctory Session stands adjourned and the House will reconvene on Tuesday, March 8 at the hour of 11:00 a.m. Tuesday, March 7 at the hour of 11:00 a.m."

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