

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

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Speaker Daniels: "The House will come to order. Members will please be in their chairs. Those not entitled to the floor will please retire to the gallery. The Chaplain for the day is Rabbi Jeffrey Falick of the Hillel Foundation in Champaign, Illinois. Rabbi Falick is the guest of Representative Rick Winkel. Guests in the gallery may wish to rise for the invocation. Rabbi Falick."

Rabbi Falick: "As we stand here today, citizens and Representatives alike, with the knowledge that the work we do in this place carries with it awesome responsibilities, the decisions we make, the compromises to which we bow and the laws and statutes that result all have profound consequences in the lives of everyday people throughout our great state. Our Jewish Scripture taught, 'Proclaim liberty throughout the land and spread peace to all its inhabitants.' Our American forebears inscribed this upon the liberty bell as a reminder of the purposes of this nation. It is the creation of liberty, true freedom and independence of spirit for all of our citizens, which is the purpose of this and all other Legislatures throughout this land. As we make our rules which govern our society, we look to providence for the discernment to do so with full consciousness of our duty to fairness and equal justice for all. Through our solemn task here today let us shine as beacons of true liberty throughout the United States and the world. We humbly look to the wisdom of all of our religious traditions to provide us with divine guidance in our crucial work. Amen."

Speaker Daniels: "We'll be led in the Pledge of Allegiance by Representative Rick Winkel."

Winkel - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Daniels: "Roll Call for attendance. Representative Currie is recognized on the Democratic side of the aisle for any excused absences"

Currie: "Thank you, Speaker. Please let the record show that Representative Martinez is absent today."

Speaker Daniels: "The record will so reflect. The new father, Representative Cross, the father of Thomas Hudson Cross, is recognized for any excused absences on the Republican side of the aisle."

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

Speaker Daniels: "The record will so reflect. Mr. Clerk, take the record. There are 117 Members answering the Roll and a quorum is present and the House will now come to order. Representative Persico, for what purpose do you arise, Sir?"

Persico: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Daniels: "State your point, Sir."

Persico: "Mr. Speaker and Members of the House, I'd like to direct your attention to the Speaker's gallery and then up there you have the 1996 ISSA State Gymnastics Champions from Glenbard West High School in Glen Ellyn, Illinois. They're coached by Steve Kafka and one person I'd like to mention is Josh Levine. He is the first person in Illinois history to score a perfect 10 on one of the events, the pommel horse and he's also the all around state champion. So I'd like to give you a good round of applause."

Anonymous: "Thank you, Mr. Speaker."

Speaker Daniels: "Our congratulations to the state championship

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team. Representative Myers, for what purpose do you rise, Sir? And Representative Myers, first of all, is it important?"

Myers: "Well, Mr. Speaker, that's an item of judgement as to whether it's important or not. It is certainly is to one individual. Today is a memorable event in the life of my seatmate. It just so happens to be his birthday and I've been told that this is the day that his age finally exceeds his IQ. So I'd like to take the opportunity to wish happy birthday to Representative Bill Brady and in honor of the occasion, his wife decided to come down and surprise him today."

Speaker Daniels: "Representative Myers, did you want to sing happy birthday?"

Myers: "No, Sir."

Speaker Daniels: "Representative Phelps, would you like to sing happy birthday to Representative Brady? He will. Representative Phelps."

Phelps: "Everybody help us now, here we go. Happy birthday to you. Happy birthday to you. Happy birthday, Representative Bill Brady. Happy birthday to you. And we wish you many more!"

Speaker Daniels: "Happy birthday, Representative Brady and to all of you a happy birthday that don't get your birthdays sung on your birthday day, so. Okay, everybody in the mood for work? Okay. Representative Bost."

Bost: "Thank you, Mr. Speaker. What also needs to be mentioned is my seatmate, Ron Lawfer. It's his birthday today."

Speaker Daniels: "Representative Phelps. Representative Phelps, you need to sing happy birthday to Representative Lawfer."

Phelps: "I've heard of a... I usually take requests, but I'll sing anyway so we'll go ahead. Happy birthday to you."

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Happy birthday to you. Happy birthday Ron Lawfer. Happy birthday to you."

Speaker Daniels: "Happy birthday, Representative Lawfer. Are there any Democrats that have birthdays today? Representative Cross wants to sing to you. Committee Reports."

Clerk Rossi: "Committee Reports. Representative Cowlshaw, Chairman from the Committee on Elementary and Secondary Education, to which the following Amendment was referred, action taken on May 15, 1996, reported the same back 'do approve for consideration' Floor Amendment #1 to Senate Bill 18. Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on May 15, 1996, reported the same back 'do approve for consideration' to the House floor, Floor Amendment #4 to Senate Bill 1278, Floor Amendment #3 to Senate Bill 1380, Floor Amendment #1 to Senate Bill 1761, to Second Reading Senate Bill 690, to Third Reading Senate Bill 643, to the Order of Concurrence House Bill 739, House Bill 1684, House Bill 2515, House Bill 2651, House Bill 3426, House Bill 3436 and House Bill 3670, Motion to Concur with Senate Amendments 1 and 2 to House Bill 2659."

Speaker Daniels: "On the Order of Senate Bills - Second Reading, page 3 of the Calendar appears Senate Bill 18. Representative Lawfer. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 18, this Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lawfer, has been approved for consideration."

Speaker Daniels: "Representative Lawfer."

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

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House. This Amendment provides for the Mount Carroll school district to exceed their bonding limitation and also by a front door referendum and to increase their bonding indebtedness. This is a school district that has a assessed valuation of \$24 million. Their legal bonding limit under the state statute currently is a little less than 3 million. They need about 3 1/2 million dollars to build a new school, and they're asking for provision to have this as by a front door referendum. It will be put before the voters and if passed, they're asking permission to exceed that. I'll be glad to answer any questions of the House."

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

Lang: "Thank you. Will the birthday boy yield?"

Speaker Daniels: "Indicates he will."

Lang: "Thank you. Representative, happy birthday to you. And I certainly hope that when it's my birthday, you will sing to me as well as Representative Phelps did to you. I have a question about your Bill...your Amendment. This Amendment is in a fact a proposal for a tax increase, is it not, Sir?"

Speaker Daniels: "Representative Lawfer."

Lawfer: "This does not change the taxes for the school district until the referendum is passed. It's a front door referendum."

Speaker Daniels: "Representative Lang."

Lang: "However, you are proposing this because the school district would like to increase its bonding authority, which if it does do so, will cause a tax increase in your area, will it not?"

Speaker Daniels: "Representative Lawfer."

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Lawfer: "I don't believe so. I think it's a Bill that will allow them to provide adequate education for their children in their district, which they desire."

Speaker Daniels: "Representative Lang."

Lang: "You can provide adequate education with or without a tax increase. I suppose if we raise the state income tax to about 20%, we could provide real good education around the state. That would be a tax increase. Are you suggesting to me that if they increase the bonding authority, it will not lead to a tax increase in your school district, Sir?"

Speaker Daniels: "Representative Lawfer."

Lawfer: "Yes, that's what I'm saying."

Speaker Daniels: "Representative Lang."

Lang: "Well, how are they going to pay for this increase, the bonding authority, the dead service on the bonding? Where's that money going to come from?"

Speaker Daniels: "Representative Lawfer."

Lawfer: "It is hoped that there will be some increase growth in that area with a new school facilities."

Speaker Daniels: "Representative Lang."

Lang: "Well, I'm glad it's going to improve the facilities, but that wasn't the question. The question was, 'Where will the money come from to pay for the debt service on the increased bonding authority that you want your school district to have?'"

Speaker Daniels: "Representative Lawfer."

Lawfer: "We're working to see that that tax base and the growth in that area grows so that it can support the bond."

Speaker Daniels: "Representative Lang."

Lang: "Representative, you know that you didn't answer my question. Jerry, who is snickering over there, knows you didn't answer my question. Where will...If you want us to

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help your school district, which I think you do, you have to tell us why this is not a tax increase and where the money will come from to pay the debt service on the bond, Sir."

Speaker Daniels: "Representative Lawfer."

Lawfer: "I think that I've answered the question. The money will come from the sources that are already used for bonding for the school district."

Speaker Daniels: "Representative Lang."

Lang: "Mr. Speaker, I thank the Sponsor for his straightforward answers to my questions. Mr. Speaker, Ladies and Gentlemen of the House, I would rise in opposition to Floor Amendment #1. I want everyone, particularly on this side of the aisle, to hear me. This is a tax increase. And by the way, Mr. Speaker, before I forget, I... want a Roll Call vote on this Amendment. There are sufficient hands, hundreds of hands, Sir. Out of 54, there are hundreds. This is a tax increase. The Representative can't tell us how he's going to pay the debt service on these bonds. There's only one way to pay the debt service on the bonds, a tax increase. So if Mr. Lawfer wants to propose a tax increase for his school district, if the Republican side of the aisle wants to support a tax increase in Mr. Lawfer's district, then let them go ahead and do that. But this side of the aisle I think should go on record as not supporting that. We should go on record as supporting the Fund Education First Act, which is a Bill that has been introduced 257 times in 15 months, which would provide additional revenue for every school district in the State of Illinois, without a tax increase, Sir. And I think we should foresee to fund education at 50% in this state, without a tax increase. You want to continue to propose

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tax increases, if your side of the aisle wants to vote for tax increases, if your side of the aisle wants to have their targets vote for tax increases, go ahead. Republican targets, you go ahead and vote for this Amendment. You go ahead and vote for tax increases. This side of the aisle wants to fund education and make it a priority in this state, without raising the people's taxes. We're going to vote 'no'."

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

Skinner: "Well, Mr. Speaker, when the debate started, I turned my computer on and so far I haven't had a chance to get the update done, so I haven't a clue what we're voting on. I'm told that it is on the machine, but I'm only 77% through. Perhaps the Gentleman could describe the Amendment again. I heard the magic words, 'tax increase' so I started paying attention."

Speaker Daniels: "I'm advised that if you want to load up your computer earlier on, you could start it up earlier on and then you would have it ready. Okay, it's now 100%, Representative Skinner? Representative Lawfer, would you answer Representative Skinner's inquiry."

Lawfer: "Representative, what this does, it makes a change in the School Code and says that school district with an assessed valuation of 24 million or less, a unit, community unit district can bond themselves up to 27.6% in the next, by referendum, by front door referendum, and that the bonds will be issued for the capital improvement, renovation and rehabilitation replacement of school buildings that are at least 40 years old. And that the referendum would be held after March 19, 1996, and bonds will be issued as pursuant to the existing code. This is a front door referendum."



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It's a ability for a school district that has a relatively small assessed valuation to build a building. The proposed building will cost about 3 1/2 million dollars. Under the existing code, they can only bond themselves to the extent of about \$3 million."

Speaker Daniels: "Representative Skinner."

Skinner: "What is the assessed valuation which can be borrowed at the current time? What percentage?"

Speaker Daniels: "Representative Lawfer."

Lawfer: "13.8%. They..."

Speaker Daniels: "Representative Skinner."

Skinner: "So this is twice as high as the current limit? And your...I mean I assume this is a single district description in general terms. The school district in your area is comfortable with having twice - twice the assessed valuation in debt that than all the other schools in the State of Illinois?"

Speaker Daniels: "Representative Lawfer."

Lawfer: "This is the request from the school district to do this. They also have some existing bonds that were issued for asbestos removal. So, combined to that, they need to exceed that 13.8% limit - if they are to build a new school."

Speaker Daniels: "Representative Skinner."

Skinner: "Well, it's a very brave school board. Thank you very much."

Speaker Daniels: "Further discussion? The Gentleman from Lake, Representative Churchill. The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. To this Amendment. This Amendment was discussed this morning in a meeting of the Elementary and Secondary Education Committee. It was

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approved for consideration on the House floor by a unanimous vote. Every Democrat who is a Member of the Committee voted for this Amendment. It is exactly the same Amendment that it was earlier today when every Democrat on the Committee voted for this Amendment. Now we have a spokesperson from the other side of the aisle saying that they don't think that they ought to be for this Amendment. And it is exactly the same Amendment that it was two or three hours earlier. Mr. Speaker, I want to make it very clear to the Members of this chamber that this is not a tax increase. We are not authorizing anything of the kind. We are authorizing one school district to hold a front door referendum, to let the people themselves, the ones who have to pay the taxes, decide how they want to go about, or whether they want to go about, funding this project. That is all this Bill does. It is in keeping with the kinds of things this Assembly has done for individual Members who have problems in their own school districts that is now a tradition. We have done things..."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "We have done things like this for people like Representative Woolard and many others. I think it is appropriate for us to do the same thing and follow that tradition and be in favor of this Amendment for Representative Lawfer's district. Thank you, Mr. Speaker."

Speaker Daniels: "Further discussion? The Gentleman from Jo Daviess, Representative Lawfer, to close."

Lawfer: "As the last speaker pointed out a lot of the history in regards to this Amendment, this is an Amendment that puts back local control to people that want to control their own destiny as far as education. This is a front door referendum. The voters will decide in that district what

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the outcome will be. This is a front door referendum. It is local control for a local school district. I urge a 'yes' vote."

Speaker Daniels: "Representative Lawfer has moved for the adoption of Senate...House Amendment #1 to Senate Bill 18. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 67 'ayes', 45 'no', 3 voting 'present.' And the Amendment, having receiving the majority vote, is hereby declared adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. No Motions filed."

Speaker Daniels: "Third Reading. Mr. Clerk, on the Order of Senate Bills - Third Reading appears Senate Bill 18. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #18, a Bill for an Act that amends the School Code. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Ladies and Gentlemen of the House, we've had a discussion on the Amendment. The Amendment is the Bill. I'll be glad to answer any further questions."

Speaker Daniels: "Is there any discussion on the Amendment...or the Bill? Representative Lang."

Lang: "Thank you, Mr. Speaker. We had thorough discussion of the Bill...of the Amendment, so I don't want to further debate it, but I would like to ask for a verification should this reach 60."

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 18. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 66 'ayes', 47 'nos', 4 voting 'present'. The Gentleman, Representative Lang, requests a verification of the Affirmative Roll. Read the Affirmative Roll, Mr. Clerk."

Clerk McLennand: "Those Members voting in the affirmative are: Ackerman, Balthis, Biggert, Biggins, Black, Bost, Brady, Churchill, Ciarlo, Clayton, Cowlshaw, Cross, Deuchler, Doody, Durkin, Gash, Goslin, Hassert, Hoeft, Hughes, Tim Johnson, Tom Johnson, John Jones, Klingler, Krause, Kubik, Lachner, Lawfer, Leitch, Lindner, Lyons, McAuliffe, Meyer, Mitchell, Moffitt..."

Speaker Daniels: "Representative Ryder seeks leave to be verified. Leave is granted. Representative Pedersen and Representative Lindner are down here. Thank you."

Clerk McLennand: "Representatives Andrea Moore, Mulligan, Maureen Murphy, Myers, Noland, O'Connor, Pankau, Parke, Pedersen, Persico, Poe, Roskam, Rutherford, Ryder, Salvi, Saviano, Smith, Spangler, Stephens, Tenhouse, John Turner, Wait, Weaver, Wennlund, Winkel, Winters, Wirsing, Wojcik, Woolard, Zickus, and Mr. Speaker."

Speaker Daniels: "Representative Lang."

Lang: "Thank you. Representative Klingler."

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

Lang: "Oh, in her chair, all right. Representative Mitchell."

Speaker Daniels: "Representative Mitchell is in the back of the chamber by her chair, as always."

Lang: "Representative McAuliffe."

Speaker Daniels: "Representative McAuliffe. The Gentleman in the chamber? Representative McAuliffe. Remove him. Further

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questions?"

Lang: "Representative Parke."

Speaker Daniels: "Representative Parke. Rear of the chamber."

Lang: "Representative...bear with me."

Speaker Daniels: "Further questions, Sir?"

Lang: "No further."

Speaker Daniels: "Take the record, Mr. Clerk. There's 65 'aye', 47 'no', 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1494?"

Clerk McLennand: "Senate Bill #1494 is on the Order of Senate Bills - Third Reading."

Speaker Daniels: "Return that Bill to the Order of Second Reading. Supplemental Calendar announcement."

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

Speaker Daniels: "On the Order of Supplemental Calendar #1 appears Senate Bill 643. What is the status of that Bill, Mr. Clerk? Your Pages are distributing Supplemental Calendar. That's the announcement that was just made. Would one of the Democrat Pages please deliver forthwith a copy of the Supplemental Calendar to Representative Granberg and Representative Lang."

Clerk McLennand: "Senate Bill #643 is on the Order of Third Reading."

Speaker Daniels: "Excuse me. For the record, it's on its way to you, Representative Granberg. Mr. Kasper, would you hand that to Mr. Granberg, please. Thank you. Now let the record show that he has that in his hands now. Representative Granberg, would you hand that to Representative Lang. Okay. Mr. Clerk."

Clerk McLennand: "Senate Bill #643 is on the Order of Senate Bills - Third Reading."

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Speaker Daniels: "Return that to the Order of Second Reading. Order of Second Readings appears Senate Bill 1260. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1260, the Bill's been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #2 has been referred to Rules. No Motions."

Speaker Daniels: "Third Reading. Senate Bill 1261. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1261, the Bill's been read a second time previously. Committee Amendments #1, 2 and 3 were adopted. Floor Amendment #4 has been referred to Rules. No Motions."

Speaker Daniels: "Third Reading. Senate Bill 1263. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1263, the Bill's been read a second time previously. Committee Amendment #1 was adopted. Floor Amendments #2 and 3 referred to Rules. No Motions."

Speaker Daniels: "Third Reading. Mr. Clerk, on the Order of Concurrences, page 6 of the Calendar, appears House Bill 907. The Gentleman from Williams, Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I'd like to separate the two Amendments, if I may. I'd like to concur in Senate Amendment #1."

Speaker Daniels: "Go ahead and explain the Amendment. That's fine, Sir."

Woolard: "If I could have leave of the Body, I'd like to defer to Representative Kay Wojcik, who this is a particular problem in her area."

Speaker Daniels: "Representative Wojcik, on Senate Amendment #1."

Wojcik: "Thank you, Mr. Speaker and Representative Woolard. Senate Amendment #1 allows home rule communities to create

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an ordinance that would control the numbers of pigeons that you may have within an area. The problem we have is that the section that the pigeon owner lives in was once an unincorporated area. It became incorporated into the Village of Schaumburg, and with the growth, there no longer is any space around the Gentleman's home. He started out with a small flock of pigeons and now it's grown to over 100. The neighbors are disturbed by the droppings of the pigeons and there's problems around. And with the Act that is now currently in law, it pre-empts home rule. So all the Village of Schaumburg wants to do is to be allowed to pass an ordinance so that they may control the numbers of pigeons that an individual could have in an urban area. They are not going to tell the Gentleman he can't have his pigeons. They're just saying that it has to drop down to a smaller number. So I would ask your favorable approval."

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

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

Speaker Leitch: "She indicates she will."

Hartke: "Representative Wojcik, is there any magic number that... I think in Committee yesterday you indicated that this pigeon entrepreneur had like 30 pigeons at one time and now his flock has expanded to 100 pigeons, and I understand that Schaumburg wants the right to control that number of pigeons that an individual may be able to keep or to expand his flock to. How are you going to control that?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative, it would be controlled by ordinance."

Speaker Leitch: "Representative Hartke."

Hartke: "Well, I mean are they going to go in and crack the eggs

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in the nest or have an omelet or, you know, I... Do pigeons flock together? And will we have outside pigeons coming in and all of sudden this guy was down to the prescribed amount and they had a nest somewhere that no one knew about, and he would then be in violation of the law. What do you think the penalty will be for something like this?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative, it would be determined between the village and their ordinance and then the Department of Health within the village. They would make... From the discussion I've had with the manager is that they're...they will determine so many pigeons per square foot of land that you reside on."

Speaker Leitch: "Representative Hartke."

Hartke: "How many square feet does a pigeon need to land on?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "It isn't that he's landing. He's flying."

Speaker Leitch: "Representative Hartke."

Hartke: "Would you explain that to me, please."

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative, they are...They have two feet, but they're not square."

Speaker Leitch: "Representative Hartke."

Hartke: "Would you explain that to me?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "No."

Speaker Leitch: "The Gentleman from Vermilion, Representative Black. For what purpose do you rise, Sir?"

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

Speaker Leitch: "She indicates she will, but before she does, may we introduce in the gallery the school from Peoria,



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Illinois, Holy Family's School. Would they stand and be recognized, please, including my wife, who is a fifth grade teacher. Thank you. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Representative Wojcik, we talked yesterday and I can understand your concern in a high growth area, and you gave me an answer, and I'm not sure we ever really registered. Under your Amendment, the Gentleman who is currently raising pigeons in this area, will he be... Will his area become a nonconforming use and he can still have a certain number of pigeons or at the effective date, must he get rid of all of his pigeons?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative, he will be able to keep a certain number of pigeons."

Speaker Leitch: "Representative Black."

Wojcik: "He will be..."

Speaker Leitch: "Representative Wojcik."

Wojcik: "He'll be able to keep a certain number of pigeons. What the... They do not intend to take his hobby away from him, nor do they want to hinder anything that he has done already. However, because of the grievances of the neighbors surrounding, they feel that they must bring the numbers of pigeons down to a smaller amount."

Speaker Leitch: "Representative Black."

Black: "That answered my question. Thank you very much."

Speaker Leitch: "The Gentleman from Winnebago, Representative Scott. For what purpose do you rise, Sir?"

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

Speaker Leitch: "She indicates she will."

Scott: "Representative, I understand the different conditions that you're talking about with Representative Black's

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questions, but the Bill is silent on any of that. It simply says that they can regulate the orderly keeping of carrier, racing, hobby or show pigeons. I mean if we've got these other concerns that we're trying to address so that some of these municipalities, you know, don't go too far, why don't we put those into the Bill? Why do we leave it this wide open?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative Scott, what the Amendment states is that it may be enacted by an ordinance within the community. And it's only effective in a county having 3 million or more inhabitants. I think that the problem we have is at one time we were, you know, a very small rural community. Now we're a very large urban, heavily populated community, and this gentleman has been there for awhile. And, there's a problem there, and it's a health problem also because the droppings of the pigeons are on cars, on the houses and the young children are becoming affected by this. And because it pre-empts home rule, the community does not have the right to go in there and, you know, do anything to alleviate these problems. So the Village is saying, 'We want to have home rule authority. We want to regulate, via ordinance, and the Public Health Department will be there also to ensure the safety of the children.'"

Speaker Leitch: "Representative Scott."

Scott: "I've got a couple questions then based on what you're saying there. First would be, the Department of Public Health already, as I understand the regulations, has the ability to regulate the droppings. And if that's a health hazard, they can do things with respect to that. The second question I'd ask is, I realize what you're saying about Schaumburg, but how many other municipalities are

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there in Cook County to which this would apply?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "I didn't hear your question, Representative. You know, this is very noisy in here, Speaker. I think we could have a little noise level come down."

Speaker Leitch: "Your point is well taken. Could we please give the Lady our attention. It's a very important Bill about pigeons. Representative, proceed."

Scott: "I have basically two questions off that. The first one was, doesn't the Department of Public Health already, as I understand the regulations, have the ability to step in when there's a health hazard that's caused by the droppings, first of all? And secondly, and the second, okay, go ahead with that one first. That's fine."

Speaker Leitch: "Representative Wojcik."

Wojcik: "They could step in if there was a health hazard, but the actual authority comes from the local public health department. That's the first part of your question, now the second part."

Speaker Leitch: "Representative Scott."

Scott: "And the second part of the question is, I understand what you're saying about Schaumburg, but there are more municipalities in Cook County than just Schaumburg. I mean how many other municipalities is this going to apply to? I understand what you're saying about Schaumburg has some criteria that they want to install in that, so then it's not just a wide open thing, but what about the municipalities? There's got to be, I would guess, what, a couple dozen in Cook County?"

Speaker Leitch: "Representative Wojcik."

Wojcik: "Currently, Representative, I think Schaumburg's the only one with the problem. But it does say, 'Any municipality

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located within a county of having 3 million or more inhabitants shall regulate via ordinance.' But this moment, the only problem I know of is the one that has arisen in Schaumburg."

Speaker Leitch: "Representative Scott."

Scott: "It's kind of a strange thing for... This obviously...this original law predates me obviously here, but what was the feeling behind the law originally that prohibited municipalities from regulating this? I mean there had to be some...It's a fairly strange step for us. There had to be something behind that, some reason behind that in the first place."

Speaker Leitch: "Representative Wojcik."

Wojcik: "Representative, I don't know. I can only tell you that in 1984, the Pigeon Act was created, and in 1994, it incorporated show pigeons. And both times, home rule was eliminated. I was not privy to the Sponsor's opinion or why the Sponsor did it."

Speaker Leitch: "Representative Scott."

Scott: "Well, and the only reason I ask is that, I mean, there are...In fact, I talked actually with a gentleman in Rockford that does this. He raises them and I guess they've got some kind of an association, but he was telling me this, and I didn't know if you had any of the history of it, he was telling me that, you know, for the most part, you know, they do regulate it. It's not quite the same as some other...keeping other animals. There are differences between pigeons and others. I'm not an expert on pigeons. I don't know if that's the case. I just figured there had to be some reason why we would take the step, two different times, of saying, 'No, that's something you can't regulate'. And why that reasoning would change just two

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years later, you know, to now say that, at least in this instance, 'We're going to be able to regulate it.' I mean I...but apparently you don't have any of the history on it."

Speaker Leitch: "Representative Wojcik."

Wojcik: "The answer is, no, I don't have the history."

Speaker Leitch: "From Jackson, Representative Bost, for what purpose do you rise, Sir?"

Bost: "Mr. Speaker, I rise on a point of personal privilege. We've got cake here that my seatmate, Ron Lawfer, has..."

Speaker Leitch: "Cake is available. Representative Spangler, for what purpose do you rise, Sir?"

Spangler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. We always realize this is a fowl Bill. And I think it's a well known fact that a species of identical plumage tend to congregate the closest proximity possible. So I would suggest that we go ahead and all vote 'aye' and let them get the flock out of there. Thank you."

Speaker Leitch: "Representative Parke, for what purpose do you rise, Sir?"

Parke: "Mr. Speaker, I call for the question."

Speaker Leitch: "The question is, 'Shall the main question be put?' All those in favor shall say 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Wojcik to close."

Wojcik: "I didn't say it. Oh! I just think we've had sufficient debate, and I would just ask that the Amendment be concurred with. Thank you."

Speaker Leitch: "The Lady has moved for concurrence in Senate Amendment #1 to House Bill 907. And on that question, all those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. Mr. Clerk, take the

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record. And on this question, there are 115 voting 'aye', none voting 'nay', 3 voting 'present'. And Senate Amendment #1...The House does concur to Senate Amendment #1 to House Bill 907. Representative Woolard, on Senate Amendment #2."

Woolard: "Thank you, Mr. Speaker. I'd like to nonconcur in Senate Amendment #2."

Speaker Leitch: "The Gentleman has moved to nonconcur on Senate Amendment #2. On that question, is there any discussion? Seeing none, all those in favor shall say 'aye'; all those opposed shall say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendment #2. On the Order of Concurrence is House Bill 375. And on that question, Representative Kubik is recognized. Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to nonconcur with Senate Amendments 1, 2, 3 and 4."

Speaker Leitch: "The Gentleman has moved to nonconcur on Senate Amendments 1, 2, 3 and 4 to House Bill 375. And on that question, is there any discussion? Seeing none, all those in favor shall vote 'aye'... Didn't see you, Tom. The Gentleman from Cook, Representative Dart. For what purpose do you rise?"

Dart: "Thank you, Mr. Speaker. I'm hard to miss. The Sponsor yield?"

Speaker Leitch: "He indicates he will."

Dart: "Jack, rather than dividing the question on this one, can you just give me an idea in a nutshell what the four Amendments are and what your plans are with this?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative Dart, as I understand it, all of these

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Amendments deal with the tax increment financing law. These were Amendments that the Senate placed on this Bill. Senator DeAngelis was the Sponsor in the Senate. The...I think Senator DeAngelis recognizes that we will not deal with the issue of tax increment financing, has asked me to nonconcur with these Amendments, so...but the Bill, which originally I think his intention was tax increment financing will not be used for that purpose."

Speaker Leitch: "Representative Dart."

Dart: "Jack, I might not have heard you correctly, but did you say that this Bill is not going to be used for TIFS now? It will not be used and if it's not, do you have any plans on what you are going to do with the Bill?"

Speaker Leitch: "Representative Kubik."

Kubik: "I am not completely sure. I know that Senator DeAngelis wishes to use it for some property tax related issue. I have not had an opportunity to discuss with him what that is. I have...He has assured me that it will not be used for tax increment financing."

Speaker Leitch: "Representative Dart."

Dart: "Do you know whether or not this is going to be used in any way to work on the issue of P-Tab or work with any issues dealing with the county, Cook County Assessor's Office?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative Dart, I don't know that it's going to be used for that purpose. I will not tell you it won't be used for that purpose, cause I'm not sure, but I don't know."

Speaker Leitch: "Representative Dart."

Dart: "No further questions."

Speaker Leitch: "Seeing no other discussion, the question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3 and

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4 to House Bill 375?' All those in favor shall vote 'aye'; all those opposed...all those opposed shall say 'nay'. And the question...In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments 1, 2, 3 and 4 to House Bill 375. On page 6 of the Calendar appears House Bill 226. Representative Hoeft. Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. House Bill 226 is presently the clean up for the chartered school Bill that was negotiated. There was some concern dealing with funds that would flow to the chartered school that would circumvent the local school board, so there was a provision put in this Amendment #2 to put in to clarify that. And it says basically that any monies coming from public sources must go through the local school board for approval before they can be used by the chartered school. I'd be interested in any discussion on this and would accept any questions."

Speaker Leitch: "On that matter, is there any... Representative Hoeft, do you want to do these one at a time? Do you want to do Amendment #1 first, and then #2 or do you want to..."

Hoeft: "We're talking about Amendment #2..."

Speaker Leitch: "Why don't we do #1 first."

Hoeft: "I would..."

Speaker Leitch: "You move to non... Representative Hoeft moves to concur with Senate...to concur with Senate Amendment #1 to House Bill 226. And on that question, is there any discussion? The Gentleman from Cook, Representative Dart."

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

Speaker Leitch: "He indicates he will."

Dart: "Representative, I believe you discussed what was in Amendment #2. Can you explain to the Body what is in Amendment #1?"



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Speaker Leitch: "Representative Hoeft."

Hoeft: "Mr. Speaker, would you take this out of the record, please."

Speaker Leitch: "Mr. Clerk, please take this Bill out of the record. Continuing on the Order of Concurrence, page 6, appears House Bill 1798. Representative Spangler."

Spangler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we have before us is a Senate Amendment that becomes the Bill. And that was proposed by the Illinois Fertilizer and Chemical Association. What it does is it allows the Illinois Department of Agriculture to have a voluntary program to get rid of excess or residual agricultural pesticides, and it also would embrace the disposal of structural pest control from structural pest control businesses. In it, it also allows a fee of \$10 to be charged, but that is only if the Department feels that they don't have any other grant monies from the Illinois EPA or from any other funds to dispose of these pesticides. I'd be happy to answer any questions you may have."

Speaker Leitch: "The Gentleman from Clinton, Representative Granberg, for what purpose do you rise, Sir?"

Granberg: "Will the Gentleman yield?"

Speaker Leitch: "He indicates he will."

Granberg: "Representative Spangler, you indicated this would be a voluntary fee program for the disposal of pesticides. Could you explain how this program would actually work? Who would audit these funds? Who would hold the funds? Who would have control over the usage? And how the funds would actually be allocated and spent?"

Speaker Leitch: "Representative Spangler."

Spangler: "Yes, the Department of Agriculture would have that authority, being that any grant funds that were used for

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the disposal of those agriculture pesticide chemicals, and it would be subjected to the regular audits as are any other program."

Speaker Leitch: "Representative Granberg."

Granberg: "Where would the funds be placed upon their collection?"

Speaker Leitch: "Representative Spangler."

Spangler: "Within the Department of Agriculture."

Speaker Leitch: "Representative Granberg."

Granberg: "What fund would it be placed in?"

Speaker Leitch: "Representative Spangler."

Spangler: "That would be the Pesticide Control Fund."

Speaker Leitch: "Repres..."

Granberg: "Is that fund currently in existence?"

Spangler: "Yes, it is."

Granberg: "And how much does the Department believe will be deposited in that fund over the course of the next fiscal year? Any idea?"

Speaker Leitch: "Representative Spangler."

Spangler: "Yes, this being a model program, whereby they'd go after five counties the first year and see if they could implement this program. And it was a benefit, and it would be between 50 and 70 thousand dollars."

Speaker Leitch: "Representative Granberg."

Granberg: "What would happen if these funds were not collected? Would the Department have the authority and the ability to actually conduct this pesticide collection?"

Speaker Leitch: "Representative Spangler."

Spangler: "I'm sorry, I didn't understand the question, Representative."

Speaker Leitch: "Representative Granberg."

Granberg: "Can the Department currently conduct this program?"

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Speaker Leitch: "Representative Spangler."

Spangler: "Yes, one, a similar type of a program was in place in the past, but the funds ran out of that and their authority to ask for a collection of fee with regards to the poundage of those chemicals was not fair."

Speaker Leitch: "Representative Granberg."

Granberg: "When did they have the authority, Representative Spangler, to collect that fee? And when did that authority expire? Why did we not continue the ability the department to tax these people?"

Speaker Leitch: "Representative Spangler."

Spangler: "Previously, there was no authority to collect these and that pilot program that had been in existence before, its sunset date has come and gone."

Speaker Leitch: "Representative 'Greenburg'...Granberg."

Granberg: "Representative...Thank you, Speaker 'Litch'...Leitch."

Speaker Leitch: "'Litch'."

Granberg: "Representative Spangler, when was that program in existence? You said it was a model program that was currently on the books. How long was that program in existence?"

Speaker Leitch: "Representative Spangler."

Spangler: "In 1990 and 1991."

Speaker Leitch: "Representative Granberg."

Granberg: "So it's such a good program, we're waiting until 1996 after it expired in 1991 to try to give it the continued authority?"

Speaker Leitch: "Representative Spangler."

Spangler: "No, not at all. In 1993, there was a program that was supplemented to that, but it had to do with the flood, and that involved 37 counties."

Speaker Leitch: "Representative Granberg."

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Granberg: "So, it expired in 1993 then. So, the previous three years, that model program was such a success, we just let it go away, and now we think it's...the Department thinks it's very important again. So they want to give a new authority?"

Speaker Leitch: "Representative Spangler."

Spangler: "Yes, and not only that, it's...The proponents of this are the Illinois Fertilizer and Chemical Association and the Illinois Department of Agriculture, as well as the Illinois Farm Bureau."

Speaker Leitch: "Representative Granberg."

Granberg: "So again, the...What were the results of this model program that were so important and the benefits were so great to the taxpayers that we let this expire four years ago and how we're going to renew its authority?"

Speaker Leitch: "Representative Spangler."

Spangler: "Which one, the model program?"

Speaker Leitch: "Representative Granberg."

Granberg: "Yea, the model program expired four years ago, that we're going to model this new model program after."

Speaker Leitch: "Representative Spangler."

Spangler: "Well, my question back, Representative, is the original model program of which you just spoke of, or the model plug program of 199..."

Speaker Leitch: "You want to bring it to a close, Representative Granberg."

Granberg: "Mr. Speaker, I believe Representative Lang is going to yield his time, if you would recognize him for that purpose."

Speaker Leitch: "We have another...number of others here as well."

Granberg: "Well, whenever you have a chance to come back to me, I

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want to continue on this because I know this is a very, very important program. The Department has really found a lot of enthusiasm for this. And I know Director Doyle is energetic about this, and that's why she's let it go after three years and we're going to renew this great program. So, if you could get to me later, I'd appreciate it."

Speaker Leitch: "Representative Noland, for what purpose do you rise, Sir?"

Noland: "Speaker, I rise in support of this Bill. It passed Agriculture Committee yesterday afternoon unanimous. This Bill fills a very important environmental void. If a pesticide is out of label, if it's no longer renewed, there's no way to properly dispose of the chemical. This Bill fills a void. It allows an unwanted pesticide to be handled and disposed of. So it's important environmentally. It helps the farmer. It helps the pest control, the pesticide people as well. This is a great program. Vote 'aye'."

Speaker Leitch: "Representative Lang, for what purpose do you rise, Sir?"

Lang: "Thank you. I'd like to yield my time to Representative 'Greenberg'."

Speaker Leitch: "Representative 'Greenberg'."

Granberg: "Thank you, Representative 'Long'. So, Representative Spangler, I heard Representative Noland talk about how important this program was. It sounded very good. But this model - model program expired three years ago. If it was that beneficial, if it was that beneficial and it was so good, why did we not extend it three years ago?"

Speaker Leitch: "Representative Spangler."

Spangler: "As a matter of fact, you're exactly right. Over 135,000 pounds was collected in the previous model

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programs. Representative Noland, who previously spoke, had introduced that Bill last year, or I mean last Session, and unfortunately time had run out before we acted on it."

Speaker Leitch: "Representative Granberg."

Granberg: "So, Director Doyle didn't think it was important enough to be put on the fast track for the business of this House?"

Speaker Leitch: "Representative Spangler."

Spangler: "I'm sorry, I didn't hear the question."

Speaker Leitch: "Representative Granberg."

Granberg: "So, apparently Director Doyle didn't think it was important enough to deal with last year. She didn't put it on the fast track on the legislation for the new House Majority?"

Speaker Leitch: "Representative Spangler."

Spangler: "Not at all. She felt that it was very, very important, but the unfortunate thing was, they did not have the authority to be able to go and set a fee for the collection of these chemicals, whereby the farmers have asked on a voluntary basis to come in and dispose of them."

Speaker Leitch: "Representative Granberg."

Granberg: "Why didn't Director Doyle urge the passage of this legislation last year, if it was so important?"

Speaker Leitch: "Representative Spangler."

Spangler: "I believe that she did, but time had run out, as I had explained before."

Speaker Leitch: "Representative Granberg."

Granberg: "When was the Bill introduced last year, Representative?"

Speaker Leitch: "Representative Spangler."

Spangler: "I'm sorry, I don't have that information available at this time."

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Speaker Leitch: "Representative Granberg."

Granberg: "Well, as you know, Representative, there's a deadline for filing legislation, so that Bill was introduced probably by Jan...by February or March. So we ran out of time by June to deal with this very important issue. Is that what you're saying?"

Speaker Leitch: "Representative Spangler."

Spangler: "Let me just say, this is a véry, very important Bill.

It has to do with environmental safety, health safety of individuals, particularly farm children, others that may be over visiting. This is a responsible thing to do. It's a voluntary program. It's not forced upon the farmers; however, it does allow the Department of Agriculture, if they find it necessary, to charge a maximum of \$10 a pound to be able to administer this program in the event that they have not got any grants in to do it. As far as the other material that you're talking about, the mechanics of when it was introduced and if it was introduced, why wasn't a higher priority put on it or anything else, I'm really not sure about those, Representative Granberg."

Speaker Leitch: "Representative Granberg."

Granberg: "Well, thank you. I just...I understand that you say it's an important program, Representative, and I...with great respect, I admire what you're trying to do, but obviously Director Doyle didn't think it was that important. She left the Bill languish for over a year. So it can't be that important to the Department, so this is a fly by night thing. So, she didn't push the Bill last year, unless the Director is not that well thought of in the Legislature that they wouldn't do what she requested. But usually most directors are actually able to work with the Legislature, unless Director Doyle didn't think it was

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that important. She let the Bill die. So, I understand what you're saying. I think it's another model program that you're trying to do with fee collection to increase fees. And that's all well and good, I suppose. But if the Department of Agriculture and Director Doyle thought it was that important, this Bill would already be law. So it cannot be that important to Director Doyle. Obviously, she's put a lot of energy behind this Bill, so I appreciate your time and concern, and I respect your intentions. But, something tells me, the Director doesn't care that much about this Bill."

Speaker Leitch: "The Gentleman from Logan, Representative Turner, for what purpose do you rise, Sir?"

Turner: "Mr. Speaker, I move the question."

Speaker Leitch: "The question is, 'Shall the main question be put?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the main question has been put. Representative Spangler, to close."

Spangler: "This is an excellent Bill. I think everyone has heard the pros and cons of it, if there are any cons. I believe that it's favorable to everyone and I would urge an 'aye' vote."

Speaker Leitch: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1798?' All those in favor shall signify by voting 'aye'; all those opposed shall signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', 2 voting 'nay', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1798. This



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Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence is House Bill 226. Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Apologize for not having Amendment #1 and 2 are clean ups to the Charter School Bill. Amendment #1 simply makes the Act effective immediately upon becoming law."

Speaker Leitch: "Is there any discussion on Senate Amendment #1? Representative Currie, for what purpose do you rise?"

Currie: "Parliamentary inquiry. It says that Representative Lindner is the Sponsor of this Bill. Earlier the board showed Mr. Hoeft. So my inquiry is, who is the Sponsor?"

Speaker Leitch: "Representative Hoeft. The sponsorship was changed. Representative Currie."

Currie: "And can the board be changed to reflect the new sponsorship?"

Speaker Leitch: "Mr. Clerk."

Currie: "Thank you."

Speaker Leitch: "The Gentleman from Cook, Representative Lang, for what purpose do you rise, Sir? Same question?"

Lang: "Alright, I have no problem with Senate Amendment 1. Perhaps you could recognize me on Amendment 2. Thank you."

Speaker Leitch: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I was off the floor when we...when Representative Hoeft presented this measure earlier. Senate Amendment 1 merely...Has the question been divided?"

Speaker Leitch: "Yes, it has and the question..."

Schoenberg: "So this merely deals with the effective date?"

Speaker Leitch: "Yes, it does."

Schoenberg: "Not with the policy changes proposed? Then I'd like to hold off my questions until we get to that point. Thank

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you."

Speaker Leitch: "Seeing no other discussion, Representative Hoeft moves that the House concur in Senate Amendment #1 to House Bill 226. And on that question, all those in favor shall signify by voting 'aye'; all those opposed shall 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. And on that question, there are 116 voting 'aye', none voting 'nay', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 226. Mr. Clerk, Senate Amendment #2. Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, fellow Members of the House. Senate Amendment #2 deals with the question of the control of funds to the charter school from other public agencies. In the negotiations, there was a question dealing with whether the charter school could start acting independently in drawing public funds without the authority of the local school board, and this Bill is meant...this Amendment was meant to clarify that all incoming public funds must go through the local district board for their approval before being dispersed to the charter school. I'd be open to any questions."

Speaker Leitch: "Thank you. Representative, before we proceed, Representative Kotlarz, would you like to introduce Ann Victoria Kotlarz to the Assembly."

Kotlarz: "I just want to indulge the chamber for a moment. My lovely daughter Ann Victoria is down with us today, visiting us, and I just want her to be greeted warmly by this great Springfield crowd."

Speaker Leitch: "Thank you, Representative. The Gentleman from Cook, Representative Lang, for what purpose do you rise, Sir?"

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

Speaker Leitch: "He indicates he will."

Lang: "Representative, you indicated that public funds cannot be applied for without the school board's approval. But is it, if I'm reading your Amendment correctly, provides that charter school governing bodies can accept gifts or grants from private sources without the school board. Is that correct?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "That is correct."

Speaker Leitch: "Representative Lang."

Lang: "Well, these private sources could be anything, could they not? They could be religious, they could be right wing, they could be left wing, they could be just about anything. Is that correct?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "Back wing, forward wing, center wing, any wing."

Speaker Leitch: "Representative Lang."

Lang: "And these funds could be granted to these charter schools with strings, I assume. Is that correct also?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "Obviously, there are agreements made for anytime money is exchanged. Yes, they could."

Speaker Leitch: "Representative Lang."

Lang: "Well, don't you have some concern that some far right wing fascist or religious organization that's way out to the right might, in an effort to be able to get their message across in a school district, provide a donation to a school district, and then put certain...or a charter school, then put certain strings on that donation that would in essence politicize the donation itself and cause some difficulty in the teaching process?"

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Speaker Leitch: "Representative Hoeft."

Hoeft: "When we were discussing charter schools, we were recognizing that there were a number of potential enhancements of revenue through private concerns, specifically if we were using computers for a computer curriculum and there might be computer companies that would want to donate materials, computers and things like that for this specific charter. Now the charter would indicate what its purpose was to the school board and that would be then passed and also to the State Board of Education. The fear of receiving quantities of monies to do propaganda was not discussed and is not a major concern since this would violate the theme of the charter."

Speaker Leitch: "Representative Lang."

Lang: "Well, nevertheless, wouldn't you want to take this and amend it in a way so that we can at least make sure that money from religious organizations does not find its way into public charter schools?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "No."

Speaker Leitch: "Representative Lang."

Lang: "Well, thank you. To the Concurrence Motion, Mr. Speaker, Ladies and Gentlemen. I thank the Sponsor for his forthright answer, but his forthright answer sounds dangerous to me. If we allow any private organization with no strings in the law to provide dollars to these charter schools, where they can put strings on the money, I think we're leaving ourselves open to disaster. All of us here understand the need to protect the wall between church and state; however, this Amendment would allow those that want to breach that wall between church and state to simply do so by providing funds to a charter school, putting strings

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on those funds, and proceeding about their business, requiring the school board of that charter school to do such and so with the money, which would leave open the opportunity that children in school would be faced with religious teachings or religious ideas that they and their parents may not be willing for them to have. So, I support the notion that computers and all could be donated to charter schools, but I think there's a dangerous problem here that should be addressed by the Sponsor, and if the Sponsor's unwilling to do so, I think this is open ended and leaves us with a problem that cannot get my vote, and I would suggest that you all take a look at this. I'm sure you're all concerned about the wall that should be there between church and state. And I don't think we should be allowing a situation where the religious right and others can get their message into our public schools through charter schools in this way, in a way they could not without this legislation. So I think this could be one I could support, but I think it needs to go back to the drawing board and for the time being, I can't vote for it."

Speaker Leitch: "Mr. Clerk, Committee Announcements."

Clerk McLennand: "Committee Notice. Rules Committee will meet at 2:00 p.m. in the Speaker's Conference Room. Rules Committee at 2:00 p.m. in the Speaker's Conference Room."

Speaker Leitch: "The Gentleman from Cook, Representative Schoenberg. for what purpose do you rise, Sir?"

Schoenberg: "Thank you, Mr. Speaker. An inquiry of the Sponsor. Mr. Hoeft, what is the underlying motivation behind this Amendment?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "When we originally passed this, and many of you, obviously most of you in this chamber voted for it. There

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was clear ability for the charter schools to receive funds privately and publicly from a variety of different sources. We agreed to that and we voted for it. When it went over to the Senate, there was some fear that some of the federal funds that were coming to the state would in essence create conflicts that they did not want to deal with. So to directly answer your question, Representative Schoenberg, these...this Amendment was put on in order to make sure that the Federal Government's program was not used improperly without the school board's approval for these charter schools."

Speaker Leitch: "Representative Schoenberg."

Schoenberg: "I presume that what you just referred to pertains to the Goals 2000 Program?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "You are a very knowledgeable individual, Sir."

Speaker Leitch: "Representative Schoenberg."

Schoenberg: "Well, I don't know if I'd go that far, but I'd like to address a different point related to the Amendment, which is why, though, Mr. Hoeft, as you know, I've been very supportive of the charter schools idea from its inception here, that I have...I wish to take exception with Senate Amendment #2, and I'd encourage us to nonconcur, and this is the reason why. I think that Senate Amendment #2 inherently defeats the purpose of establishing the form of competition that we're seeking to create from charter schools. I don't...I think that Mr. Lang's argument aside, and I think it's a compelling argument, I think that if a local school board...I think that there's very little to motivate a local school board to embrace a charter school within their own backyard if in fact, if in fact, we give them the means of controlling the disbursement of the

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public funds. I would like to see...I'd like to see us in Illinois adopt a mechanism similar to what's happened in some of the other states where charter schools have shown some initial successes, and that is to provide an alternate method for the disbursement of public funds so that the local school board is not the sole means of disbursing funds. My guess is that many local school boards will chafe at the idea of having a charter school in their area because they may feel, rightly or wrongly, that it's an admission that they are not doing their best at providing public education for students. And I would see that this really puts the charter schools at a disadvantage for being able to get up and running because in the end, this Amendment gives the local public school board the ultimate veto power over whether or not we're going to be able to have a successful charter school in their backyard. This could conceivably...while it's well-intentioned, this could conceivably resolve in defeating the very purpose we established charter schools for. And so I think that while the Sponsor and the Senate Sponsor certainly well-intentioned, what we're doing is ultimately anti-competitive. We are defeating our own legislative intent by setting up yet one final obstacle that we're not...that the charter schools are not going to be able to overcome because they're not going to be able to go to the State Board of Education, for example, to appeal in the event that they have an intransigent local school board. So therefore, I would encourage all of us who support charter schools and of course those of us who are not with the program in supporting charter schools. I think we need to revisit this issue because we need to have an alternate escape route for charter schools to be able to go appeal

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for disbursement of public funds, so that they...all the cards are not in the hands of the local school districts. This is unfortunately anti-competitive and unfortunately defeats the very purpose of charter schools. And I'd like to see us in Illinois be as successful with charter schools as some of the other states have been thus far, states like Massachusetts and Arizona, and I'd like to see us achieve those levels of success. Therefore, I respectfully ask us to vote against the Concurrence Motion on Senate Amendment #2 and let's revisit this issue so that charter schools can indeed work the way we want..."

Speaker Leitch: "We're joined in the gallery today by a group of distinguished senior citizens from Speaker Daniels' district in DuPage County. Would you stand and be recognized, please. Thank you. The Gentleman from Madison, Representative Hoffman, for what purpose do you rise, Sir?"

Hoffman: "Yes, will the Sponsor yield?"

Speaker Leitch: "Indicates he will."

Hoffman: "Yes, Representative, please explain to me once again, cause I got bits and pieces, why in the world we need this Amendment."

Speaker Leitch: "Representative Hoeft."

Hoeft: "There is fears expressed by parties that this charter school movement would be harmed by the flow of federal funds into the state circumventing the local school boards, and specifically as Representative Schoenberg said, there was a fear towards the Goals 2000 Funds."

Speaker Leitch: "Representative Hoffman."

Hoffman: "And what again is specifically the concern about the Goals 2000 Funds?"

Speaker Leitch: "Representative Hoeft."



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Hoeft: "That instead of being locally controlled, these would be federally controlled programs."

Speaker Leitch: "Representative Hoffman."

Hoffman: "What I'm trying to get at, what about Goals 2000 are people objecting to?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "Oh, we could talk a long time about that, Sir. Um, basically it is the question of the Federal Government developing and generating curriculum versus the local districts controlling the...and implementing the curriculum."

Speaker Leitch: "Representative Hoffman."

Hoffman: "So you propose to...or you are saying that there could be no federal funds then given to the charter schools. Is that what this does? And thereby Goals 2000 mandates, as you might call them, would not flow with the federal funds. Is that essentially it?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "No, Sir, it says that if a charter school wants to use it, they have to put them through the local school board. The local school board would approve it, so it is a approval of the locally elected officials."

Speaker Leitch: "Representative Hoffman."

Hoffman: "But is it the whole idea, Sir, to ensure that these charter schools do not emulate some of the, quote, I don't necessarily believe this, but the people that voted for it tell me, that quote, 'failed practices of the public school system'. So aren't you just once again throwing it back into the same system and not really letting the ingenuity or the innovation prosper?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "The innovation element was the private area, the private

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sector and this keeps that alive. There is no circumventing of that original theme. We're looking at a federal project, we're looking at local control, and we're saying that if any federal funds come through from Washington, they have to come through the locally elected school board. This makes sense. It is a local control issue and is something that I think we can all support."

Speaker Leitch: "Representative Hoffman."

Hoffman: "Wouldn't it make more sense to just have, if you really want this to work, to just have the State Board of Education, the charter school goes to the State Board of Education. The funds then would go to the State Board of Education, or be okayed by the State Board of Education, as an alternative to the local school control that you're advocating."

Speaker Leith: "Representative Hoeft."

Hoeft: "You're asking Representative Douglas Hoeft about allowing the State Board to control the flow of these funds! You've got the wrong guy to ask that question! Absolutely no way!"

Speaker Leith: "Representative Hoffman."

Hoffman: "Well, my opinion on this Bill, I certainly would like to support it also, but I think what this is all about is the demonizing of the Goals 2000 plan. Well, that's fine if you want to say that, but I think you're really seeing things that don't exist with regard to these charter schools. And by putting this and passing this, what you're essentially doing is hamstringing the innovation, the ingenuity, and the very thing that the charter schools were built...or the charter legislation was passed was designed to do. I think it's very unfortunate that because whoever is throwing this out there, it's sitting there and is

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concerned that maybe the Federal Government is going to come in and control the charter schools. I think that that's, to me, to be very frank with you, is ludicrous. And what you're doing, is you're making changes to the charter school program that essentially is just going to kill it. Doesn't make any sense to me, I'm going to vote 'no'."

Speaker Leitch: "The Lady from Cook, Representative Davis, for what purpose do you rise?"

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

Speaker Leitch: "He indicates he will."

Davis, M.: "Representative, according to the Senate Amendment #2 to House Bill 226, charter schools may apply for... They cannot apply for or accept grants from any public sources unless it goes through their local school board. Is that correct?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "Correct."

Speaker Leitch: "Representative Davis."

Davis, M.: "If the dollars come from a private source, does the local school board still have to approve it? And if not, does anyone have to approve it?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "The public school system does not have to approve it, but obviously the charter school board, the governing board of that charter school would approve it and declare how those resources were to be used within their curriculum."

Speaker Leitch: "Representative Davis."

Davis, M.: "So in other words, if Minister, the Minister - the honorable Minister Louis Farrakhan made a donation to a particular charter school, that local board at the charter school only could make the acceptance, and it would not have to go through the public school board. Is that

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correct?"

Speaker Leitch: "Representative Hoeft."

Hoeft: "That's the way you voted when you voted it out of this chamber earlier this year."

Speaker Leitch: "Representative Davis."

Davis, M.: "So, we could have instances in which religious organizations could make major contributions to a charter school and perhaps affect the education of the children registered in that school. Or yet, with your legislation, the militia could donate funds to the school, and it would not have to go through the local school board, but could go through only that charter school. My fear, Representative, is, and I do know that you are well intended and, perhaps, the Senator who proposed this, but my fear, Representative, is, we are going to get in some very murky, murky water. And the reason will be because we've opened up the doors for charter schools to become not just public schools that don't have to adhere to the rules and regulations of other public schools, cause that's all it's supposed to be. But now we're opening up the floodgates for them really to become under the auspices of any organization who can make a major contribution and who that local board wants to accept that contribution from. This could completely turn and change the direction of a charter school, who, perhaps, was on a different course before a major contribution was given. I believe we will make a tremendous error, a tremendous error if we allow any funds to go through that loc...to the local school board of the charter school without going first through the regular public channel, and the public channel is that existing school board that granted the opportunity for the charter school to exist. For us now to go around them and to ignore them, I think we

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may even be doing something illegal with public funds. A person, even of the stature of an honorable Louis Farrakhan or a Mike Flager, people who do have particular religious beliefs, would be permitted with this Amendment to make major contributions and only that small group at the charter...local school charter level would have to approve or disapprove it. I don't think you want to open those floodgates. I don't think you want those court cases that certainly will exist or come about because of this. I think this is a piece of legislation that was well intended but the results can be very harmful to public education and charter schools was not suppose to bring about opportunities for public...I'm sorry, for private religious organizations to take over public schools. And it could be under the guise of just making a major contribution, but that major contribution can also direct the philosophy of that particular school. We've seen it happen at the higher education level and I think we better be very careful here. I'm sure that everyone here recognizes to keep charter schools clear and clean that we want to vote 'no' on this Amendment. Thank you."

Speaker Wojcik: "Representative Wojcik in the Chair."

Clerk McLennand: "Rules will meet immediately in the Speaker's conference room. Rules Committee will meet immediately in the Speaker's conference room."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Effingham, Representative Hartke, is recognized."

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

Speaker Wojcik: "He indicates he will."

Hartke: "Representative Hoeft, as I recall, in the Elementary and Secondary Education Committee I had a concern about the issue of school boards having a charter school within their

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school - funds being approved by the board generated by that board, and they are a governmental unit, to grant to the charter school. Do you recall that conversation?"

Speaker Wojcik: "Representative Hoeft."

Hoeft: "No, but I assume you said it."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, see my concern was that we understand the law says that the charter school funding should be no less than 95 yet no more than 105 percent of the other students that are going to the school. Correct?"

Speaker Wojcik: "Representative Hoeft."

Hoeft: "Yes, that's correct. You got it right."

Speaker Wojcik: "Representative Hartke."

Hartke: "Okay. And this piece of legislation allows the school board to accept gifts, monetary or otherwise, from individual or private individuals or corporations, as well as from other governmental bodies. Now the school board itself is a governmental unit and so that school board could be accepting a gift from itself to grant to the charter school, and I requested that some language be placed in this Amendment that would exclude a gift from themselves from within. Do you recall that?"

Speaker Wojcik: "Representative Hoeft."

Hoeft: "This Bill does nothing of the kind and the discussion is so far from the Bill that it is getting to be somewhat humorous. The Bill...the Charter School Bill always, always had the opportunity for the charter to go out and solicit private, public funds. This was discussed. This is part of the strength. The discussion of the fact that this now changes that, all it says is that if they have public funds they come through the board. That's all it says. It doesn't say anything about churches, it doesn't

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say anything about Louis Farrakhan, it doesn't say anything about any other thing other than if it is federal funds, they put it through the local school board. It doesn't change anything other than to allow a slight bit of control by the local schools."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, thank you very much. I don't agree with...or disagree with you at all and I don't think I mentioned anything about those private funds and I wasn't getting at that. I'm concerned about the school board making a grant to themselves, approving to themselves, to give to the charter school, which would delete the resources for those individuals who are going to the regular school within that unit. I asked you to put on a little paragraph that would exclude the school board itself from granting to its charter school within its school, funds or equipment or other things that would make the schools...kids at a disadvantage that were going to the regular school. When we put in the language that they may accept funds from governmental bodies, I know we're talking about the federal government, but it also could be funds from the school unit itself. And so, I was concerned about that and I simply asked, have you addressed that issue?"

Speaker Wojcik: "Representative Hoeft."

Hoeft: "If the law says that you have to be within 105 and 95 percent of the average cost to the students in the district and the Board of Education in a public hearing, in a public meeting puts through additional funds, that's a violation of the law. That would destroy the charter. Therefore, the law would be circumvented and I don't know how you can write it any stronger other than the fact you can't put more than 105 percent of the resources into a charter

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school. So you don't draw away from the other school, the other children, the other curricular areas of a school district."

Speaker Wojcik: "Representative Hartke."

Hartke: "The children in the charter school could receive more funding if it had all kinds of private grants with computers, with all kinds of other hardware brought to that school. They would then have a major source of funding. The school district could also create grants to give these students from within and that's what I was concerned about on top of what has already been given."

Speaker Wojcik: "Representative Hartke, your time is about to expire. Representative Hoeft, could you wrap it up?"

Hoeft: "Thank you. This is a clarification to try and make sure that local control is maintained through the federal, state and local resources, the public resources. It is a very small change. The other discussion had nothing to do with this Bill and is basically a screen away from the idea, do you want the school boards to control federal and state monies that are coming to the charter schools before they are used in the charter schools? It is a good idea and I ask for the positive vote."

Speaker Wojcik: "Since no one is seeking recognition the question is, 'Shall the House concur with Senate Amendment #2 to House Bill 226?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 65 'ayes', 47 'nays' and 4 voting 'present'. The House does concur with Senate Amendment #2 to House Bill 226, and this Bill, having received the required Constitutional Majority,



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is hereby declared passed. Representative Brunsvold, for what purpose do you rise?"

Brunsvold: "Thank you, Mr. Speaker. Just to let everyone know that the softball game for tonight against the Senate is on for approximately 5:00. Again, it is at Lincoln Park. Representative Stephens and myself have put a lineup together and we are ready to go. There have been a couple of Senators over here badgering us about the game tonight, so we need some support out there tonight. We need our starting 10 players to be very good for the first five innings. Right, Lou? So, once again, the softball game is on for the night...tonight out at Lincoln Park. Thank you, Madam Speaker."

Speaker Wojcik: "You're welcome. Representative Lou Jones, for what purpose do you seek recognition?"

Jones, Lou: "Thank you, Madam Speaker. I rise for a point of personal privilege."

Speaker Wojcik: "State your privilege."

Jones, Lou: "Yeah. I have the St. Paul Day Care Center out of my district at 45th and Dearborn from Chicago. I'd like you to welcome them. They're in the balcony up here."

Speaker Wojcik: "On page 6 of the Calendar, Order of Concurrence, appears House Bill 2659. The Gentleman from Vermilion, Representative Black, is recognized. Representative Black. Representative Black on House Bill 2659."

Black: "Yes. Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendments #1 and 2 to House Bill 2659. The underlying Bill, very quickly, passed out of here on March the 6th with no...no one in opposition. There was not a 'nay' vote cast on this Bill. Senate Amendment #1 simply luminates a procedure for the issuance of a duplicate tax certificate

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in the event an original tax certificate is lost and destroyed. It was brought to my attention in the Senate that some county clerks are honoring a redemption upon presentation of the tax certificate holder that the certificate has been lost or destroyed, and that the tax certificate holder would then have to hold the county clerk harmless. This simply is going to give authority, statutory authority, to the informal procedure that is being followed by most county clerks in Illinois. The second Senate Amendment was suggested by Cook County. They use an accelerated billing method to send out their tax bills and the underlying Bill would not fit with this because they would not have the time to put the error computation on the bill so they could send out a separate bill that would show the error. I don't have any problem with any of these...either of the Senate Amendments and I'll be glad to answer any questions that you have about the Bill or the Amendments."

Speaker Wojcik: "Is there any discussion? The Lady from Kane, Representative Deuchler, is recognized."

Deuchler: "Speaker, will the Sponsor yield for some questions?"

Speaker Wojcik: "He indicates he will."

Deuchler: "Representative Black, several questions were raised by Geneva School District and in order to establish legislative intent I will pose a couple of questions. I think Representative Hassert, additionally, has two more. The first question, how does House Bill 2659 effect tax and rate objections?"

Speaker Wojcik: "Representative Black."

Black: "Yes, thank you, Representative. Let me make one thing perfectly clear for the record. This Bill in no way effects...effects any determination of a property tax

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assessment. Administrative errors that the Bill talks about do not include assessment determinations by an assessor that is subsequently appealed to a board of review, the Property Tax Appeal Board or the courts. Likewise, administrative error does not include the placement of omitted property on the tax rolls. The bottom line is that this Bill is to correct administrative error unrelated to the assessment of property. Nothing more and nothing less. As we all know there is a statutory scheme for appealing the assessments and for handling omitted property. This Bill will not effect that statutory schedule."

Speaker Wojcik: "Representative Deuchler."

Deuchler: "The second question, Representative Black. If the Property Tax Appeal Board subsequently overrules the board of review, couldn't that be considered an administrative error?"

Speaker Wojcik: "Representative Black."

Black: "No. If you will look at the language in my Bill, specifically Committee Amendment #2, I specifically exclude from the definition of administrative error any error in assessment. These would be considered errors in assessment and would not be considered an administrative error under this legislation."

Speaker Wojcik: "Representative Deuchler."

Deuchler: "Thank you, Representative Black, and I believe Representative Hassert has additional questions along this line."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative Hassert, is recognized."

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

Speaker Wojcik: "He indicates he will."

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Hassert: "To continue along the same line of questioning with legislative intent, Representative Black. I understand that tax cap legislation applicable to the collar counties around Cook and recently to Cook County, when applied to multi-county taxing districts, have resulted in conflicting statutory direction which often mislead county clerks. And in addition, that since Cook County does not received it's equalized assessed valuations nor burden of taxation percentage issued by the Department of Revenue until around July, the collar counties often have to use last year's figures when making tax extensions. And then in the following year they make adjustments as may be required to end up with a fair apportionment of the tax between the counties. My question, does administrative error as referred to in this Bill deny the county clerks the ability to make future tax adjustments to rectify these situations?"

Speaker Wojcik: "Representative Black."

Black: "No, it does not. The purpose of House Bill 2659 is to bring about reasonableness and harmony in the taxing process, not to create or perpetuate conflicts or inequities. It is not administrative error when the county clerks, in administering the extensions for taxing districts located in two or more counties, exercise their best judgment. The subsequent year's adjustments being addressed in these multi-county taxing district situations merely make readjustments in following years to make sure that the taxpayers in one county do not reap special benefits while those in other counties would pay an extra high tax to subsidize such benefits. In fact, the county clerks are merely following the statutory directions to recompute in later years when the final figures are

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available. Administrative error is not involved in this process."

Speaker Wojcik: "Representative Hassert."

Hassert: "Last question. Assuming that multi-county taxing districts, although located partially in Cook County, is subject to the tax cap limitations and there are two possible responses to a particular approach, two or three years later it is determined that the procedure followed by one county clerk was not based upon correct legal interpretation and another approach is legally correct, the county clerk then makes an extension judgment for that taxing district to rectify the incorrect extension for the earlier years followed by the similar type action by the other county clerks, will these recalculations be administrative errors as defined in House Bill 2659?"

Speaker Wojcik: "Representative Black."

Black: "No. Since two legal interpretations are possible, a legal judgmental decision is involved in a switch from one legal theory to the other. Remedial steps taken to rectify the earlier incorrect tax extension are predicated upon a legal interpretation and not an administrative error."

Speaker Wojcik: "Representative Hassert."

Hassert: "No further questions. Thank you, Madam Speaker."

Speaker Wojcik: "Representative Black to close."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. This Bill, 'as amended,' addresses a problem that I became acutely aware of in my district last summer. Under current Illinois law the statute of limitations for an administrative error on a property owner's tax bill is 30 years. And in one of the cases, and there were 25 of them in my district, but in one of the cases that cost a gentleman \$10,000 in back taxes, the

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administrative error was that when the city annexed his building it was never coded properly on his tax bill. Since the city doesn't pick up garbage to his building and he was also paying taxes to a fire protection district, he had no way of knowing that his property, in fact, had been annexed to the City of Danville. He was given 48 hours to come back...to come up with \$10,000 on back taxes to the city. The Taxpayers Federation, IRMA - I'm not aware of any opponents to the Bill. We don't think this is fair. We're trying to correct this by a two year statute of limitations and also allowing the taxpayer an installment grace period in order to pay any back taxes due. It is not, as you've heard in the legislative intent, in any way shape or form designed to excuse a taxpayer who does not receive a tax bill or whose tax bill may have been calculated incorrectly. I think it's a reasonable Bill. I ask for your support."

Speaker Wojcik: "The question is, 'Shall the House concur with Senate Amendments 1 and 2 to House Bill 2659?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'aye's, no 'nays', 2 voting 'present'. The House concurs with Senate Amendments 1 and 2 to House Bill 2659; and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Brady, for what purpose do you seek recognition?"

Brady: "Madam Speaker, I rise to invite everyone to a cookie and thanks for their beautiful voices earlier. There are cookies over here if anyone would like one."

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Speaker Wojcik: "Happy Birthday, Representative Brady. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report. Committee Report from Representative Churchill, Chairman from Committee on Rules to which the following joint action Motions were referred, action taken on May 15th, 1996, reported the same back 'do approve for consideration' to the House floor; Floor Amendment #1 to Senate Bill 1494 is approved for consideration and House Joint Resolution #110 is approved for consideration. Returned to the floor to the Order of Second Reading; Senate Bill 323, Senate Bill 324 and Senate Bill 586. Placed on Motion to Concur, approved for consideration; Senate Amendment #1 to House Bill 739 and Senate Amendments #1 and 2 to House Bill 1684. Committee notices. The following Committees will meet this afternoon: At 3:30, Health Care and Human Services will meet in Room 118, Elementary Education will meet in Room C-1. At 4:00 p.m., Public Utilities will meet in D-1 and Transportation will meet in 114. Again, at 3:30, Health Care and Human Services will meet in Room 118, Elementary Education will meet in Room C-1, Public Utilities will meet at 4:00 in Room D-1, and Transportation will meet at 4:00 in Room 114, and the House will reconvene at 4:30 at that time."

Speaker Wojcik: "Just to ease the anxiety we're going to do everything to get everyone out of here before 5:00 so you can go to your ball game. I lobbied, remember that. Representative Lang, for what purpose do you seek recognition?"

Lang: "Thank you, Madam Speaker. Yesterday, a Member of our side of the aisle, Representative Steve Davis, brought to the attention of the Chair a serious matter dealing with

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decorum on the House floor, dealing with some pictures that went into his district. I'm sure you'll recall. And subsequent to that Representative Davis asked the Speaker to launch an investigation to determine how it happened and what happened and what he was going to do about it. It seems, based on the newspaper articles I've read, that the only response of the Speaker would be to blame Steve Brown who is a staff member on our side of the aisle. Works for Mr. Madigan. I don't think anyone thinks Mr. Brown took those pictures and so we would like to know what the status is of this investigation and we would like to know what the Speaker's doing about it. And we further like to know if he's planning to apologize to Mr. Brown for those outrageous allegations?"

Speaker Wojcik: "Representative Lang, there was sufficient conversation regarding this yesterday. The Speaker is well aware what's been going on. I think we'll go on to some other subject matters. Thank you. Mr. Clerk, would you please repeat the Committee announcements."

Clerk McLennand: "The following Committees will meet at 3:30: Elementary and Secondary Education will meet in Room C-1, Health Care and Human Services will meet in Room 118. At 4:00 p.m. Public Utilities will meet in Room D-1 and Transportation and Motor Vehicles will meet in 114. Again, at 3:30, Health Care and Human Services in 118, Elementary and Secondary Ed. in C-1. At 4:00, Public Utilities in D-1 and Transportation and Motor Vehicles in 114."

Speaker Wojcik: "On Supplemental Calendar #1, Order of Concurrence, appears House Bill 739. The Gentleman from Will, Representative Wennlund, is recognized."

Wennlund: "Thank you, Madam Speaker. I move to concur in Senate Amendment #1 to House Bill 739."



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

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

Speaker Wojcik: "He indicates he will."

Dart: "Can you explain to us what Amendment #1 does, what it is?"

Speaker Wojcik: "Representative Wennlund."

Wennlund: "This can best be explained by Representative Dave Leitch. It deals with a park...it deals with a park near Peoria owned by this gentleman who's been trying to give away this park. It has all types of exotic animals in the park and it's visited by thousands of people every year. The problem is it has a shortfall of about \$200,000 a year, and this poor old guy that owns the park, has been dipping into his own assets to the point where he can no longer do it because it loses about \$200,000 a year. This creates...the Senate Amendment creates...and this was done basically to save this park. Lieutenant Governor Bob Kustra became interested in it, visited the park, and wants to save this park by letting the state acquire it and provide a fund to keep the park going. So it creates a license plate for this wilderness park and the additional monies earned by the license plate, 25 bucks a plate that people would pay in addition to that, will be used to supplement the park in order to keep it open."

Speaker Wojcik: "Representative Dart."

Dart: "Thank you. Representative, so then the funding mechanism for this purchase is going to be the issuance of yet another license plate. Is that correct?"

Speaker Wojcik: "Representative Wennlund."

Wennlund: "Yes."

Speaker Wojcik: "Representative Dart."

Dart: "Will there be any other funding whatsoever or will the

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complete funding to keep this open and operating, will that all be derived from the sale of this one specific license plate? Nothing else but this one specific plate?"

Speaker Wojcik: "Representative Wennlund."

Wennlund: "I don't know. I would ask the Speaker to call on Representative Leitch to explain the details of it because the park is either in his district or it may be in Representative Saltsman's district."

Speaker Wojcik: "Representative Leitch, do you care to respond? Representative Leitch."

Leitch: "Yes, thank you very much, Madam Speaker. This license plate idea is an idea that Repre...Lieutenant Governor Bob Kustra had in meetings where a number of us are trying to work with him to find a good solution to the long term preservation of Wildlife Prairie Park in Peoria. As you may know, this 2,000 acre park has received considerable publicity from throughout the world and this is a simple gesture of good faith and begins to convey some of the excitement that many of us have for preserving this park. We anticipate that we are hoping that we get a structure wherein the state will have access to the property, actually will own the property but that the wildlife prairie operation itself would be operated by a Wildlife Prairie Foundation Board of some kind with local and perhaps nationally known individuals serving on that board. And so the license plates are a gesture to that end and I'd appreciate your support."

Speaker Wojcik: "Does the Gentleman from Peoria wish to be recognized? Representative Saltsman."

Saltsman: "Yes, thank you, Madam Speaker. This is an excellent piece of legislation. I've been involved with Wildlife Prairie Park for about the last 20 years. This was an all

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endowed fund from the Forest Park Foundation and this has all been done with private donations and endowed money. They were very close friends with the Brookfield Zoo. They worked with them hoping that they could combine their operations and even as much as bring some of the animals from Chicago down there for rehabilitation and work with this program. They were very close to coming with an agreement and Brookfield Zoo went through a couple different board of directors and so on. They still didn't fall apart. But they would like for this program here to operate the same way as Brookfield does and by doing this, this will help pick up some of the yearly debt that this foundation has put into this park. It's a beautiful place. If you're going to go anywhere with your children this summer it's well worth your plans to come and visit Wildlife Prairie Park in Peoria. It's a beautiful structure. It's a development that one man got concerned about years ago cause in our area we never had nothing like this and in downstate Illinois it's one of the most beautiful places you could come and visit and see your kids...and these animals aren't caged up. These animals are out in the wide open valleys, prairies and so on and I think you'll like your visit there. This will help defer some of the expenses that are being caused for the reason that our Department of Conservation don't want to pick it up at the present time. And as Director Manning said, we'd like to have it but it's a Cadillac program and the Department of Conservation, without funding, has got a Chevrolet billfold. So, therefore, we have tried to work everything with the state, with the Peoria Park District, but again this is outside the limits of the Peoria Park District. So, therefore, we think that many of the other

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counties that get value from this park should also have to contribute for this operation cause we want to keep it going, so I would urge a 'yes' vote for this. We're projecting it to bring in a couple hundred thousand a year and that will really help defray some of the expenses that the park is stress...is now using as expenses from this endowed fund. So I'd appreciate your vote on this and it's very well worthwhile. It's great for the State of Illinois and like I said, we'd really like to have you all come and visit there sometime. Thank you."

Speaker Wojcik: "Representative Dart."

Dart: "I just want to finish...to whoever wants to answer. I'm not really concerned who. I'm just trying to find out now, this park operated at a deficit of \$200,000 the past year or made \$400,000. My understanding is, is that it will not...a license plate by any measure is not going to generate that type of money and I do find it sort of pathetic that we don't fund anything around here anymore, we just come up with new license plates for every Bill. But I'm just trying to get a handle on here. As I said, it's my understanding that there's no way a license plate can generate 200 or \$400,000. If it can, I'll stand corrected, but if it's not going to, where's the additional money going to come up with? Is this gentleman who owns the park, is he going to continue to fund the difference in the two or are we, the state, are we going to pick up the remainder of it? I'm just...I'm very unclear as far as where the funding's coming from this. I understand the purpose of the license plate, which is fine, but I don't see that making the dent to keep it open. If someone can explain to me the funding mechanism here."

Speaker Wojcik: "Representative Wennlund, do you care to respond?"

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Representative Smith has requested to be heard.

Representative Wennlund, who should respond?"

Wennlund: "Representative Leitch."

Speaker Wojcik: "Okay. Representative Leitch."

Leitch: "Thank you. Representative Dart, this is not intended to finance the park. This is...the license plate revenues are some money that would be available to the Wildlife Prairie Foundation as it moves for some start up costs and some evolution into a final solution. The financial issues that you describe are among those that are...that are necessary to be answered before we can decide the transition and the mechanism and the financing mechanism that is there. As Representative Saltsman described, there are a number of other options that are being explored and we simply are working very hard to try and decide which one is the best one and the best one in the interest of the state and the preservation of the park and the area community. So this is a gesture that Representative..or rather Lieutenant Governor Kustra came up with and shows a sign of good faith in the interest on the part of the state because we all know there's going to be a solution, we just don't know exactly what it's going to look like yet."

Speaker Wojcik: "Representative Dart, Representative 'Holten'...Representative Smith would like to be recognized in reference to your questions. Is that correct, Representative? No. Then, Representative Dart."

Dart: "Yeah, I have a couple more questions, but if Representative Smith wants to speak now, that's fine. Okay, let me just finish here. Dave, if I can then, so if I can just summarize what I think is going on with this. This is a gesture which the money that is raised from this would be used to defray costs but as of right now, today,

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we don't have any solution as far as what we're going to do with the park, that there's negotiations going on as far as where the funding is going to come from. And if that is the case, do you know, is this owner of the park going to continue to keep it open or is it going to shut down for a couple years or what's the projec...If you could answer both of the questions. If my funding understanding is correct and in the second one, if the park is going to stay open during this period of time or if it's going to shut down."

Speaker Wojcik: "Representative Leitch."

Leitch: "The park is staying open and it's supported, as Representative Saltsman said, by the Forest Park Foundation in Peoria and they have been the one's who have been absorbing some deficits and who have been sustaining the park. Right now, Representative Saltsman and Senator Hawkinson and others, Mike Smith, a number of us are working with the Lieutenant Governor and others, Jim Fowler, who use to be on Mutual of Omaha and so forth. A number of us are working to come up with the best solution, but the park will be continuing to operate. We just are trying to figure out the best answer for all the parties, hopefully in the next few months."

Speaker Wojcik: "Representative Dart."

Dart: "Yeah, just my final question then. Is the ultimate plan here, then, to eventually have this - I think he may have mentioned this - to have the state take the park over, fund it, administrate it, or is it just for us to come up with some type of funding mechanism, whatever it may be, to keep it open and keep the state out?"

Speaker Wojcik: "Representative Leitch."

Leitch: "No. What we want the state to do is hold title to the

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property. And what we are hoping to do with a foundation is a model not unlike what occurs in Chicago where the five museums and centers in Chicago are owned by either the Forest Preserve District in the case of Brookfield Zoo or the museums are owned by the Park District. However, we haven't gotten to a place where we have sorted out all these details yet, but it's at the present time and I don't expect, I do not expect it to be the case that we will want the state to operate it. It's much more along the lines of a Brookfield Zoo kind of a model and I can't picture right now a scenario where we would want the state to operate it or get into..."

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

Leitch: "I thought I answered it."

Speaker Wojcik: "Further discussion? The Gentleman from Fulton, Representative Smith, is recognized."

Smith: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment and want to echo the comments of Representative Leitch and Representative Saltsman. Wildlife Prairie Park happens to be in my district and is an important asset to the entire central Illinois region and in fact the entire state. I want to commend Representative Leitch and the Lieutenant Governor for the work they've done in advancing this proposal and I think this is the first step in saving Wildlife Prairie Park. And I want to also join with Representative Saltsman in inviting all the Members of this Body to come to Wildlife Prairie Park and experience what is indeed a tremendous asset for the entire state, and I would urge an 'aye' vote on this Amendment."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Livingston, Representative Rutherford, is recognized."

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Rutherford: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this piece of legislation. I happen have the same last name as the Gentleman who owns the park or a part of the park, but by no means any relation, but I would be very honored to have been his relative. Having visited the park only about a year ago, it is truly one of the natural treasures that we have in the State of Illinois, and I commend the organizers of this effort and Lieutenant Governor Kustra in putting together a creative way to try to find the resources without using tax dollars to save some of the natural resources in our state and I stand in strong support of this legislation."

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

Moore, A.: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I just have a couple of questions, please. Representative, did I hear a commitment that the state would not be involved in the management of the preserve?"

Speaker Wojcik: "Representative Leitch."

Leitch: "Yeah, the state doesn't want to. And what we're...that is not on anybody's agenda right now. Our entire efforts are focused to sustaining this park with a foundation that will include a number of very well informed naturalists, people who understand this business and to put it at a national scale of success and of attraction. It is not...it is not going to be in our mind at all, another park some place in Illinois. We want this to be a very special park and operated by a foundation."

Speaker Wojcik: "Representative Moore."

Moore, A.: "With all due respect, Representative, I think the goal is a lofty one, but with the state stepping in with



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this Bill, if you in fact are not successful in putting together the local support, I have great concern that the state would be in a position then to have to manage the preserve. And secondarily, if it is such a good idea for the state to own it, why doesn't the owner transfer ownership over to the not-for-profit foundation that you're proposing to set up, thereby eliminating the state's process. My concern relates to the amount of debt that exists and what I see are several problems to bringing the park up to the full potential of what you envision because it's...there are some serious problems with the park as it exists today."

Speaker Wojcik: "Representative Leitch."

Leitch: "All your questions are directed at another day. We are in the process of working out the financial questions with the long term operation of the park. This is not a commitment by the state to step in and operate it. The state has zero risk here. This is being owned presently by the Forest Park Foundation. They've got over 13, \$14 million of private money in it already. This represents a dream of Mr. Rutherford who is now 81 years old and is extremely interested in seeing that we work out a solution to the long term preservation of the park. He's been on about every major news channel across the world through CNN and this has been quite a cause celeb and should be. Frankly, I think the state ought to come up with about 5 or 10 million bucks to encourage this kind of thing, but that is not our request. It will not be our request. We are simply looking to use some license plate money here to advance this very important cause."

Speaker Wojcik: "Representative Moore."

Moore, A.: "And then the license plate fees are not going to be

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taken from some other area of the state? This is a new fee?"

Speaker Wojcik: "Representative Leitch."

Leitch: "No."

Speaker Wojcik: "Representative Moore."

Moore, A.: "Thank you."

Speaker Wojcik: "With no one seeking recognition the question...Representative Wennlund to close."

Wennlund: "Thank you, Madam Speaker. It's certainly a worthwhile cause to preserve this two thousand acres, and by creating an additional license plate, that's only eight thousand plates a year, will satisfy the \$200,000. So I move for concurrence in Senate Amendment #1."

Speaker Wojcik: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 739?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 'ayes', no 'nays', none voting 'present'. The House does concur with Senate Amendment #1 to House Bill 739; and this Bill, having received the required Constitutional Majority, is hereby declared passed."

Speaker Johnson, Tim: "Representative Johnson in the Chair. Moving to the Order of Senate Bills Second Reading. Mr. Clerk, read Senate Bill 1494."

Clerk Rossi: "Senate Bill 1494 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ryder, has been approved for consideration."

Speaker Johnson, Tim: "Ladies and Gentlemen, if we could give the

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Sponsor of the Amendment your attention. The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I offer Floor Amendment #1 which becomes the Bill. Previously, the Bill had required the Attorney General to come to the General Assembly any time he was entering in...he or she was entering into a consent order that would cost the General Assembly in excess of \$10 million and then allow the General Assembly to have hearings on that matter to discuss it and in general to approve it before the consent order takes place. That was objected to by the Attorney General believing that that...as the attorney for the people of the State of Illinois that that was within his common law authority. As a result, this Amendment would simply indicate that the Attorney General is now required to inform the President of the Senate and the Speaker of the House before the Attorney General authorizes the entry into a consent order. I'd be happy to answer any questions on this Amendment."

Speaker Johnson, Tim: "On the Amendment the Gentleman from Cook, Representative Lang."

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

Speaker Johnson, Tim: "He indicates he will. Proceed."

Lang: "Representative, how do we determine this \$10 million? Conceivably, in some of these cases you could have a situation where no cash exchanges hands, but a whole department has to be revamped or reorganized. How do we determine how this 10 million kicks in?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "Representative, your point is valid. I'm not certain that the 10 million is still in the Amendment. Check your document to see. If it is the case, then what I would suggest is that the 10 million would apply to the

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appropriation of dollars. Meaning that, if you and I in the Legislature would have to consider a Bill that would then appropriate money to satisfy the consent decree, that's the easiest way for me to calculate the \$10 million."

Speaker Johnson, Tim: "Representative Lang."

Lang: "But how is the Attorney General suppose to make that determination?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "From the facts of the case, Sir. In some circumstances I would venture to suggest that it may be a close call, that the actual amount would be difficult to determine in the court case and in that we're simply relying on the judgment of an elected constitutional officer of the state. However, in almost all circumstances of which I have knowledge in recent history, knowing at this artificial level of \$10 million, knowing at that level that it is not been in doubt, so that I believe that it would be ascertainable by the Attorney General and the attorneys in the case."

Speaker Johnson, Tim: "Representative Lang."

Lang: "I don't see anything in your Amendment about how this notification shall be given, nor do I see anything in this Amendment as to how much notice must be given. Don't you think we should address those two issues?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "Representative, those are important issues and I believe that it indicates before entering into a final consent decree, that the notification shall take place. That is the timing manner. The manner of notifying the President and the Speaker, in my opinion, as the Sponsor of the Amendment on the Bill, is simply the delivery of a letter

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or a face to face communication either of which would be sufficient."

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

Lang: "Relative to the amount of notice, you just simply say before the decree is entered or agreed to. So, conceivably that could be an hour before?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "Representative, it is possible, it is not likely for this reason. You're aware of what the Bill said prior to this Amendment. All right. That was the will of the Senate when they approached this. I would suggest that that could conceivably be the will of the General Assembly should an Attorney General wish to notify an hour or an unreasonably short time prior to the entry. I cannot speak for the Attorney General, present or future, except to suggest that a good faith effort would require more than the substantially short notice that you describe of an hour, six hours, 24 hours."

Speaker Johnson, Tim: "Representative Lang."

Lang: "You also make no distinction here as to how the notification should be given depending on whether we're in session or not in session. So I think the idea is that if there's notice while we're in session, we can at least determine whether we can appropriate the funds. But what if we're not in session? What good will that notification do anybody?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "Representative, first, on the Amendment itself. It doesn't cover the item that you discussed, but allow me to answer that if I may. The Amendment does not require approval from the General Assembly. It does not require us to act under this Amendment, the Amendment's success, well

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neither would the underlying Bill. So it's not a situation where we're in session or not. It is more a situation whether the underlying settlement would cause us at some date in the future to enter into appropriations that would cause financial problems for the state. I believe that's the determination that the appropriation body, being the House and the Senate, would be called upon to make."

Speaker Johnson, Tim: "Seeing nor hearing no further discussion, Representative Ryder has moved for the adoption of Floor Amendment #1 to Senate Bill 1494. Those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 1494. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1494, a Bill for an Act concerning state funding of court orders and consent decrees. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "On the Bill the Gentleman from Ryder (sic-Jersey), Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Rather than take additional time of the House, the Amendment modi...that we just discussed, modified and I think changed in a very positive way the underlying Bill. I urge your adoption of what is, I believe, a good faith effort to deal with the problem, and would be happy to answer questions on this issue."

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

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

Speaker Johnson, Tim: "He indicates he will."

Lang: "Representative, the Amendment, by the way, I do believe made the Bill better, but why did we stop the notification with the Speaker and the President? Why do we not include the Minority Leader in each chamber?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "The Speaker and the President are the elected leaders of the respective Houses. In the event that we had included the Minority Leaders, then you talk about the Majority Leaders or should it be the Appropriation's Chairs. These are the two elected leaders, the Speaker and the President are the one's that have to deal with this situation because they're the one's that are responsible for moving the appropriation process along and that's the reason they were elected to that position and that's why we responded in the way that we did."

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

Lang: "I know that your Bill, as it now stands, does not give the General Assembly the right to reject the decision of the Attorney General, but could we not by inaction or by failure to appropriate funds make the...a decision of an Attorney General in one of these consent decrees inoperable?"

Speaker Johnson, Tim: "Representative Lang...Representative Ryder."

Ryder: "Representative, that's a question with which I've struggled on several occasions. I believe what would then happen is that the General Assembly failed to appropriate the funds, then the court in which the consent order was decreed could enter into orders to enforce the consent order. It is...it would not be uncommon, in my opinion,

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for a federal judge to suggest by his order or her order that we had to spend various funds or that those funds have to be spent in that way and we then have to pay the bill. It is not, as in some state contracts in which the expenditure of the money is subject to appropriation of the General Assembly. I think once a consent order is entered into, then it's the obligation of the state to do that and we are therefore stuck with the bill. The reason for the bill coming to us from the Senate, the reason for entering into this Amendment, is such to simply say we'd like to at least be informed. If that information isn't adequate, if we find that it is not adhered to or if the advice of the General Assembly is ignored, then obviously you and I have the opportunity during the appropriation process to have our collective voices heard. If it were up to me as an individual Legislator, I would suggest not to do consent orders period. I would suggest to go to judgment, to appeal that judgment if I'm not happy with it and to follow the judicial route. I also happen to believe that wise people could disagree with that position that I take and as a result, they feel it is saving the state money to enter into a consent order and that's why they would do it."

Speaker Johnson, Tim: "Representative Lang."

Lang: "I know that the Attorney General has signed on to your new language, but couldn't the argument be made that we are, at least in a peripheral way, making changes or toying with the constitutional responsibilities and obligations of the Attorney General?"

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "I struggle with constitutional issues. I'm not the clairvoyant, psychic that sits next to you on those kinds of issues. I believe that the underlying Bill had the



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specter of creating a constitutional problem where we required the General Assembly to enter into that consent decree process. However, requiring a constitutional officer to simply inform the General Assembly, in my opinion, does not violate the constitutional or common law duties of the Attorney General."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, might this not put what we might call a chilling effect on the Attorney General as he attempts to negotiate a consent decree if he feels it appropriate. Might he or she not do what's in the state's best interest out of fear that the General Assembly will not appropriate the necessary dollars to do that which he feels, in his constitutional responsibilities, in our best interest."

Speaker Johnson, Tim: "Representative Ryder."

Ryder: "I don't think so and allow me to answer the question in this way. There is always the opportunity for the General Assembly to have a very cold, not chilling, but cold effect on the Attorney General in the event that the Attorney General would do an action that we disagreed with and we do that in any number of ways. Appropriations would be..."

Speaker Johnson, Tim: "The Gentleman from Jersey has moved for the passage of Senate Bill 1494. The question is, 'Shall Senate Bill 1494 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', 0 voting 'no' or 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence, Supplemental Calendar #1 appears House Bill 1684. The Gentleman from Lake, Representative

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Lachner is recognized."

Lachner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendments #1 and 2 on House Bill 1684. Senate Amendments 1 and 2 become the Bill and I'll be happy to answer questions on it if anybody has any."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Dart. Proceed."

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

Speaker Johnson, Tim: "He indicates he will."

Dart: "Representative, can you explain to us what's in Amendment #1?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Certainly, Representative. A situation occurred when the underlying statute was enacted, but the northern suburban special education district governing board has an executive committee that consists of seven members. On that executive committee, which I at one time served as vice-president, we have four school board members who are elected from the governing board itself which was 22 member districts. In addition, we had three superintendents on that board. That board was established...that executive committee was established before this statute was enacted and, therefore, when the statute was enacted it caused that governing board to be technically in violation of the statute."

Speaker Johnson, Tim: "Representative Dart."

Dart: "We're eliminating the requirement the special education executive board must be school members from the governing board? Can you expand on that?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "That to further clarify Senate Amendment 1 eliminates

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that requirement. It says that you must have seven members of the executive committee of the governing board. Senate Amendment #2 requires that the majority of those members for, be elected school board members. Now there's a reason that you want the superintendents in some cases on these executive committees and that has to do with continuity from year to year. As school board members are elected, this particular duty is not one of the top priorities of many of them so you end up with new members every year. By having some superintendents on there, some longer standing members, you maintain some sort of continuity on that board."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Is there any opposition to this in either of these Amendments?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "None that I'm aware of. In fact, this language was suggested to help bring the northern suburban special education district into compliance."

Speaker Johnson, Tim: "Further questions, Representative Dart?"

Dart: "Once again, how many districts does it effect? Just the one?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "When the statute was enacted, NSSSED had 22 member school districts. Now it has 20. One of them had consolidated. Each of those 20 districts sends a representative, an elected board member, to be part of the governing board. And then the governing board then, in turn, elects an executive committee that oversees it."

Speaker Johnson, Tim: "Representative Dart."

Dart: "It's...none of those 20 schools are in opposition to any of this?"

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Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Not that I'm aware of."

Speaker Johnson, Tim: "Representative Dart."

Dart: "No further questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from  
McHenry, Representative Skinner. Proceed."

Skinner: "Yes, I wonder the Sponsor would tell me if this will  
the McHenry County..."

Speaker Johnson, Tim: "He indicates he will yield."

Skinner: "...special education district."

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Representative, could you repeat the question? There  
was excessive noise in the chamber."

Speaker Johnson, Tim: "If we could give the Gentleman, the  
Sponsor, questioner, your attention. Representative  
Skinner, do you want to repeat the question, please?"

Skinner: "Yes. Will this effect the McHenry County special  
education district board which is now, I believe, totally  
controlled by appointed school board members? That is  
school superintendents."

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Now I would disagree. It's not totally controlled. I  
served on the executive committee. You have four elected  
board members and currently you have three superintendents.  
So it's controlled by the elected board members. An item  
that's not in the Bill that you might be interested in, is  
that only elected board members can serve as officers of  
the executive committee."

Speaker Johnson, Tim: "Further questions, Representative  
Skinner?"

Skinner: "What if there are only two elected school board members  
and there are three appointed school superintendents at a

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meeting?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Well, that's incorrect. There are seven members of the executive committee. Four of which are elected school board members, three of which currently happen to be superintendents."

Speaker Johnson, Tim: "Representative Lachner. Or are you finished, Representative Skinner?"

Skinner: "I'm finished with that answer, yes."

Speaker Johnson, Tim: "Go ahead. Go ahead and proceed."

Skinner: "I used the wrong numbers. What if there are only two elected school board members and there are three appointed school superintendents? Could official action be taken?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Are you suggesting that a quorum would exist if there were three superintendents there and two school board members? It's possible action would be taken, however, the only type of action that you might have would be a procedural. You would not see budgets being passed and you would not see policy being made because under that premise you would not have the officers of the board there?"

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

Skinner: "Yes. Well, then, for legislative intent. What you have just stated prior to these comments, would you agree that you do not want...that budgets may not be adopted by a quorum which has a majority of appointed members? That levies may not be...well, they don't do levies, do they? No policy shall be set by a quorum which would not have a majority of elected school board members?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Representative, not only for legislative intent, but in current statute the budgets are required to be passed by a

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majority of the board itself. We were just talking about the Executive Committee. The Executive Committee itself does not make any final passage of any type of policy or budget. They only make recommendations to the governing board which is exclusively made up of elected school board members."

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

Skinner: "Representative, this proposal sounds logical; however, I'm nervous anytime someone tries to take away power from elected officials. I have noticed that school boards generally are run by the Superintendent and not the way they are intended. That is, the school board should be running the Superintendent, but generally the Superintendent has more knowledge and ends up overwhelming them with his...whatever his judgment may be. I am, however, happy that the Representative has put into the record that a majority of an appointed board may not make a policy decision. Thank you."

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

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

Speaker Johnson, Tim: "He indicates he will."

Lang: "I just have one question, Representative. The original Bill dealt with school discipline. Is there anything left in the Bill about school discipline at all?"

Speaker Johnson, Tim: "Representative Lachner."

Lachner: "Yeah, Representative. That language was attached to another Bill which is now public act something or other. The original Bill has been gutted and this now becomes the Bill."

Speaker Johnson, Tim: "Thank you, Representative. Seeing or

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hearing no further discussion the question is, 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 1684?' Those in favor signify by voting 'aye'; those opposed by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', 1 voting 'no', 0 voting 'present'. The House does concur with Senate Amendments #1 and 2 to House Bill 1684. And this Bill, having received the required Constitutional Majority, is hereby declared passed. The Chair would remind the Members that the Committee announcements have been made, that those committees will convene at 3:30 and 4:00 respectively and that we will stand in recess until the hour of 4:30. And I would ask that the Members in the chamber be here promptly at 4:30 so that we can finish our business and until then, the House stands in recess."

Clerk McLennand: "Messages from the Senate. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of House Amendment #1 to Senate Bill 1544 and House Amendment #1 to Senate Bill 1696, action taken by the Senate May 15th. Also directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills: House Bill #2250 together with Senate Amendment #1, House Bill 2664, together with Senate Amendments #1, 2 and 3, House Bill #2916, together with Senate Amendment #1, House Bill #3041, together with Senate Amendment #1, in the adoption of which I'm instructed to ask concurrence of the House, passed the Senate, as amended, May 15th. A reminder on Committees. The following committees will meet at 3:30:

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Health Care and Human Services in Room 118, Elementary Education in Room C-1. At 4:00, Public Utilities in D-1 and Transportation in Room 114. Introduction of Resolutions. House Resolution #115, offered by Representative Currie; House Resolution #116, offered by Speaker Daniels; House Joint Resolution #114, offered by Representatives Winters."

Black: "Mr. Speaker."

Speaker Johnson, Tim: "Was that you, Representative Black?"

Black: "Yes, Mr. Speaker. Did you not...I thought you called us back. Are you ready now?"

Speaker Johnson, Tim: "I'll have to take that question under advisement, Sir. Thank you for your inquiry. We'll get back to you as soon as possible, Representative. Thank you."

Clerk McLennand: "Attention, Members of the House of Representatives. The House will convene in five minutes. All persons not entitled to the House floor, please retire to the gallery. Thank you."

Speaker Johnson, Tim: "The House will come to order. House will come to order. All unauthorized personnel please remove themselves from the House floor. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Wait, Chairman from the Committee on Transportation to which the following Joint Action Motions were referred, action taken on May 15th, 1996, reported the same back 'do approve for consideration'; Motions to concur in Senate Amendments #1, 2, 3 and 5 to House Bill 3436. The Motion to concur in Senate Amendment #4 was not approved. Committee Report from Representative Ackerman, Chairman from the Committee on Public Utilities to which



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the following Joint Action Motions were referred, action taken on May 15th, 1996, reported the same back 'do approve for consideration'. Motions to concur, Senate Amendments #1 and 3 to House Bill 2515. Committee Report from Representative Cowlshaw, Chairman from the Committee on Elementary and Secondary Ed. to which the following Joint Action Motions were referred, action taken on May 15th, 1996, reported the same back 'do approve for consideration'. Motion to concur in Senate Amendment #1 to House Bill 3426."

Speaker Johnson, Tim: "Representative Lang, for what purpose do you rise?"

Lang: "Thank you, Mr. Speaker. Point of inquiry. When we convened today we were suppose to convene at Noon and we convened at about 12:40. Then we recessed and were suppose to convene at 4:30 and then we were told at two minutes to 5:00 that we would convene in five minutes and we convened about 12 minutes later. Are we to believe that the times we're given are just simply estimates, Sir, or are we going to start to get real times that the Members of this Body can count on?"

Speaker Johnson, Tim: "On the Order of Concurrence, Supplemental Calendar #1 appears House Bill 3426. The Gentleman from Cook, Representative O'Connor, is recognized. Representative O'Connor. Give the Gentleman your attention."

O'Connor: "Thank you, Mr. Speaker. House Bill 3426, 'as amended,' will strengthen the residency requirements in the School Code for all school districts while safeguarding the rights of students who truly live within the school's district boundaries. This Bill just passed out of Committee relative to this Amendment by a vote of 22 to

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nothing."

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

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

Speaker Johnson, Tim: "He indicates he will."

Lang: "Representative, last year we passed an Amendment to take care of a particular problem where some students were in a...going to a school in a school district that they thought they lived in and later turned out they were really living in a different school district. And we addressed that so that the kids could stay in that school district and the tax money would go where it was suppose to go. Does this deal with that in any way? Does this change that at all?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "No, it does not."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So what does it do, Sir?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "All this Bill really does is giving local control back to the local school districts relative to enforcing their residency standards. And the Bill had some opposition to it and after the Amendment was put on, Public Aid and the Department of Children and Family Services are very comfortable now with the Amendment and there is no objection to this Bill."

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

Lang: "No further questions. Thank you."

Speaker Johnson, Tim: "Seeing nor hearing no further discussion the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3426?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. This

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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 117 voting 'yes'; 0 voting 'no' or 'present'. The House does concur with Senate Amendment #1 to House Bill 3426. And this Bill, having received the required Constitutional Majority, is hereby declared passed. On the order of Senate Bills Second Reading, page 4 of the Calendar, appears Senate Bill 1380. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1380, the Bill's been read a second time, previously. Floor Amendment #1 was referred to committee. Floor Amendment #2 was referred to Rules. Floor Amendment #3, offered by Representative Churchill, has been 'approved for consideration'."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Gentleman from Lake, the Majority Leader, Representative Churchill. Proceed."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment basically allows the Historic Preservation Agency to enter into certain marketing activities and to take the funds that are received from those marketing activities and deposit them into the Historic Sites Fund."

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

Lang: "Thank you, will the Sponsor yield?"

Speaker Johnson, Tim: "He indicates he will."

Lang: "Where are we going to get the money to do the marketing, Representative?"

Speaker Johnson, Tim: "Representative Churchill."

Churchill: "I believe this is money that is received from marketing so, in other words, if the Historic Preservation

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Agency were to have some item for sale, or if they were to have some item that would go into a sales catalog and they would receive money from that, then they could put the money into the Historic Sites Fund. So this is kind of one of those things where now, probably, they're doing things and there's no specific authority for them to take the money and put it into the Historic Sites Fund. We're giving them the authority to do that."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So have they been putting the money in this fund all along and now are just going to give them the authority to do that?"

Speaker Johnson, Tim: "Representative Churchill."

Churchill: "I'm sorry, Representative Lang, I didn't hear that."

Speaker Johnson, Tim: "Representative Lang, you want to repeat the question?"

Lang: "Sure. The question was have they been putting the money in this fund all along, but they, without specific authority, and now we're giving them that authority?"

Speaker Johnson, Tim: "Representative Churchill."

Churchill: "I'm not sure where they've deposited the money in the past, but we'll know that in the future that they will deposit it here."

Speaker Johnson, Tim: "Representative Lang, do you have further questions?"

Lang: "Will any other funds suffer because now all the money will go into this fund?"

Speaker Johnson, Tim: "Representative Churchill."

Churchill: "I don't believe so."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, if Representative Churchill doesn't believe so, who am I to argue with him."

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Speaker Johnson, Tim: "So hearing no further discussion the question is, 'Shall Floor Amendment #3 to Senate Bill 1380 be adopted?' All in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments are approved for consideration."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 1380."

Clerk McLennand: "Senate Bill #1380, a Bill for an Act that amends the Civil Administrative Code of Illinois. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "The Gentleman from Lake, the Majority Leader, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment that we just passed becomes the Bill. It is a Bill which has been considered on this floor before and I believe passed unanimously. I would just ask for support."

Speaker Johnson, Tim: "Seeing or hearing no discussion the Gentleman from Lake moves for the passage of Senate Bill 1380. The question is, 'Shall Senate Bill 1380 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', 1 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Krause, Chairman from the Committee on Health Care and Human

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Services to which the following joint action motions were referred. Action taken on May 15, 1996. Reported the same back 'do approve for consideration'. Floor Amendment #1 to Senate Bill 643 and Floor Amendment #3 to Senate Bill 690."

Speaker Johnson, Tim: "Supplemental Calendar #1, the Order of Concurrence, appears House Bill 2515. The Gentleman from Champaign, Representative Winkel, is recognized. Representative Winkel. Give Representative Winkel your attention, please."

Winkel: "Thank you, Mr. Speaker. Mr. Speaker, I move to concur on Senate Amendments 1 and 3 to House Bill 2515. Senate Amendment #1 creates the Wireless Service Theft Prevention Law. Establishes the crime of theft of wireless service and also establishes the crime of facilitating theft of wireless service. Senate Amendment #3 amends the Emergency Telephone System Act and the purpose of this is a clarification to exempt small offices with just a few phones from the requirement that each telephone on the system have the capability to display the location of the phone from which an emergency call is made. I'd be glad to answer any questions."

Speaker Johnson, Tim: "On the Amendment there is... no Amendment. On the Motion is there any discussion? Seeing or hearing no discussion, the question is, 'Shall the House concur with Senate Amendments #1 and 3 to House Bill 2515?' Those in favor signify by voting 'aye'; those opposed by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record, On this question, there are 115 voting 'yes'; 0 voting 'no' or 'present'. The House does concur with Senate Amendments #1 and 3 to House Bill 2515. And this Bill, having received

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the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, the Order of Concurrence... the Order of Senate Bill Second Reading appears Senate Bill 690. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #690. The Bill's been read a second time. previously. Committee Amendment #1 was adopted. Committee Amendment #2 was referred to Rules. Floor Amendment #3, offered by Speaker Daniels, has been 'approved for consideration'."

Speaker Johnson, Tim: "The Gentleman from DuPage, Speaker of the House, Representative Daniels. Proceed."

Speaker Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #3 came out of committee this afternoon 23 to 0 and has broad-based bipartisan support throughout the State of Illinois. It creates the Illinois Excellence in Academic Medicine Act. With this program we set in place a structure to make Illinois a national leader in academic medical excellence for the 21st Century. The program is created to match and enhance and develop national institute of health grants. Over the past twenty-five years as the State Government, our fundamental focus has been managing medicaid. Over that period, we have exported millions of specialty cases to the Mayo Clinic, the Cleveland Clinic, the John Hopkins, to Texas Heart and even to Barnes in St. Louis. It is appropriate for Illinois to utilize its academic hospitals to provide highly specialized care. The Amendment before you highlights the excellence in academic teaching hospitals throughout Illinois and I was very pleased to see the bipartisan support in committee today. And, Mr. Speaker, I would move for the adoption of Floor Amendment #3."

Speaker Johnson, Tim: "The Gentleman from DuPage and Speaker of

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the House, has moved for the adoption of Floor Amendment #3 to Senate Bill 690. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair the 'ayes' have it. The Motion is...the Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 690. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #690, a Bill for an Act that amends the Board of Higher Education Act. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "On the Bill the Chair recognizes the Gentleman from DuPage, the Speaker of the House, Representative Daniels."

Daniels: "Mr. Speaker and Ladies and Gentlemen of the House, you heard me explain Amendment #3, which was adopted, to Senate Bill 690. This Bill stands before you right now with bipartisan support throughout the State of Illinois and I'm proud to stand as the Sponsor of this Bill along with Representative Leitch, Representative Irwin and Representative Schoenberg. This highlights seven hospitals throughout the state in northern Illinois and central Illinois, those hospitals that are teaching hospitals that can qualify for the grant program that is set up. The funding mechanism will be held through a match grant in medicaid and one that will help highlight the excellence in academic and teaching in our hospitals throughout Illinois. I favorably support Senate Bill 690 and ask for your unanimous support."

Speaker Johnson, Tim: "On the Bill the Chair recognizes the Gentleman from Effingham, Representative Hartke. Proceed."



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Give the Gentleman your attention."

Hartke: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Johnson, Tim: "He indicates that he will."

Hartke: "Speaker Daniels, what is the estimated cost of this piece of legislation?"

Speaker Johnson, Tim: "Representative Daniels."

Daniels: "The cost will depend upon the amount that the General Assembly funds. That will be up to us each year. The estimated first year cost, that is FY '97, would be \$5 million which will be an initial appropriation that will be matched by a federal grant under medicaid. So the total funds will be \$10 million in the first year."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "And those medicaid funds are those funds that come back to the State of Illinois to be distributed to hospitals are to be taken from that fund and put into this grant program so it's actually a \$10 million program. Is it your understanding that the Hospital Association and those individuals who would normally receive these funds are on board for this program?"

Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "Let me give you a list of people that are supporting it so you have an idea of the hospitals that are supporting it. Children's Memorial Hospital, Loyola University Medical Center, Northwestern Memorial Hospital, Rush Presbyterian, St. Luke's, University of Illinois at Chicago Medical Center, and University of Illinois at Peoria and Rockford. These are hospitals that are in support of it."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Are those the same hospitals that will probably be receiving some of these funding grants?"

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Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "Yes, Sir. Those are the hospitals that will receive the grants. Any hospital that are affiliated with any of those that I've mentioned would also be in support cause they would also benefit from that."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Did I hear you mention the Illinois Hospital Association as one of those groups that supported this legislation?"

Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "All I can say is that in Committee they didn't testify and I think they just registered in appearance only and before the Committee. And it's my understanding that they don't have any difficulty with the Bill, but I have not been told that they, you know, oppose the Bill. I think they're neutral on it."

Speaker Johnson, Tim: "Representative Hartke, do you have further questions?"

Hartke: "No, I have no further questions. Thank you very much."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Schoenberg. Proceed."

Schoenberg: "Thank you, Mr. Speaker. A question for the Sponsor. Will he yield?"

Speaker Johnson, Tim: "He indicates that he will."

Schoenberg: "Mr. Daniels, I just want to briefly, for the record, have you touch upon a couple of the points which we discussed earlier this afternoon in Committee, namely, so that the Members have a better understanding of what the positive implications are for this program. What is your projection for this upcoming fiscal year as to what this state's share of dollars will be to commit towards this matching grant program?"

Speaker Johnson, Tim: "Speaker Daniels."

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Daniels: "As I answered earlier, we estimate that the appropriation this year will be \$5 million. That would be matched by a medicaid grant so it would become \$10 million."

Speaker Johnson, Tim: "Representative Schoenberg."

Schoenberg: "And, Mr. Speaker, is there any intention or is there any implication for the proposed intergovernmental transfer funds between Cook County and the State of Illinois and the Federal Government? Are those funds directly or indirectly involved in this in funding this program?"

Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "That's a very good question. It was asked in Committee by Representative Flowers and \$62 million will go to Cook County Hospital. That will not be at all jeopardized, nor will the other funds that are estimated to be receipted from the IGT transfer. For this year it would be \$98 million, Fiscal Year '97. For Fiscal Year '98 it'll be \$152 million. None of those funds will be jeopardized."

Speaker Johnson, Tim: "Representative Schoenberg."

Schoenberg: "Is it conceivable that we could go beyond the \$5 million figure from the state in the initial program if the intergovernmental transfer is successful?"

Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "It's possible, but I think that we should understand that the appropriation this year would only be at the level of \$5 million is what we're estimating this year."

Speaker Johnson, Tim: "Representative Schoenberg."

Schoenberg: "Could you please give a brief overview of what accountability measures are in place to insure that the participating institutions are spending their dollars according to law and according to the express goals of this program?"

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HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

131st Legislative Day

May 15, 1996

Speaker Johnson, Tim: "Speaker Daniels."

Daniels: "I'd be happy to. On May 1st of each year the Chief Executive Officer of each qualified academic medical center hospital shall submit a report to the Comptroller regarding the effects of the programs authorized by this Act, thereby, setting forth the method of which they've handled their funds and how they have set them forth, and therefore, there would be an accountability system in place."

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

Schoenberg: "Yes, to the Bill. I urge all my colleagues on both sides of the aisle to support this. This is something which transcends not only partisan boundaries, but also geographical boundaries. It's something which is a modest beginning towards enhancing the quality of the research institutions, the academic medical centers in our state, and it stands to benefit us all greatly. There's one final note that I'd like to make on this. It's been suggested by some that we would...that this is possibly an alternative, that this is some kind of means of making these academic medical centers whole because we very...the General Assembly very imprudently cut over \$350 million in grants to disproportionate share hospitals and teaching hospitals. Many of these institutions would be impacted by Senate Bill 690. It's been suggested that by doing this we are making those institutions whole. There is absolutely...we have miles to go before we sleep, if indeed we are going to make these institutions whole. And it's my hope that while this is a modest beginning, we'll also make...we'll also compensate those teaching hospitals, those disproportionate share hospitals which serve such large portions of the

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medicaid population and absorb such a disproportionate share of the medicaid population, that we will indeed have a greater eye towards the...making them able to indeed fulfill their missions. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Wojcik."

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

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair the 'ayes' have it, the main question is put. Speaker Daniels to close."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move for the adoption and passage of Senate Bill 690."

Speaker Johnson, Tim: "The Speaker of the House, Representative Daniels, has moved for the passage of Senate Bill 690. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 voting 'yes', 0 voting 'no' or 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Churchill now moves that the House stand adjourned until Thursday, May 16th, 1996 at the hour of 10:00 a.m. Those in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair the 'ayes' have it, and allowing perfunctory time for the Clerk, the House now stands adjourned until Thursday, May 16th, 1996, at the hour of 10:00 a.m."

Clerk McLennand: "House Perfunctory Session will be in order."

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Messages from the Senate. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill 2524 together with Senate Amendment #1 in the adoption of which I'm instructed to as concurrence. Passed the Senate, 'as amended,' May 15th. Introduction of Resolutions. House Resolution 118, offered by Representative Gash; House Resolution #117, offered by Representative Gash. These are referred to the Rules Committee. Introduction and First Reading of House Bills. House Bill #3733, offered by Representative Gash, a Bill for an Act concerning women's health care. This is also referred to the Rules Committee. Being no further business the House Perfunctory Session stands adjourned. The House will reconvene in full session on Thursday, May 16th, at the hour of 10:00 a.m."

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