

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

136th Legislative Day

May 22, 1996

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor will please retire to the gallery. The chaplain today will be the Gentleman from Jackson, Representative Mike Bost. The guests in the gallery may wish to rise for the invocation. Representative Bost."

Bost: "Let us pray. Dear Heavenly Father, we come to You this morning. We lift our petitions up to You. We ask that You guide us as Legislators, to make those decisions that are right for the State of Illinois. Lord, we ask You to watch every move we make, that the things we do will be pleasing to You and that they will benefit all of our citizens here in this state. Lord, we ask You where we fall short, to forgive us of those sins when we commit them. Lord, we ask that You help us in everything we do. All these things we ask in Your son's Jesus Christ's name. Amen."

Speaker Daniels: "The Gentleman from Saline, Representative Phelps would you care to add to today and maybe have a song for us today? Representative Phelps."

Phelps: "It is a beautiful day, isn't it? For sure. Does everybody know at least one verse of Amazing Grace? I think we could sing that, couldn't we? -Phelps sings Amazing Grace.- I hope we have a good day."

Speaker Daniels: "Representative Phelps, would you lead us in the Pledge of Allegiance, please?"

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

Speaker Daniels: "Roll Call for Attendance. Representative Jones, for what purpose do you arise?"

Jones, S.: "Mr. Speaker and Members of the House, I have a

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wonderful school here today, Andrew Jackson Language Academy and also, that's a public school and we have Arthur Turner's son, will you please stand up, and also my daughter, Lakeasha Jones. Will the classroom, please, stand up and give them a round of applause?"

Speaker Daniels: "Welcome to Springfield. Representative Ronen."

Ronen: "Yes, let the record show that Representative Martinez is excused today because of illness."

Speaker Daniels: "Representative Ronen is recognized for the purposes of excused absences on the Democratic side and the record shall so reflect. Representative Goslin is recognized on the Republican side of the aisle for excused absences."

Goslin: "Thank you, Mr. Speaker. Would the record show that all the Republicans are here today?"

Speaker Daniels: "The record will so reflect. Joined by eighth grade students who just completed their Constitution testing, for the Constitution of the State of Illinois, St. Jude's School in New Lenox, Illinois. Teacher's name is Sue Meggie and they're the guests of Representative Larry Wennlund. Would you please welcome them to Springfield? We're also joined by the fourth grade class of Westview Elementary School in Champaign, Illinois, and they are the guests of Representative Rick Winkel. Welcome to Springfield. Mr. Clerk, will you take the record? There are 117 Members answering the Roll and a quorum is present and the House will now come to order. Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendment to a Bill

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with the following title, Senate Bill 1766, a Bill for an Act to amend the State Finance Act together with House Amendment #1.'" "

Speaker McAuliffe: "Representative McAuliffe in the Chair. Mr. Clerk, committee announcements."

Clerk Rossi: "Committee announcements. Rules Committee will meet at 11:00 a.m. in the Speaker's Conference Room. Rules Committee at 11:00 a.m. in the Speaker's Conference Room."

Speaker McAuliffe: "Page five of the Calendar, House Resolution 86, the Gentleman from Cook, Representative Doody."

Doody: "Thank you, Mr. Speaker. I rise in support of House Resolution 86, which regards a Rotary Organization is encouraging Rotary International to select Chicago, Illinois as the site for it's 100th anniversary convention. The basis for this is that Chicago in 1905, was the birthplace of Rotary and this Resolution would be given to the board of directors of Rotary International. I'd be happy to answer any questions."

Speaker McAuliffe: "No one seeking recognition, Representative Doody has moved for the option of House Resolution 86. All those in favor signify by saying 'aye'; those opposed will say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. On the same order of business, House Joint Resolution 79, Representative Krause."

Krause: "Thank you, Mr. Speaker. I'd like to present House Joint Resolution 79, which urges the United States Congress to enact Comprehensive Legislation to facilitate a faster and rapid review and approval of new drugs without compromising patient's safety or product effectiveness and I would ask for this support."

Speaker McAuliffe: "On that question, is there anyone seeking

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recognition? No one seeking recognition? Representative Krause has moved for the adoption of House Joint Resolution 79. All those in favor signify by saying 'aye'; those opposed, say 'nay'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. On the same order of business is House Joint Resolution 126, Representative Wennlund."

Wennlund: "Yes, thank you, Mr. Speaker. This Resolution urges the U.S. Fish and Wildlife Service to adopt some rules and regulations that makes some sense with respect to the protection of water fowl. Particularly, there are confusing regulations that put the law-abiding hunters of water fowl in jeopardy of being in violation of U.S. Fish and Wildlife regulations concerning the issue of baiting. We would like the U.S. Fish and Wildlife Service of clarify those so that all law-abiding citizens know exactly what the rules are in Illinois, and also to clarify some regulations with respect to the protection of water fowl and increasing their habitat and species. I move for it's adoption."

Speaker McAuliffe: "On Resolution, is anyone seeking recognition? The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker. Just an inquiry of the Chair, or inquiry of the Clerk. I notice Resolutions are coming up on the board, but they're not changing on the laptops. Does there seem to be a problem?"

Clerk McLennand: "The Resolutions do not come up on the screen the same way as Bills. They are on the system, but they do not automatically pop up."

Speaker McAuliffe: "The Gentleman from Bureau, Representative Mautino. He withdraws his request. No one seeking recognition, Representative Wennlund has moved for the

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adoption of House Joint Resolution 126. All those in favor signify by saying 'aye'; those opposed will say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. The same order of business, House Joint Resolution 100, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. House Joint Resolution 100 extends the, I'm trying to find the correct title, the Task Force on Global Climate Change. This would be the third Resolution if approved to extend that body which otherwise would sunset on January 1, of '97. There are no changes in the language of this Resolution from the prior one and it continues the existence of the task force until January 1, of the year 2003. The task force, I believe, merits continuation for this reason. Global Climate Change is becoming an issue of a great deal of debate and dialogue. Illinois has a huge amount at stake because of the high-sulfur coal here, because of our high dependence on nuclear power and the State of Illinois has to be very aware of what is being proposed at the federal level and even at the international level to assure that our interests are protected with sound policy. This task force has representations from the coal industry, from the power industry, from environmental groups and it is beneficial to have this group work with our congressional contingency to assure that our interests are protected."

Speaker McAuliffe: "On that question, Representative, the Gentleman from Kankakee, Representative Novak."

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

Speaker McAuliffe: "She indicates she will."

Novak: "Representative, how long has this task force been in effect? When was it, I should say, when was it originally created?"

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Speaker McAuliffe: "Representative Hughes."

Hughes: "1991."

Speaker McAuliffe: "Representative Novak."

Novak: "Are there any Legislators from the House or the Senate on this task force?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Yes, there are. I believe that there are three, yes, three Members from each House. Two appointed by the Majority, one by the Minority, so there would be six in total."

Speaker McAuliffe: "Representative Novak."

Novak: "Are there any Members from the Legislature that represent districts that are within the non-attainment areas in the State of Illinois?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Within the non-attainment area? Did you say non-attainment area? Yes."

Speaker McAuliffe: "Representative Novak."

Novak: "So, there is a compliment of Legislators from the Chicago area and the Metro-East St. Louis area that are non-attainment areas that sit on this commission, is that correct?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "I do not recall, Representative, who all of the members are. I represent the Chicago-Metropolitan area and I believe there is good geographic diversity. I cannot speak for certainty whether the Metro-East area is represented."

Speaker McAuliffe: "Representative Novak."

Novak: "Yes, I understand that. Can you tell me what the commission or this task force has done to date, since its inception?"

Speaker McAuliffe: "Representative Hughes."

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Hughes: "It has monitored the debate in Washington. It has monitored the international debate. It has worked with departments of the state to discuss what measures we ought to be looking at in Illinois to assure that as standards are developed they are not overly burdensome and detrimental to our coal interests here or to the nuclear power dependency as we may shift from that to alternative carbon fuels."

Speaker McAuliffe: "Representative Novak."

Novak: "Has the commission just released a report with an executive summary just recently?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Yes, it has released a report recently. During the past year there has been an increased effort on the part of the task force to increase the awareness of citizens of Illinois about what the issues are and the general thrust of the task force has been to look at ways of dealing with the air quality issues that have multiple benefits, that they do not hinge on the issue of whether we are warming or cooling because that is such a highly debatable issue, so we're looking at things that are good in terms of efficient use of energy. Things that make good sense from an economic standpoint and from an environmental standpoint whether in fact, our global climate is warming or cooling."

Speaker McAuliffe: "Representative Novak."

Novak: "Thank you, Representative. Now, I think it's pretty common knowledge that the issue of global warming is a controversial issue because there are two schools of thought, maybe more schools of thought, concerning that concept. I think on the one hand you have environmental groups that are in an ideological sense, consider that all the gases that we burn on the earth. The fossil fuels are

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destroying the ozone and therefore, are, therefore, contribute to the global warming situation in the country. Then on the other hand, there are scientists and other environmental groups, maybe not as ideological, saying that has nothing to do with the global warming. We don't have any global warming controversies in the state and they go back on scientific studies and weather trends. Specifically, in our area here in the Midwest. We have not had real warm winters. We've had some pretty cold winters here and there. It's sort of disputes this, but my question is, what has this commission or this task force to date, addressed with respect to real causes of global climate change?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "I'm not sure I know how to respond precisely to your question. What have we addressed? We have attempted to keep informed of the debate, to know what is likely to be coming down, relative to changes in federal regulations, how those changes would impact on Illinois in terms of how we supply energy to our homes and businesses. As the..."

Speaker McAuliffe: "Continue, Representative Hughes."

Hughes: "So that as this dialogue takes place, we can participate through out departments here in assuring that those regulations, as I said, are not going to put Illinois down in a well in terms of how we're able to function in providing energy. An example of the concern was with acid rain, where the federal policy in addressing the issue of acid rain again, had a very significant impact on Illinois because of its energy source. We need to be certain that as national policy develops, our congressional delegation knows that we in Illinois have almost a unique situation with our dependence on nuclear power. As we convert, it's

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going to be almost impossible to meet standards that are already there, let alone ones that may be even more severe.

It's essential we get that message to Washington."

Speaker McAuliffe: "Representative Novak."

Novak: "Just one more question, Representative Hughes. Has the task force made any legislative recommendations to our congressional delegation that you're aware of?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Not that I'm aware of. It has been information. It has been education and dialogue at this point."

Speaker McAuliffe: "Representative Novak."

Novak: "No further questions."

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

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

Speaker McAuliffe: "She indicates she will."

Deering: "Representative, I notice on line 11 of the Resolution, 'Whereas Illinois, as a significant emitter of greenhouse gases...'. Who's established the fact that Illinois is a significant emitter of these so-called greenhouse gases?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "As far as the language being drafted here...I'm really fudging on you here. This wording, I believe, would reflect the definition of greenhouse gases as commonly understood and the fact that Illinois has a high level of those. Now, it isn't saying what the impact of that is. It's just stating that those emissions are here."

Speaker McAuliffe: "Representative Deering."

Deering: "Is the criteria or the definition that pertains to green house gases, is this due to the NAPAP study of studying acid rain or is this due to some other study that's looking at other business or industrial

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manufacturing or developments that's taking place in other portions of the state other than the coal industry in Central and Southern Illinois?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "It may have had some impact."

Speaker McAuliffe: "Representative, Representative Deering."

Deering: "So then, the task force is taking this information on a bogus study then, I guess, is what you're saying? Correct?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "The task force hasn't taken a position on whether we're warming or cooling on one study being bogus or another study being bogus. I think that's one of the, one of the relevant issues here and that is, there are numerous studies out there with conflicting conclusions. What we're attempting to do is assure that whatever policies are imposed upon us, they are reasonable and we can live with them and that they have merit irrespective of whether we're a warming or cooling climate."

Speaker McAuliffe: "Representative Deering."

Deering: "In your remarks, you referred to nuclear power and our dependence on nuclear power here in Illinois. Can you show me or state to me and other Members of the Body what indicators show, the dependence we as a State of Illinois have on nuclear power? Because, I fail to see that dependence. Maybe, you know something that I don't."

Speaker McAuliffe: "Representative Hughes."

Hughes: "What I mean by that is that as of today, Illinois' source of power, we have a higher percent that is based on nuclear power in Illinois than I believe, I don't know, we're certainly one of the top states in that regard. Does that mean we don't have other sources that could be used?"

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No, but what it means is in terms of emissions as we convert to those other sources, our emission rates, based on today's technology, will probably increase rather than decrease."

Speaker McAuliffe: "Representative Deering."

Deering: "Since we talked about nuclear power and we talked about acid rain and greenhouse gases, it's my understanding that from some other studies, that the biggest cause of greenhouse gases in Illinois is methane from the livestock industry. Now, are we looking at doing anything with any beef, dairy or pork production? Is that being looked at? I mean, it sounds humorous but in all seriousness, is that something the task force is looking at, also?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Seriously, no, but, Representative, I wish you were a member of the task force because, I think the point to be taken here is putting this whole issue into perspective. Approaching it with reason and logic and making sure that we aren't reacting in a way that is detrimental to the citizens of Illinois based on something that may in five years, prove to be totally ill-founded."

Speaker McAuliffe: "Representative Deering."

Deering: "If that is the context of the task force, then I think it's very worthwhile. We all know, especially those of us who represent extreme Southern Illinois, the real downstate, what the bogus NAPAP study let out as far as acid rain, how it's adversely impacted the economics downstate. And hopefully, if we can keep that from happening in the future, it's much better statewide."

Speaker McAuliffe: "The Lady from St. Clair, Representative Younge."

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

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Speaker McAuliffe: "Indicates she will."

Younger: "Representative Hughes, in response to a question asked by Representative Novak about whether or not there was any membership on the task force in the Metro-East area, I believe you said that you really did not know. If there aren't, you would be in agreement with there being an Amendment in the future that would place representatives from this non-attainment area on the task force? You would think that would be important, wouldn't it?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "I believe that the way the members are appointed, that is up to our leadership and I think that's appropriate that it stay there. Certainly, it is important that those areas that are going to be impacted most severely are represented. In addition to the Legislative Members, I should point out that the Coal Association and representation is there and represents the interests of the East St. Louis area and downstate Illinois very well. So, the concerns are certainly represented there."

Speaker McAuliffe: "The Gentleman from Williamson County, Representative Woolard."

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

Speaker McAuliffe: "Indicates she will."

Woolard: "Thank you. This is a continuation of a task force that's been in existence since '91. Is the formation of the task force changing under your Resolution?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "It is not."

Speaker McAuliffe: "Representative Woolard."

Woolard: "The way that the members have been appointed in the past is the same under this Resolution as it was under the original Resolution that was passed by Representative Helen

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Satterthwaite and myself several years ago. Is that changing?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "Yes, and I did misspeak answering your first question. Because of the consolidation of departments, the departmental representation is changed title-wise to reflect that in terms of the interests that are there and the numbers that are there, it remains unchanged as to the appointments process, Legislators and all, it is unchanged from the original Resolution."

Speaker McAuliffe: "Representative Woolard."

Woolard: "Will those members who have served on this task force in the past continue or will they all have to be reselected or reappointed?"

Speaker McAuliffe: "Representative Hughes."

Hughes: "I believe they could continue. I don't believe it requires that they be reappointed. If there are vacancies and there have been some changes over the years, but I don't believe they would need to be reappointed."

Speaker McAuliffe: "Representative Woolard."

Woolard: "To the Bill. You know, I think that definitely there has been a lot of good come out of this as far as recommendations for any Legislation, either at the state or federal level. Sometimes that's not what task force is all about. It's not really creating Legislation or making new things happen. What this task force has been about since it's been in existence, has been looking for ways that we can better inform people, especially if our delegation is aware of what's going on. I think that they will be in a position to defend our best interests if someone else comes forth with Legislation. You know I've been an active participant of this task force since '91, when it was first

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started. The last few meetings, I have had to miss for various conflicts but I think it's something that we should all support and I think it's something that's very important. There is a real discussion among those who are proponents that there is an idea, or a belief that the climate is warming. There are others who say that scientifically you can't prove that at all. But if we allow those people who are 'anti' to take the initiative and leadership role, I think that there could be some devastating things happen to the impact of this state, both, in the non-attainment areas, the coal areas of this state, and as far as those services that we provide. So, I would encourage each and every one to support the young Lady's Resolution."

Speaker McAuliffe: "Representative Hughes to close."

Hughes: "Thank you, Mr. Speaker. I just believe it makes good sense for us to be aware of and to participate in the dialogue on an issue that can have very, very heavy impact on the State of Illinois and I urge a 'yes' vote."

Speaker McAuliffe: "Representative Hughes has moved for the adoption of House Joint Resolution 100. Would all those in favor signify by saying 'aye'; those opposed will say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Same order of business, HR 124, Representative Stephens."

Stephens: "Would the Clerk read the Resolution, please?"

Speaker McAuliffe: "Would the Clerk please read the Resolution?"

Clerk McLennand: "House Resolution #124."

WHEREAS, This House of Representatives has learned of the decision of another veteran legislative correspondent, Dennis McMurray of the Alton Telegraph, to depart the State House Press Room; and

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WHEREAS, Dennis McMurray entered a career in journalism after earning a bachelor's degree in English and History from Luther College in 'Decorah', Iowa, and a master's degree in Journalism from Northwestern University; and

WHEREAS, Dennis McMurray joined the staff of the Alton Telegraph more than a quarter of a century ago; and

WHEREAS, Dennis McMurray began prowling the halls of the State House in 1972 and became a full-time legislative correspondent in the fall of 1978; and

WHEREAS, Dennis McMurray was able to chronicle the legislative accomplishments of such legendary lawmakers as the late State Senator Sam Vadalabene and retired Illinois House Majority Leader Jim McPike; and

WHEREAS, Dennis McMurray has filled the pages of the newspaper with more than 8,000 news articles and 800 weekly columns of keenly analytical wit and wisdom; and

WHEREAS, In recent years, Dennis McMurray has occupied the same workspace as the legendary Bill O'Connell, and together they formed an axis of journalistic authority previously unseen in the State of Illinois; and

WHEREAS, Dennis McMurray now plans to depart the Capitol City and return to the bluffs of Alton to serve as the editor of the editorial page for the Alton Telegraph; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we join with the members of the media in saluting Dennis McMurray as he leaves the State House Press Corps and extend to him our sincere best wishes for success and happiness in the

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future."

Speaker McAuliffe: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. If we could have some order in the House. This is a, an indeed an historic moment, when Dennis McMurray will be leaving direct coverage of the General Assembly after a 25 year reign in the Press Room. The fact is, he will be going back to the Alton Telegraph to join the editorial board and be the editor of the editorials. That concerns many of us greatly. We wish we would have been more kind to Dennis over the years and I understand as I am speaking that we hope that he is on his way to the floor to garner this much deserved recognition. I do have one thing I want to point out in the Resolution. Speaker Daniels and Minority Leader Madigan, are the two hyphenated chief Sponsors of this followed by myself, Steve Davis and Tom Holbrook. Representative Daniels, Speaker Daniels is the Lead Sponsor and the Resolution refers to the late Senator Sam Vadalabene, someone who is near and dear to our hearts, and a guy by the name of Leader Jim McPike. I don't remember that name, but I guess he must have been a predecessor of Sam Vadalabene's in some way. I would seriously like to congratulate Dennis. It is not often that we have someone see through a 25 year career in any occupation, but Dennis has been steadfast in his duties and he has been duly rewarded now that he's reported for some 8 thousand weeks, or 8 hundred weeks here in Springfield. He will be now going back to Alton to serve as the editor of the editorial page and we wish him well. I would ask that all Members be added as Cosponsors to this Resolution and urge its passage."

Speaker McAuliffe: "In the gallery today, we have Mrs. Kemp's fourth grade class from the John(sic-Thomas) 'Paine'

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Elementary School visiting the Capitol today. They are from Representative Tim Johnson's district in Urbana. On the Resolution, Representative Davis from Madison County."

Davis, S.: "Yes, thank you, Mr. Speaker. I rise in support of this Resolution. I have had the privilege of working with Dennis McMurray over the past three or four years and I have always found Dennis to be more than a fair reporter. And he has treated myself well, and I know that I can speak for former Majority Leader of the Illinois House, Jim McPike, when I do say that whenever Dennis McMurray came to my office or whenever Dennis came to Jim McPike's office, you always knew that the next day in the newspaper you would get a favorable article or at least you would get a fair article by Dennis. And for his professionalism, I certainly do want to commend him and I want to congratulate him for the many years of service that Dennis has put in up here at the State House. I don't know how anybody could be up here since 1972 and see some of the antics that go on here, but Dennis has done a wonderful job. And it is a funny thing about Dennis McMurray, I can remember on several occasions he will come into my office and interview me for about five minutes and the next day, there would be a little article in the local newspaper and I thought that would be the end of it. Then about another week later, there would be another little article in the newspaper and I would say, 'Well, I haven't talked to Dennis in a week.' Well, it happens that every time you talk to Dennis, if you talk to him for five minutes, he can bring five articles out of a five minute conversation and he had an excellent, has an excellent ability to do that. I do want to wish Dennis well in his new job as editor of the editorial page. I know that he will be fair in that job. But to be honest

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with you, Dennis, I wish instead of being the new editor of the editorial page, you would be the new headline writer in the Alton Telegraph because the headline writer has not been very kind to me down there. So, Dennis, I am wishing you well in your new venture as editor and please do me a favor when you are down there, talk to the headline writer and tell him to be a little more kinder to your friend up here, Steve Davis. And I would also, Mr. Chairman(sic-Speaker), I would like to ask the Sponsors of the Bill to add everybody in the House of Representatives to the Resolution. Thank you."

Speaker McAuliffe: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would ask the consent of the Chair for a Roll Call Vote on this so that we can have a print out of the Roll Call as a memorabilia for Dennis. I wish to join those who are sponsoring this under the new redistricting part of the district that I have the pleasure of representing, would be considered part of the Alton Telegraph area and as a result, I have had the pleasure of dealing with Dennis McMurray on many occasions. He is persistent. On some occasions, he knew and I knew that I'd rather not talk to him, but we persisted. I found that he has been fair. He is a good reporter. His longevity served both him and the newspaper in good stead. I find that losing him at the same time that several other veterans of this General Assembly have, in the news area, have gone on to other endeavors is probably a loss not just for the newspaper industry, but for the people of Illinois because the institutional knowledge that Dennis McMurray contained helped to relate the business that we do here in the General Assembly to the people that read his newspaper.

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For that, we are in his debt. For that, I think he has made the readers of the Alton Telegraph better informed about the business of state government, which I think is a pretty good thing to say about somebody's activities here within the General Assembly. So, my personal best to Dennis. I wish him much success in his endeavors, whatever they may be, and I am privileged to ask that I be allowed to join as a Cosponsor of this Resolution and for the Roll Call Vote. Mr. Speaker, thank you very much."

Speaker McAuliffe: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. It was my honor about 25 years ago to be working with the legendary Bill O'Connel when Dennis arrived to this assignment here in Springfield. And through the years I have come to know Dennis and to have great respect for his professional abilities and for his ability to understand complex issues and to ferret out the understanding and the meaning behind the statistics and facts as they're often presented here. Dennis is a quiet individual, but he is one who is highly respected not only here in Springfield, but throughout the State for his long record of very professional and competent reporting and I for one, am very sorry that he will be leaving us and returning to Alton, but join the others in wishing him the very best because by anyone's account, by anyone's measure, Dennis is a real pro. Thank you, Mr. Speaker."

Speaker McAuliffe: "With leave of the House, all Members will be added as Cosponsors. No one seeking recognition, Representative Stephens to close."

Stephens: "Thank you, Mr. Speaker. I just urge an 'aye' vote and again, request a Roll Call Vote with your indulgence."

Speaker McAuliffe: "Mr. Clerk, take the Roll. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On that question, there are
117 voting 'aye'; 0 voting 'no', and 0 voting 'present'.
House Resolution 124 is hereby adopted. Mr. Clerk,
Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill,
Chairman from the Committee on Rules to which the following
Joint Action Motions were referred. Action taken on May
22nd, 1996, reported the same back. 'Do approve for
consideration,' to the House floor, House Joint Resolution
#132 and House Resolution #119. Supplemental Calendar
announcement. Supplemental Calendar #1 has been
distributed."

Speaker McAuliffe: "Continuing on the same order of business.
House Resolution 115, Representative Curry."

Currie: "Thank you, Speaker and Members of the House. This is a
congratulatory Resolution in honor of Howard Goldberg. A
distinguished teacher at the University of Illinois,
Chicago. He was named the United States Professor of the
Year 1995 by the Carnegie Foundation for the Advancement of
Teaching. That's the first time a University of Illinois
professor has won this distinguished national award and
although Mr. Goldberg has many other honors to his credit,
this is a particularly exciting one. One of which we
should be very proud as is the University of Illinois. In
fact, it was the university who brought this winning honor
to my attention because they hoped that we would join them
in heaping accolades upon Professor Goldberg. So, that's
what this Resolution does and I hope that you will join me
in congratulating Mr. Goldberg on this fine honor as well
as his home campus, our University of Illinois, Chicago."

Speaker McAuliffe: "No one else seeking recognition,

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Representative Currie has moved for the adoption of House Resolution 115. All those in favor signify by saying 'aye'; those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Supplemental Calendar #1 on the same order of business is House Resolution 119, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Over the last 40 or 50 years there's been a decline in the oil production in many counties in the State of Illinois. The ownership of many thousands and thousands of wells is been undetermined in some cases and in the State of Illinois today, we have approximately 2000 oil wells that were once productive wells that have played out and many of these wells have been abandoned by their owners and the State of Illinois winds up with the responsibility to plug these wells in cases where there becomes an environmental problem. The Department of Natural Resources now, formally the Department of Mines and Minerals, which Mines and Minerals is part of, has the responsibility to plug orphan wells that tend to be an environmental problem and we have 53 years worth of orphan wells to plug that are now on the list. The Orphan Well Fund is inadequate to take care of all of the problems in a timely manner or to possibly preempt some problems that could exist. This task force, or Resolution, creates, asks for the creation of a task force to be appointed by the Governor to take a look at this situation in all of Illinois but in particular in the oil patch and, so that these individuals, this task force can come back to make some recommendations to the General Assembly on how to address this issue. I'd be more than happy to answer any questions about this issue. If not, I would ask for your favorable vote."

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

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

Speaker McAuliffe: "Sure he will."

Deering: "Representative, I noticed in the task, or in the Resolution it says something here about enhancing the Orphan Wells Fund through royalties. Is this royalties garnered from the Actors' Guild?"

Speaker McAuliffe: "Representative Hartke."

Hartke: "I think you misread the Resolution, Representative."

Speaker McAuliffe: "Representative Deering."

Deering: "No, it says right here, Representative, the Orphan Wells Fund through royalties. Is that the, is that royalties that we're going to gather through the State Actors' Guild?"

Speaker McAuliffe: "Representative Hartke."

Hartke: "At the present time, ownership of oil wells is determined by the amount of interest that individuals have in that oil well and that is called 'oil rights' or 'oil royalties', and so oil royalties are your ownership in the oil wells."

Speaker McAuliffe: "Representative Deering."

Deering: "Oh, I understand now, Representative. It's oil wells, I thought this was Orson Wells. I thought we were trying to get...I thought we were getting royalties from the Actors' Guild. So, I guess we're not talking about Rosebud in this task force, we're talking about a 'spudder', right?"

Speaker McAuliffe: "Representative Hartke."

Hartke: "You can't talk that way here on the floor."

Speaker McAuliffe: "No one seeking further recognition, Representative Hartke to close."

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Hartke: "I would just ask for a favorable vote."

Speaker McAuliffe: "Representative Hartke has moved for the adoption of House Resolution 119 and all those in favor signify by saying 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. The Resolution is adopted."

Speaker Johnson, Tim: "Representative Johnson in the Chair. Representative Kaszak, do you have an announcement? Announcement for the Body?"

Kaszak: "We have a Page here who has green beans and some diet coke who was selected by someone on the Democratic side and we can't seem to find the person so, if they could identify themselves, the Page will send it."

Speaker Johnson, Tim: "Thank you. Representative McAuliffe, will be back in a moment."

Speaker McAuliffe: "Representative McAuliffe in the Chair."

Clerk McLennand: "Introduction of Resolutions. House Resolution #132, offered by Representative Wojcik. Referred to the Rules Committee."

Speaker Black: "Mr. Clerk, on page four of the Calendar, on the Order of Concurrence appears House Joint Resolution 71. Please, read the Resolution."

Clerk McLennand: "House Joint Resolution # 71, a Motion to Concur has been approved for consideration."

Speaker Black: "And on that Motion, the Lady from Dupage, Representative Cowlshaw is recognized. Representative Black in the Chair. Ladies and Gentlemen, this is final action on the Mandate Waiver Requests. I would ask your attention on a matter that I know many of you are concerned with. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 71 is an

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agreement that was reached between a couple of Members of the Senate and a couple people from our side who reviewed all of the waiver requests, not just in the synopsis that was sent over here by the State Board, but in their entirety, including all the documentation that was sent with them from each school district to begin with. Yesterday, what is now the content of House Joint Resolution 71, was presented in the Senate Education Committee. It came out of that committee on a vote of 11 to 0. Later in the day, it was passed on the Senate floor by a vote of 54 to 2. Mr. Speaker, since I will be glad to answer any questions later, I am going to try to be very brief in reviewing what the requests are that are contained in this Joint Resolution because of course, these are the ones that the Resolutions suggest should be denied, just as they appear in the Resolution. We begin by denying the request to lift the ban on corporal punishment. We refuse to reduce student instructional time in two school districts that made that request. We refuse to permit a school district to simply cease teaching or accepting any responsibility for driver's education. We refuse to permit school districts to not install sprinkler systems in new additions to their buildings. We will not permit the North Central Accreditation System to be a replacement for the current state system for school improvement. We refuse to permit a district to simply not give the IGAP test. We refuse to permit a district to not publish the statement of affairs, which gives the financial information. We refuse to permit two districts to increase the statutory debt limit, which we regard as the equivalent of a tax increase without a referendum. We refuse to abolish the office of township treasurer, partly because we are told there is an

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elected person in that office and according to the State Election Commission, you can not abolish an office while there is a person in mid-term who was elected to serve it. There were only two requests on school holidays that were forwarded to us, we would like to turn down both of them. There are two districts that have asked to simply cease teaching physical education at all in grades K through 12. We think those requests should be denied. There is another that would like to institute a new reimbursement for preschool transportation claims, which is not currently authorized in the school code and so we would like to deny that request and finally, the fiscal year date change that was requested by Chicago is being denied and this, just as it was yesterday in another Bill that I think has gone over to the Senate. That's the content of this Resolution. Mr. Speaker, Ladies and Gentlemen of the House, I will be pleased to answer any questions to the best of my ability."

Speaker Black: "You've heard the Lady's Motion on House Joint Resolution 71 and on that, is there any discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. How many votes does this, this is a Parliamentary Inquiry. How many votes is required for adoption of this Concurrence Motion?"

Speaker Black: "The Parliamentarian informs me that the requirement will be 60 votes, the majority of those elected to the House."

Currie: "A majority vote, 60 votes, Constitutional Majority vote, in other words?"

Speaker Black: "Yes."

Currie: "Thank you. There's much that is good in this Resolution. Much that I certainly support, but I'm concerned about both one waiver request that is denied and

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that is, the change in the fiscal year for the City of Chicago. Now, we know that the old arguments about the fiscal year of the City of Chicago don't hold any water now that there is a four year contract between the Chicago Board of Education and the Chicago Teacher's Union. The impact of denying this waiver request will have nothing to do with the way the Chicago Board budgets its resources but it will mean a \$40 million deficit that will be picked up by the state and by local taxpayers. Now, there's no rhyme or reason for denying a request to change the fiscal year. A fiscal year requirement that was put in place in order to, which in order to nudge the board and the unions to come to a long-term contract. They did it. The change in the fiscal year worked. Let's go back to an accounting system that means that the Chicago Board will not find itself \$40 million in the hole. That is a mistake in this waiver request. There also, are several items that are not in this waiver disapproval that ought to be. For example, one school district obviously pinched by its, our inability adequately to fund education, is going to require \$250 for each child who wants to take driver's education. What kind of precedent is that to set? We require the kids have driver's education if they want to drive a car and now, we're going to let districts begin charging them for the privilege of learning how to make our streets safe when they drive upon them. In addition, there is a waiver request so that a school district doesn't have to send home the school report cards to the parents. Now, parents may request that information and then the school district will send them to them, but what in the world could be the reason why the school district should not, as the other school districts do, make those report cards available

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automatically to the parents they serve? Once again, I would suggest, it's because the school district is pinched and is looking for some kind of way to save a few dollars. Now, I'm told that the debt increase that is not denied in this report, has in fact, been withdrawn by the school district that made it because they do plan the front door referendum. I hope that the Sponsor of the Resolution might address that question when she comes to close on this issue, but I just think it's important to alert the Members that passage of this Resolution is going to cost the Chicago Public Schools \$40 million. It's going to permit the first school district in the state to charge each and every kid 250 bucks for the privilege of taking driver's education and is going to say that the school board no longer has responsibility automatically to provide parents with information about the success of that particular school district. So, as you consider your vote on this Concurrence Motion, please do look at those items with a fair degree of seriousness and with at least a slightly skeptical eye."

Speaker Black: "Further discussion? The Gentleman from Williamson, Representative Woolard."

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

Speaker Black: "She indicates she will."

Woolard: "Representative, I think that we heard on one of these requests from a superintendent of schools who had a unique situation where his school district traveled across two regional superintendents jurisdictional lines and he wanted to move from the jurisdiction of one to the other and I made the statement in Committee that I would support this if all three parties were in total agreement. Can you give me the status of that?"

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Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Indeed, Representative Woolard. I heard what you said in Committee and I did call all the people at that school district and talked to them about the fact that I thought you had raised a very valid question. There basically three entities involved. The regional superintendent in the area to which they wish to be annexed, the regional superintendent in the area from which they wish to depart and the school district, itself. I asked the superintendent to find out whether, in fact, both of those regional superintendents were either willing to have this happen or at least not opposed to its happening. Clearly, the one that includes Peoria County, which is the one they were going to, was perfectly glad to have this happen. They talked to the man in the, the regional superintendent in the other region from which they were departing and he said, 'Although, I'm not enthusiastic about this, I will not oppose it.' So, that is why it is not in here. Those three entities, at least they talked to one another and agreed that they were all willing to have that happen."

Speaker Black: "Representative Woolard."

Woolard: "My understanding is that maybe it's even less than not enthusiastic. I don't think that he really wants it to happen at all, but if he made that statement to you, I'm going to take you at your word on that and I will support this."

Speaker Black: "Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you. Before you start the timer, Mr. Speaker, I would move that we separate the questions that are an integral part of HJR 71."

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Speaker Black: "Let me confer with the Parliamentarian, Representative. Yes, Representative Lang, in response to your inquiry, on behalf of the Speaker, the question currently pending before the House is, 'Should the House Concur in Senate Amendment #1 to House Joint Resolution 71?' This Resolution proposes that the House disapprove certain mandate requests filed by local school districts and referred to the General Assembly pursuant to Public Act 89-3. That Act provides that waiver requests are disapproved if a majority of the Members of each chamber adopt a Resolution providing for such disapproval. Accordingly, in order for House Joint Resolution 71 to have legal effect, the House must concur with the Senate in the entirety of Senate Amendment #1. Thus, the question currently pending before the House is, in the opinion of the Parliamentarian, not divisible. Representative Lang."

Lang: "Thank you, Mr. Speaker. To the Resolution. I think this whole business points up again with 142 requests for modification of the school code how ridiculous the Bill was that we passed that required us to sit as a super school board, a mega school board if you will. We don't have any business doing this. Their waiver requests on the issue of physical education, if we wish to do away with the physical education requirement, why don't we just do it? The issues of sprinklers, why don't we just deal with that issue? All these other issues that are in here, all these other issues that are not part of the Resolution but are going to simply allow the waivers to take place by inaction of this Body, why don't we just deal with those rather than having hundreds of pieces of paper come down here to us for us to make a decision on? This isn't our job. We elect local school boards locally to make these decisions or if we make

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them on a statewide basis, let's make them. But, let's not pick and choose how we do this. One of the waiver requests that will happen today by operation of our not acting on it, is allowing a local school district to allow noncertified, nonregistered nurses administer medication to children. Do we want that? I don't know. We ought to debate the issue, but we're not going to get the opportunity to debate the issue, because it's not in this Resolution. And so, by inaction of this General Assembly, this waiver request will take place and this school district will be allowed to have people who are not certified, people who are not allowed, or who are not registered nurses to dispense medication in that school district. There's all sorts of rules here about school bus drivers, about physical plants of schools and all and we're not dealing with those at all. And so, simply by the action of the Speaker of the House of Representatives and by the President of the Senate, just a few items have been handpicked to deal with and all these others by inaction will take place. This isn't our job, Ladies and Gentlemen. We ought to do something in the next General Assembly to deal with this issue, because we should not be about the business of acting as a school board. If we're going to create public policy, then let's create public policy for all the state or let's get out of the business of making these policies. One or the other. But, to do it in a method of picking and choosing, to do it by a method of allowing a Speaker and a Senate President to make those decisions for us is certainly not good public policy. None of us could possibly think that's good public policy. On the issue of what is in the Resolution, I certainly applaud a lot of what's in it. Surely, the denial of the waiver

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request on the issue of corporal punishment is one we should all applaud. In fact, recently, we denied two such waivers and we should continue to deny them, but the inclusion in this denial Resolution of the Chicago Board of Education's request to change their fiscal year is really appalling. It's appalling because there's no reason to leave it in here. It's appalling because there's no reason to keep them from doing this unless it's to say once again, 'Shame on you, Chicago. We don't like you, Chicago. We're going to make it difficult for the teachers and the students and the parents and the administration in the City of Chicago to do their business just because we feel like doing it.' That's what this is all about. That's what this section of HJR 71 is about. It's about the arrogance of power once again. The arrogance of power that says, 'Well, we're in control and we're going to run the Chicago schools even though we say we aren't going to run the Chicago schools.' It is for this reason, that although I support almost everything in this Motion, that I think we should take a very long, hard look at what's in it and I certainly think that as time goes on, we ought to take a very good, long, hard look at how we do public policy in the State of Illinois and what our real purpose for being in Springfield is. This isn't it. This isn't it. We need to do it a better way. We need to find a better way to do this."

Speaker Black: "Further discussion? The Gentleman from Grundy, Representative Spangler."

Spangler: "Thank you, Mr. Speaker. Inquiry of the Clerk, please."

Speaker Black: "Yes, state your inquiry."

Spangler: "I see on my computer here, that we don't have the full

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Resolution as it was outlined by the Representative. I see only the Elgin School District, the West Chicago School District and that's all that I have. Is there a way that we can get these on our computers so we can visualize just what exactly all the Resolution contains?"

Speaker Black: "Representative, the Clerk will check on your inquiry and we'll see what the system is doing and we'll get back to you as quickly as possible. Representative Spangler, the Clerk has indicated it will take him a little bit to get a copy and compare it to what's on the system. Do want to just stand at ease or would you rather ask questions or... Excuse me. Mr. Clerk."

Clerk McLennand: "Representative, this system does not handle Amendments to Resolutions. Earlier today, we distributed Senate Amendment #1. So, you have a paper copy on your desk of the Amendment. So, the original Resolution is on the computer system and then we have distributed a paper copy of Senate Amendment #1."

Speaker Black: "Representative, does that satisfy your inquiry?"

Spangler: "Yes, thank you very much. That's sufficient. To the Bill, if I may."

Speaker Black: "Proceed."

Spangler: "You know, I don't know when we're going to wake up here in the General Assembly and start realizing that we aren't the experts when it comes to some of these issues. The point that I'm bringing out is talking about the mandate of sprinklers in school buildings. Now, I spoke on the floor last year about this and there was a tremendous upheaval with regards to emotions about burning kids up in school buildings and so on and so forth. Let me point out a few things. First of all, the old sections of the schools are not required to be sprinklered. You have many,

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many more unsafe situations in the old sections of the schools than you do in these new additions. Second of all, many of the new constructions that you see, have outside doors and they're not internal classrooms with no external doors. There are requirements that are set forth with life safety in the school systems and it has to do with being able to evacuate those students from that classroom or that occupancy area. In most cases when these school districts ask for an exception to this mandate, they're attempting to satisfy the intent of the law by protecting their students but also, by saving a tremendous amount of money for their school districts because when it comes to the 90 second or whatever the allotment time is, I believe it's 90 seconds to get out, they're doing that about 24, 27 seconds, getting every single student out of this new addition. Now, for us to keep rejecting these every time and saying, 'Well, we talked to the Fire Chiefs' Association, or we talked to this association, or we talked to that association.' That's not adequate. Granted, there are architects that will try to build up a program and a structure to make it more costly so that they're able to say it's life safety reasons that we have to charge 80, 125,000, whatever it may be. We are long past the time in the General Assembly where we have to be dealing with this type of an issue. Sprinklers for the most part, are utilized for the protection of property. Physical property. It does not have to do with the life-safety of students. Now, when we talk about hotel and motel rooms, we can talk about sprinklers and being in a sleeping state, yes, you may have a problem there and want to have sprinklers to knock down your conflagration before it gets greater. Last year it was denied for one of the schools in

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my district. I felt very bad about that. I stood up here as a safety professional, as a fire service instructor, as an inspector and having spent about 16 years in that type of work. I can assure you that we're making a very, very bad mistake when we enforce a mandate on new additions to schools that fully satisfy all the other life-safety code objectives, but do not have sprinklers in them. You know what? It's time we look at this closely. Those school boards and those administrators and everyone else, they have the responsibility. For crying out loud, it's their children that are going to that school. Are they going to set up a trap for them so that they have to attend a mass funeral for their kids? No, they're not. But yet, we can sit here and delve into a very, very, very specific discipline of science and expect everybody else to go along with it and say, 'Yes, we did our job. We talked to one outside group and they said you know, go ahead, everything should be sprinklered.' Well, I'll tell you what, I hope everybody looks at this very closely. Yes, there are certain portions of this Resolution that I would like to vote for, but when we micro-manage the school districts of our state with regards to fire safety, then I think we better look at what we're doing a whole lot closer and I would encourage all of the colleagues to vote 'no' on this Resolution. Thank you."

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

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

Speaker Black: "She indicates she will."

Davis, M.: "Representative, what is the meaning of the Statement of Affairs Report?"

Speaker Black: "Representative Cowlshaw."

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Cowlshaw: "It's financial facts that are required to be published by all school districts in their, whatever is a newspaper of general circulation in their district."

Speaker Black: "Representative Davis."

Davis, M.: "So, we have denied Mt. Prospect District 57 the right to waive that requirement and I think that's good. I think it's good that they will have to prepare and report a Statement of Affairs. The school district that is requesting the ability to provide corporal punishment, I don't believe they came and testified before our committee. Representative, about how many, do you know how many waivers were requested for corporal punishment?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Last year there were two and they were both denied. This year there was only one and this Resolution proposes to deny that. We do not believe we should be authorizing adults, regardless of their status in any school in this state, to use swatting, hitting or any other form of physical abuse of children."

Speaker Black: "Representative Davis."

Davis, M.: "Thank you. I think I agree with that and I think that's wonderful that we have denied that particular waiver. There's one waiver here that causes great concern and that is the waiver that will allow driver's education in Elgin Unit District 46 to, it's optional. In other words, am I correct, Representative, that if the students in district 46 go to one school, they may have drivers ed, but if students in district 46 attend a different school, they may have to pay for driver's education? Is that correct?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "I don't think I understand the question. If a

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student is enrolled in Elgin District U-46, and if we had not denied the request of the Elgin School District, there would be no driver education offered in any of the high schools in Elgin. It would not be available."

Speaker Black: "Representative Davis."

Davis, M.: "Well, according to the analysis that I have, it states that driver's educational is optional in U-46."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "I believe the correct interpretation of the policy in regard to District U-46 is that no student is required, it is in fact optional, that is correct. No student is required to take driver education as a condition of graduation from high school. However, the course is available for any student who determines that he or she would like to take it, currently."

Speaker Black: "Representative Davis."

Davis, M.: "After we pass this Waiver Bill, or if this Waiver Bill passes, then will students in the Elgin district have those services available? Will driver's education be available to all students in Elgin, free of charge?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "If we pass this Resolution, Elgin U-46 will be required to offer driver's education to any student who chooses to take that course. However, there is no prohibition in the school code against school districts choosing to charge a fee for any courses or materials that may be used in that school. So, I can not guarantee you that Elgin U-46 will not charge some kind of fee for students to take driver education. However, all school districts that I know of, that have ever had any kind of fee for any course or any material, always have a part of that policy that provides that if the student is living in

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poverty and can not afford whatever the fee is, it is waived."

Speaker Black: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I think I'm going to need some more time. There are still some opponents to this Bill. I think there are three or four organizations who feel that some waivers that have been given are excellent, but some that have been denied, have been denied on a very unfair basis. The very fact that Chicago was not allowed to change their fiscal year dates will wreak financial havoc on that particular district. Currently, that district is not asking for any additional money from the state. They have balanced their budget for a number of years. We have even been able to abolish the School Finance Authority, but with this waiver being denied, I am very fearful that once again, we're going to see headlines about Chicago and its budget crisis. I believe those organizations that are opposed to this Bill are the Illinois Federation of Teachers, Chicago Board of Education, Chicago Teachers Union and I..."

Speaker Black: "Yes, Representative Davis, would you bring your remarks to a close, please?"

Davis, M.: "Thank you, Mr. Speaker. My final thought is, even though there are some excellent waivers being provided here or denied, I believe that we should vote 'no' based upon the unfairness when we treat Chicago public schools much differently. Thank you, Mr. Speaker."

Speaker Black: "Further discussion? The Lady from Cook, Representative Flowers."

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

Speaker Black: "She indicates she will."

Flowers: "Representative Cowlshaw, what is the purpose of this

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Resolution, please?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "The purpose of this Resolution is to deny any of those requests for mandate waivers that are unwise."

Speaker Black: "Representative Flowers."

Flowers: "Thank you, Representative Cowlshaw. To the Resolution. I think it's unfortunate that we open up Pandora's box in the first place to allow these types of waivers to come into this Body. I think we are trying to be the mamas and the papas of the school districts throughout the State of Illinois. I think it's unfortunate that we will stand here and not fully fund education in this state as it should be but yet, we will nitpick to the particular school districts, which most of us have not even had the pleasure of visiting. But yet, we will say for the request to institute corporal punishment in Pope School, that's disapproved. The request to reduce instructional time for Sheldon Community, we're going to disapprove that. With the request to respect to driver's education, that too, shall be disapproved. Respect to sprinklers in Meridian County, we're going to disapprove that and on and on. The IGAP test, the increase in statutory debtness and you know, it appears to me that we want to exercise some type of control and have some type of power where we will be the ones to say 'yea' or 'nay'. And, it also appears to me that we don't trust the very bodies of the school district, which was elected or appointed by that particular community. We do not trust those taxpaying adults to supervise their own schools and their own communities and I think it's unfortunate. What we should be talking about now, in light of the fact that we're going to eliminate the welfare system as we know it, we should be talking about

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how are we going to create better jobs for these communities. We should be talking about how we're going to build bigger and better schools. We should further be talking about how we're going to make life better for senior citizens by allowing them affordable health care. I think we can do better by the people of this state if we talk about how we're going to contribute to making families healthier by having affordable day care centers for those families. And more importantly, I think we should be talking about how we are going to build recreation centers in the communities as opposed to prisons. I think this is a total waste of time. Thank you, very much."

Speaker Black: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Will the Lady yield?"

Speaker Black: "She indicates she will."

Hannig: "Yes, Representative Cowlshaw. Representative Cowlshaw, there were a number...or there's two school districts I think we're denying by this Resolution, Mt. Carmel and Round Lake, proposals to get over their statutory limits. In other words, to raise their borrowing without referendum. But, in the...and in the House Resolution, I think there was also a proposal to do the same for De Soto, but now I see that the De Soto provision is not part of this Resolution. I wondered if you could explain to me why there seems to be a discrepancy here?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Yes, Sir. Senator Cronin and I looked at the original request. There were three requests from various parts of the state having to do with an increase in the statutory debt limit, which we believed we should look at very carefully because, by anybody's definition, that is a

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tax increase without a referendum. All three of those requests as they came originally from those school districts, did not mention any intent whatsoever of having a referendum. But we thought in fairness to those three districts, we should inquire as to whether that was their intent. Two of them said they had no intention of holding a referendum. They just wanted us to do this. The other one, I believe it's called De Soto school district, they not only said it was their intention to hold a Front Door Referendum, but in fact, they sent to Senator Cronin, documentation to that effect that the action has already been taken for a Front Door Referendum to be held in that school district on this issue. And on that basis that there was in fact, already a provision within that school district for that Front Door Referendum to occur, we took that off of this list of denials."

Speaker Black: "Representative Hannig."

Hannig: "So, Representative, by this Resolution in effect, we're waiving the provision of the law which would prohibit them from issuing an additional debt and you said they want to do a Front Door Referendum. But my question then is, what if that Referendum fails? I mean, the fact that we will have in effect, waived that requirement. Would they not then still be in a position where they could issue that debt?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Let me try to explain. The two school districts that are listed in here are having their requests denied. Alright? They cannot go above the statutory debt limit. The school district that is not in here is obligated by it's own actions and documentation we have on file here to hold a Front Door Referendum on this issue. Clearly, Sir,

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if the people who live there passed this referendum, then at whatever level they have okayed in their referendum, that will become their debt limit. If they disapprove of it, then that has been their action and the result will of course, be corresponding to that disapproval."

Speaker Black: "Representative Hannig."

Hannig: "Well, Representative, I hope you're right, but it seems to me that there is a possibility that when we don't deny today that De Soto School District's request then in effect, we've granted it, that we've granted them a request to raise their debt limit. Now, they can have a referendum and the referendum could fail. And then my question becomes, if that referendum fails, could that school board simply say that the Legislature did not deny request for an increase in debt limit and consequently, we can issue those bonds anyway?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "The people in that school district were so very cooperative when we called and asked them to put together all this documentation that I am confident. Sir, you have raised a very good issue. I am confident that if we would like to have them provide us with documentation which states that, in fact, they will abide by whatever is the outcome of the referendum they put before their voters, I would be glad to ask them to do that. I am confident that they would do so. I, in fact, although I am certainly glad to do that and have it on file, I cannot believe there is any school board in this state that would hold a Front Door Referendum and then refuse to abide by the desires of the majority of its own constituency."

Speaker Black: "Representative Hannig."

Hannig: "Again, Representative, I hope that you are correct, but

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I'm just fearful that we could be putting ourselves and that school district in a difficult situation. I would have thought maybe it would be perhaps, a better course of action to deny the request and simply pass the referendum first and then come to the Legislature and ask us for some consideration, either legislatively or through a waiver process but, Representative, I've taken enough of your time. I hope that you are correct on these issues."

Speaker Black: "For further discussion, the Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Black: "She indicates she will."

Brunsvold: "Representative, let's clear up what Gary Hannig was talking about. The fact is if they've got a Front Door Referendum online, why do we even do this? Why don't we just deny their request and proceed with their Front Door Referendum?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "We discussed this with some of the lawyers on staff and we were told that if we deny this, because what they propose to ask their voters, would put the level above what is now the statutory debt limit, that if we deny this request, then their voters do not have the right to supersede the action of the General Assembly. Consequently, there would be no sense in having a referendum."

Speaker Black: "Representative Brunsvold."

Brunsvold: "Then let's proceed here another path. Let's do legislative intent, if you agree to do this. To say that this General Assembly, on its intent here to grant this request in lieu of the referendum, that if the referendum fails, then they cannot come back and implement the request

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for a waiver."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, I will be glad, right now, to not only state for the record that it is the intention of this General Assembly, and I know that I speak not only for the House but also for the Senate, that if any school district including De Soto, holds a Front Door Referendum on a question relating to an increase in the statutory debt limit and if that referendum fails, the school district is obligated by law to abide by that decision made by the majority of its constituents. It is not the intent of this General Assembly that under any circumstances, the De Soto school district would be permitted to disregard the majority rule on that referendum by it's own constituency."

Speaker Black: "Representative Brunsvold."

Brunsvold: "Thank you. Thank you, Representative, for that commitment. To the Resolution, Mr. Speaker."

Speaker Black: "Proceed."

Brunsvold: "We are put in a very precarious position here as Legislators because I'm sure most of the Members of this chamber agree with the items on the waiver list that we're denying. We're denying some pretty erroneous type activities here and we should do that. The fact is, and I agree with Representative Davis, you know, there's problems with this Resolution also. But the fact still remains that if we don't pass this, these will go into effect automatically. The ones we're denying will automatically be granted. So, we're caught here in the middle of this thing now, with a situation where if we don't deny these and we adjourn before we can get another Resolution on line, then these will automatically be granted. And you know, we can't do that. I don't support that and I don't

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think anybody that's spoken supports that. So, I would say with Representative Cowlshaw's commitment on the De Soto's School District, that we can't proceed any other way than to adopt this Resolution and proceed down that course. Thank you, Mr. Speaker."

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

Cowlshaw: "Mr. Speaker, I am glad to have the opportunity to close because there are some things that I think...that I would like to get on the record. The request for charging \$250 fee for..."

Speaker Black: "Excuse me, Representative. Ladies and Gentlemen of the House, this Resolution is on final action. Please, don't any of you come back in 24 hours and say you didn't know what was in it and you'd like to change your vote or have the record so reflect. I would suggest you give Representative Cowlshaw your undivided attention. Proceed, Representative."

Cowlshaw: "For the record, Mr. Speaker, because this is a rather solemn action that we take here. For the record, I would like to point out that the Downers Grove School District request to charge \$250 fee for driver's education, we did call and talk to them and they did assure us that if they charge this fee, which under the law they're entitled to charge a fee, however, the fee in the statute now, is lower than that, that they would in fact give us their word that they would provide in the policy that establishes that fee, a provision for students who cannot afford to pay it, being exempt from having to make the payment. So, just to reassure you in relation to that driver's education fee in Downers Grove. The Glen Ellyn report card was brought up. The people in that district have assured us that they, as

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well as others, have complained repeatedly to the State Board of Education about the format of the report card being very unappealing and almost unreadable. They have come up with an alternative because the State Board has not been responsive to their complaint. An alternative that simplifies those results and makes it a lot more readable and attractive. However, the report in its entirety in the format of the State Board of Education will be available to anyone who requests it. It's just that Glen Ellyn believes there will be more readership and wider knowledge of the facts through their own form of report card, but it is not as though they are replacing the current State Board format. That will also be available. And finally, the request about the thing having to do with the nurses. After that was sent over here to us, we got a message from Joe Spagnolo, our State School Superintendent, saying that there had just been a court decision that had to do with that waiver request and because the court had ruled a certain way, the request about nurses needed to be returned to the State Board of Education to be acted upon so that it could be certain it was in accord with the court decision. Consequently, the one and only request that had anything to do with nurses is no longer in our jurisdiction. It has been returned to the State Board of Education. I hope, Mr. Speaker, that I have answered, I have tried to keep notes of the questions that were raised that needed explanations. I hope I have provided them all and I agree with Representative Brunsvold. Even if there are some additional requests that anyone else would like to see included in here, I do not see how anyone can vote on this Resolution in good conscience in any way except 'yes'. Thank you, Mr. Speaker."

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Speaker Black: "The question is, 'Shall the House concur with Senate Amendment #1 to House Joint Resolution 71?' All those in favor signify by voting 'aye'; opposed shall vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 70 voting 'aye'; 40 voting 'nay'; 4 voting 'present'. The House does concur with Senate Amendment, House Joint Resolution, Senate Amendment #1, excuse me, to House Joint Resolution 71 and this Resolution having received the required Constitutional Majority, is hereby declared adopted. The Gentleman from Adams, Representative Tenhouse, are you seeking recognition?"

Tenhouse: "Yes, yes, Mr. Speaker. My switch didn't seem to be working correctly. Of course, I may have been just a few paces away from my desk and for some reason, it didn't register that green vote that I really intended to vote on that last Bill."

Speaker Black: "The record shall reflect that you intended to vote 'aye' on House Joint Resolution 71."

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

Speaker Black: "Yes, the Gentleman from Kankakee, are you seeking recognition, Sir?"

Novak: "Yes, Mr. Speaker. I know how concerned you are about your constituents in your district. You represented them with such high esteem and confidence for many years. I just received a call today from Mayor Frank Davenport of Sheldon in your district and I know how much you respect him and he respects you 'cause I used to respect that area

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as well. But Mayor Davenport was concerned about this so-called budget impasse. He's wondering if there's a possibility if you're going to be home in time for a parade Saturday?"

Speaker Black: "Yes, I have every intention of doing that. Was it the Mayor or was it his lobbyist? I get confused."

Novak: "Maybe it was the lobbyist, Mr. Speaker."

Speaker Black: "Yes, thank you so much, Representative. Excuse me, the Lady from Sangamon, Representative Klingler. Representative Klingler, is, what is that on your desk? I thought it was one of Representative Wennlund's hunting trophies or something. What..."

Davis, M.: "She said she had a wild night last night."

Klingler: "Representative, I'd like to thank all my fellow Women Republican Legislators for this beautiful gift. We had a wonderful luncheon together yesterday. Thank you all."

Speaker Black: "No, thank you, Representative. The Gentleman from Cook, Representative Lang, are you seeking recognition?"

Lang: "Yes, I don't know for sure but the prevailing view on this of the aisle seems to be that Representative Klingler got that plant from AFSCME."

Speaker Black: "She'll take that under advisement and we'll get back to you."

Clerk McLennand: "Introduction of First Reading of House Bills. House Bill 3738 offered by Representative Lindner. A Bill for an Act in relation to adoption. Introduction of First Reading of this House Bill. Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room.

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

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Clerk McLennand: "Committee Report from Representative Churchill.

Chairman from the Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 22, 1996. Reported the same back, 'do approve for consideration'. To the House floor, House Resolution #132, House Joint Resolutions #127 and 133 and Conference Committee Report #1 to Senate Bill 1780."

Speaker Black: "Mr. Clerk, Committee Notices."

Clerk McLennand: "Attention, Members. The following committees will meet at 3:15 p.m. Executive Committee will meet in Room 114. Elections and State Government in Room 118 and Counties and Townships in Room D1. Again, the following committees will meet at 3:15. The Elections and State Government in Room 118, Executive Committee in Room 114 and Counties and Townships in Room D1."

Speaker Black: "Ladies and Gentlemen of the House, in response to many inquiries of the Chair, we are prepared to stand in recess until 4:15 p.m. this afternoon. Let me reiterate, the committee...the following committees will meet at 3:15 p.m. The House Committee on Executive will meet today at 3:15, in Room 114, Capitol. The House Committee on Elections and State Government will meet today at 3:15 p.m. in Room 118, Capitol. The House Committee on Counties and Townships will meet today at 3:15 p.m. in Room D1, of the Stratton Building. With those committee notices in the record, the House will stand at recess 'til the hour of 4:15 p.m."

Clerk McLennand: "Introduction of Resolutions. House Resolution #133, offered by Representative Goslin is referred to the Rules Committee."

Speaker Daniels: "The House will come to order. Those not entitled to the floor, will please retire to the gallery."

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Supplemental Calendar #2 appears Senate Bill 1780, Conference Committee Report, Representative Balthis. Mr. Clerk, take that out of the record. Announcements. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Stephens, Chairman from Committee on Executive to which the following Joint Action Motions were referred. Action taken on May 22, 1996. Reported the same back, 'do approve for consideration'. Motions to concur on Senate Amendment #1 to House Bill 3204. Motion concur on Senate Amendment #1 to House Bill 2632. Committee Report from Representative Andrea Moore, Chairman for Committee on Elections and State Government to which the following Joint Action Motions were referred. Action taken on May 22, 1996. Reported the same back. Do approve for consideration. Conference Committee Report to Senate Bill 1465. Committee Report from Representative Hughes, Chairman from Committees on Counties and Townships to which the following Joint Action Motions were referred. Action taken on May 22. Reported the same back, 'do approve for consideration'. Conference Committee Report #2 to House Bill 270."

Speaker Daniels: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendars #2 and 3 are being distributed."

Speaker Daniels: "Committee notice."

Clerk McLennand: "Rules Committee will meet at 5:45 p.m. in the Speaker's Conference Room. Rules Committee will meet at 5:45 p.m. in the Speaker's Conference Room. Introduction of Resolutions. House Resolutions #134 offered by Representative Lyons and House Resolution #135 offered by Representative Stephens are referred to the Rules

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Committee."

Speaker Daniels: "Mr. Clerk, Supplemental Calendar #2 appears Senate Bill 1780. Representative Balthis."

Balthis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would move that the House Concur in Conference Committee Report #1 to Senate Bill 1780. This actually is the same as House Amendment #10 to Senate Bill 1780 with the exception that we have deleted section, further omitted but deleting all of Section 30 and in Section 40 and Section 7-103, by replacing all of the item 33 with the following, which we actually put back in language, that we had taken out before. I would be happy to answer any questions."

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

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

Speaker Daniels: "He indicates he will."

Lang: "Thank you. Representative, we passed most of this in one Bill a few days ago, am I correct?"

Speaker Daniels: "Representative Balthis."

Balthis: "Yeah, yes."

Speaker Daniels: "Representative Lang."

Lang: "And, is the only change the deletion of the section regarding the quick take powers for the Medical Center Commission?"

Speaker Daniels: "Representative Balthis."

Balthis: "That is the only deletion and there are no additions."

Speaker Daniels: "Representative Lang."

Lang: "So, then I guess it's the only change. So, so, let me ask you, why did we do this? Everybody seemed to be for that. I know people on this side of the aisle thought it was an excellent idea. Why has this been deleted? Who has caused

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this to happen?"

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, it's my understanding that the Senate in their infinite wisdom, had a problem with that and so we are moving to bring this together and to pass what we can get an agreement in the Senate with."

Speaker Daniels: "Representative Lang."

Lang: "Is there a specific person in the Senate in his or her infinite wisdom? I see the Sponsor was Senator Barkhausen. Was he in favor of this change?"

Speaker Daniels: "Representative Balthis."

Balthis: "I don't think this section was of particular interest to the Senator. I think the interest to the Senator was his portion of the Bill as it originally was passed, but I think he was of the understanding he could not get the Bill passed as we had passed it over here, in the Senate. And so, he acquiesced to that feeling and has moved it back in this fashion."

Speaker Daniels: "Representative Lang."

Lang: "Well, during all the debate in the House on this Bill as it was formerly, during the Committee Hearings in the House, did you hear any testimony against this section of your previous Bill?"

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, we had discussion about it, but I didn't hear any definitive opposition to it. However, apparently in the Senate, someone there did have opposition to it and that's why we're trying to pass this without that."

Speaker Daniels: "Representative Lang."

Lang: "So, this would be under the category of an unnamed someone. Someone over there in the Senate. You don't know

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who. You don't know what group. You don't if there's a lobbying group or some interest group that has a problem with this, so it's just some entity person or other thing in the Senate has required that this come out. Is that correct?"

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, as you know at this time of the year, mysterious things happen. You know, like the magic last evening when the Bulls won this game when they were behind by 18 points. I never question those things. I just try to work with them."

Speaker Daniels: "Representative Lang."

Lang: "Well, I have great respect for a Representative who says that kind of thing on the House floor and strange things do happen at this time of year. One of those strange things is, we don't seem to have a budget yet and I don't think you folks over there know any more about it than I do. Thank you."

Speaker Daniels: "Further discussion? The Lady from Lake, Representative Clayton."

Clayton: "Will the Sponsor yield for question?"

Speaker Daniels: "He indicates he will."

Clayton: "One of my school districts, two of my school districts are very concerned with this Bill. They're concerned that this would provide for a disconnection from their school district and provide for an annexation to another school district. This dispute has been going on for quite some time. The district has spent several hundreds of thousands of dollars in legal fees. The Regional Board of School Trustees has already rejected this petition as did the Circuit Court, and Appellate Court who heard the appeal. My question to you is, does this Bill provide for this

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disconnection and annexation that they are concerned with?"

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, it's my understanding that that can be done as in many other areas by petition, but I would defer to Representative Lachner, who was most interested in that portion of this Bill."

Speaker Daniels: "Representative Lachner."

Lachner: "Representative Clayton, that's a very good question. I'm glad you brought up that issue. If you could be specific as to which communities you're talking about. The area in question is located entirely the residents, entirely within the City of Lake Forest. I recognize that a portion of that area is located in the Lincolnshire School District. So, which cities would you be talking about here?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes, you are speaking of this. It is School District 125 and School District 103 and their concern is that this property known as the Conway Farms Development is located in their school districts and that the City of Lake Forest has been trying to get it annexed into the Lake Forest School Districts."

Speaker Daniels: "Representative Lachner."

Lachner: "Yeah, Representative, I believe they were more concerned about the larger context of an effort to remove large segments of both commercial and residential property over the past number of years to place that in the City of Lake Forest School System, special charter school system. In reality, what this language does, it's simply permissive and contains no commercial property. It's community of interest legislation that simply allows members that are affected, residents that are affected in a small area, that

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live and reside within the City of Lake Forest, attend and utilize the Lake Forest Park District to, by petition, if they should desire to petition to have that small area, which is separated from the Lincolnshire School District by a tollway, have that small area annexed into the Lake Forest Elementary School System and it's only permissive language. The students that would like to remain in the Lincolnshire School System, may. There's no change for those students."

Speaker Daniels: "Representative Clayton."

Clayton: "I received a letter as of yesterday from the school district, strongly urging opposition to this Amendment. They feel that the moneys that they have expended in court and with the regional district, that they feel that the decisions have already been made and that the Legislature should not circumvent those things. I urge a 'no' vote."

Speaker Daniels: "Further discussion? Representative Balthis to close."

Balthis: "Thank you, Mr. Speaker. We all voted rather unanimously on this Bill and I would ask for a favorable vote."

Speaker Daniels: "Excuse me, Representative Balthis. Representative Lang is yelling at everyone again so we'll do it this way. Representative Wirsing."

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

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

Balthis: "Thank you, Mr. Speaker. I just ask for a favorable vote."

Speaker Daniels: "Representative Balthis now moves that the House adopt Conference Committee Report #1 to Senate Bill 1780.

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All those in favor will signify by voting 'aye'; opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 79 'ayes'; 32 'noes'; 3 voting 'present'. This Bill, this Conference Committee Report is hereby adopted and Senate Bill 1780 having received a Majority, is hereby declared passed. Committee Announcements."

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

Speaker Daniels: "Supplemental Calendar #3 appears House Bill 270. Representative Black."

Black: "Yes, thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. This is the second Conference Committee Report on House Bill 270. This Bill has developed a life of it's own and is breeding. Let me try to work through this as best I can. The only thing that we have taken out of the original Conference Committee Report is a portion that dealt with a township clerk who could have a business interest in a township transaction. That has been taken out. The underlying language of the Conference Committee Report #1 is still in there. That has some sanitary district language. One of them is for Danville Sanitary District, then there was one for the Aurora Sanitary District that we had already passed. We're amending the Liquor Control Act to provide that alcoholic beverages may be sold or delivered in buildings owned by the Community Building Complex Committee in Boone County, Illinois. Now, that was requested by my close personal friend, Senator Dave Syverson. I'm only too happy to acquiesce to that but, we've already, we've already taken

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care of that. We voted on that before. There was some township language and some quick take for the City of Romeoville. Quick take for the City of Pinckneyville and it amended the Governmental Employees Tort Immunity Act, adding an exemption to those employees in a hazardous recreational activity. That was for off-trail bicycling, sledding and tobogganing, and that was requested by my good friends on the Cook County Board. Now, all of that has been already voted on and it passed here. Now, it comes back to us and there's some new language in here. I'll try very briefly to tell you what the new language is. We're amending the Illinois Municipal Code at the request of Senator Bowles, and that was embodied in Senate Bill 1278. It has something to do with Madison County. We're further amending the Municipal Code about selling surplus real estate in a sanitary district and that the money from the sale of that surplus real estate would go into a local improvement revolving loan fund and then communities served by the Metropolitan Water District, would be able to access that loan fund for grants, et cetera, on upgrading their sanitary sewage facilities. The last part of this is authorizing the State Superintendent of Education to convey by quit claim deed, to Pinnacle Corporation, various rights and titles in interest in a piece of property which will end up benefiting the Phillip J. Rock Center and School to the tune of about \$500,000. I'd be glad to answer any questions you might have about Conference Committee Report #2 to House Bill 270."

Speaker Johnson, Tim: "Ladies and Gentlemen, give the Gentleman and the Members your attention. Thank you. On the Conference Committee Report, the Chair recognizes the Gentleman from Washington, Representative Deering, proceed.

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Representative Johnson in the Chair."

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

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

Deering: "Representative, I just want to clarify a couple of things here that I didn't get to bring up in the last Conference Committee Report. I noticed in the last report we had a lot of land transfers for a dollar with no way to find out an explanation of why they were a dollar. I see some land transfers, some quick take authority in this Conference Committee Report with no dollar figures. Are we getting the best bang for the buck or are the taxpayers being treated fairly here or, can you expand on the quick take for the Pinckneyville Prison and for the conveyance for the State Board of Education?"

Speaker Johnson, Tim: "Representative Black."

Black: "Representative, to the best of my knowledge, on a quick take, you never set a price. A quick take, and the reason that many of us are always leery of it and we want a time specific, a quick take says we're just simply going to take the land and a court, a court's going to settle on a price later, so that we don't hold up a particular project for a long period of time. So, I don't believe there's any language in here on the quick take that would say what we're going to end up paying for it. I think that will be determined by a court."

Speaker Johnson, Tim: "Representative Deering, further inquiry? Proceed."

Deering: "Okay, I can understand that and thanks for your clarification on that. But, what about the land conveyance for the State Board of Education? I guess this is up in around Chicago or Cook County? I see there's one here in Dupage County. Is there any land values or appraisals

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placed with these parcels of property?"

Speaker Johnson, Tim: "Representative Black."

Black: "Now, are you talking about the land transfer to the Pinnacle Corporation? Is that the one you're referring to?"

Speaker Johnson, Tim: "Representative Deering."

Deering: "Yes, Sir."

Speaker Johnson, Tim: "Representative Black."

Black: "Representative, I'll tell you, I think everything is very much in order on this, but I would yield to Representative Persico. I believe this is in his district and he's certainly more familiar with it than I would be. Mr. Speaker, if you would recognize Representative Persico, I think he could respond to the Representative's question."

Speaker Johnson, Tim: "Leave of the House, leave is granted to Representative Persico to respond. Representative Persico."

Persico: "Thank you, Mr. Speaker and Members of the House. Representative, the parcel of land that you're talking about is in the vicinity of the Phillip Rock Blind Center in Glen Ellyn and this happens to be one of the last pieces of land that is developable in terms of residential and commercial for commercial use and in order, and for the last 20 years, they've been trying to develop this land but they were having a problem with an access road to get to this parcel. So, with full agreement between the State Board of Education, the Department of Transportation as well as the Village of Glen Ellyn, they negotiated this deal where the Phillip Rock Center gave a piece of parcel of land to be used as an access road in exchange for a larger piece of land for the Phillip J. Rock Center for the Blind and about a half million dollars in improvement and

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as I said, this is a deal that was negotiated in a full agreement with those three entities."

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

Deering: "Well, I understand that, Representative, and it's probably very good that it can be done in relation to possibly completing some projects. I have a concern about the price tag, though. I know I have some road districts going on in my area where there's a big discrepancy in land values and it seems that IDOT is sticking to their guns in the land value prices in my district, but we see no dollar values placed here in this area of the state. I think that's something that we as Members should have access to when we're talking about transferring the land. I just hope, and I'm sure that, Representative, you're doing, we're getting, the reasonable thing is being done here. I trust that that is being done. I'm just questioning that. But let me ask you this, the Pinnacle Corporation, are you familiar with the Pinnacle Corporation?"

Speaker Johnson, Tim: "Representative Persico."

Persico: "Representative, as far as I know, it's a subsidiary of Town and Country Development Corporation."

Speaker Johnson, Tim: "Representative Deering, no further questions?"

Deering: "No further questions. Thank you."

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

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

Speaker Johnson, Tim: "Indicates that he will."

Lang: "Representative, there's a lot of quick take in here. Can you confirm for me that every one of the quick take provisions is for a definite time and a specific place, for

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a specific reason and then ends at a date certain?"

Speaker Johnson, Tim: "Representative Black."

Black: "Yes, that is absolutely the case. There's no open-ended quick take in here to the best of my knowledge and staff confirms that."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Thank you. Could we get some quiet in here, Mr. Speaker?"

Speaker Johnson, Tim: "Yes. Representative Lang and Black and the Chair would appreciate your attention. All unauthorized personnel remove themselves from the House floor and give Representative Lang and Black your attention. Thank you. Proceed."

Lang: "Thank you. I thank the Sponsor for his answer to that question. That clears up part of the Bill for me, but I still rise in opposition to House Bill 270, the Conference Committee Report. I would ask all of my colleagues to join me. There's two very specific reasons for it. First, the section in this Conference Committee Report, relative to the revolving fund that must be established by the water reclamation district is an unfunded mandate. We've been trying this year to do away with unfunded mandates. The water reclamation district of Cook County, I know is opposed to this because it's a mandate. Part of this says 'may', but part of this says 'shall', which makes it a mandate. There's no state funding coming for them to create this fund and therefore will cost them money. DCCA hasn't signed off on this because it's new language. So, we don't know how DCCA feels about this. Perhaps, the Sponsor should have waited for a period of time until DCCA could tell us what the results, what the outcome of such a Bill would be but for the time being, it's an unfunded mandate. But, worse than that is another section of this

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Bill. This Bill would allow two Representatives on the floor of the Illinois House of Representatives, Representatives Deuchler and Cross to name all five members of the Aurora Sanitary District. Now currently, the law says that the local State Representatives can name up to three of the same, or they can name all five, but three have to be of one political party and two have to be of another political party. This legislation would remove that distinction and would, of course then, allow Representatives Cross and Deuchler to appoint five members of that board, making all members of that board of one political party and something tells me, Ladies and Gentleman, they won't be of my political party. I don't think we should have laws that allow State Representatives to choose other public officials. Especially, when we're removing the restriction that would require bipartisan or two-party rule. I don't think even Members on the Republican side would consider it fair to allow the Aurora Sanitary District to only have Republican appointees. I don't think that's appropriate and I don't think you that think that's appropriate. So, although there's something in this that the Cook County Board wants, that I would be happy to support if I could. I know Representative Stroger favors that position on that part of it. The rest of this Bill, Representative Stroger and others, does not warrant our consideration. Members on my side of the aisle can see very clearly that this is another power grab. This is another effort by the Republican party to appoint everybody to everything. We can not allow that to continue. We can not allow that to continue. So, for those on this side of the aisle, you should be voting 'no' for that reason. For those on the other side of the aisle, you should be voting

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'no' because you are the champions of doing away with unfunded mandates. There is an unfunded mandate in the middle of this Conference Committee Report. If you're against unfunded mandates, you must therefore be against the Second Conference Committee Report. I would therefore urge 'no' votes."

Speaker Johnson, Tim: "Further discussion? The Gentleman, prior to that, Mr. Clerk for an announcement."

Clerk McLennand: "Attention, Members. Dinner is served and is provided courtesy of the Governor. Members, please take the tickets through the East door to receive dinner. After the Members have gone through the line, staff will be able to go through."

Speaker Johnson, Tim: "Will you do it in a orderly manner to continue to conduct business? The Chair would appreciate it. The Chair recognizes the Gentleman from Kendall, Representative Cross. Representative Cross."

Cross: "Thank you, Mr. Speaker. Apparently, there's an individual next to me that's been harassing and annoying my speak button or done something and I'm going to lodge a complaint with the Clerk when I get through here. He's done a fine job of it, by the way. But, getting back to the earlier Representative, Representative Lang. If he had taken the time to read the Bill, he would have seen, and maybe even had an opportunity to ask me some questions, he would realized the real importance of the section of the Bill that we're talking about. The section of the Bill that we're talking about from my area doesn't involve just Representative Deuchler or just Representative Cross. It involves all Representatives that represent part of the Aurora Sanitary District. The reason we're making this change is, we don't believe that people's political parties

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should have anything to do with whether you're a member of the sanitary district board. We don't care, apparently like Representative Lang does, whether you're a Republican or a Democrat, if you're serving the sanitary district board. We just want good quality people. And the reason we're making this change is, the sanitary district board and the sanitary district service area is expanding into many other parts. Specifically, Kendall and Will and we feel there should be Representatives from the Kendall and Will area. That's the simple reason of this Bill, the only reason for this Bill. Representative Lang voted for this Bill last time we were here with this identical language on it. So, I would encourage him to vote again and I would hope, maybe he would read the Bills a little better before he responds like he did last time. Thank you."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Chair recognizes the Gentleman from Vermilion, Representative Black to close. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The language that deals with the Aurora Sanitary District was in the original Conference Committee Report. That's not new. That passed out of here with 85 votes. Now, I'm certainly no expert on the Metropolitan Water District, but in committee when this came up, I find it interesting that the Illinois Municipal League was a, filed a witness slip in support of this new language on Conference Committee Report #2 and the Metropolitan Water and Sanitary District did not sign in, in opposition. So, I'm not sure where this opposition has suddenly come from. I would think, given who this Sponsor is of this wonderful Bill, that if this was an unfunded mandate in any way shape or form, the Municipal League would not have signed in, in

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support and I'm sure that the Metropolitan Water and Sanitary District would not have taken the 'no' position that they did. So, as I told you a week ago, you know, I've tried to give this Bill to anybody who would take it. There's not much of the underlying Bill left in here, but most of what is in here, we have already passed. There's some very important language in the original Conference Committee Report that will enable us to begin construction of a prison in the community of Pinckneyville. We need those thousand beds. Now, you've already voted on the Aurora section and there didn't seem to be many questions on the new part of the Conference Committee. So, I would ask you to vote 'yes' because my fear is that if you don't vote 'yes' for this for this Conference Committee, a certain unnamed Senator from Rockford, is going to call the press and say that I have worked night and day to kill this Bill. I don't want that unnamed Senator from Rockford dragging my good name through the press, telling me that I'm working night and day to kill this. I like this Conference Committee Report and furthermore, he's liable to say my evil twin in the Senate, Senator Woodyard is conspiring to prevent this Bill from passing. So, I don't want to go through that again. Don't let that unnamed Senator from Rockford have his way with me again. I'm too tired. I can't take it anymore. I can't put up with it. You have voted for this once with 85 votes. I ask for your vote again. There's nothing in here that's bad. Vote 'aye'."

Speaker Johnson, Tim: "The question is, 'Shall the House adopt Conference Committee Report #2 to House Bill 270?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes'; 40 voting 'no', and 2 voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 22, 1996. Reported the same back, 'do approve for consideration', Conference Committee Report #1 to House Bill 3157, House Resolution 120, House Resolution 133 and Conference Committee Report #1 to House Bill 2529."

Speaker Johnson, Tim: "Continuing on the same order of business. On Supplemental Calendar #3 appears Senate Bill 1465. And on that, the Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Speaker. I would ask the Body to adopt the first Conference Committee Report to Senate Bill 1465. This contains all of the original language and two additions. The first addition is to use the Administrative Fund created in a court of claims for their administration of Victims Fund, Victims Assistance Fund as appropriated by the Illinois General Assembly. The second part was requested by Secretary of State, George Ryan and I'm particularly pleased to present this part to you. This allows the Secretary of State to receive by electronic transmission, certain documents. Meaning that facsimiles, eventually E-mail and perhaps, even transmissions received over the Internet could be available. As you know the Secretary of State is a leader in this area, having the Illinois Gateway as a homepage and we believe that we will

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be able to, in a similar fashion, become even more service oriented and user-friendly to allow people to file things like articles of incorporation or amendments or our economic interest statements electronically so that the Secretary of State can have a service as good as for example, the touch-tone registration and renewal of license plates."

Speaker Johnson, Tim: "If we could have some order. Ladies and Gentlemen, give Representative Ryder your attention. Representative Ryder, do you want to proceed?"

Ryder: "Yes."

Speaker Johnson, Tim: "Proceed."

Ryder: "I'd appreciate your affirmative vote."

Speaker Johnson, Tim: "On the question, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I have a question of the Clerk, our distinguished Clerk."

Speaker Johnson, Tim: "Mr. Clerk, inquiry of the Clerk. Proceed."

Granberg: "Terry, is the Bill in the system? We don't have the Conference Committee Report on our system, yet. As much as we would like to vote for Mr. Ryder's Conference Committee. Is it on there?"

Clerk McLennand: "It was available on this system at 4:40 p.m."

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

Granberg: "Apparently, we're having problems with the Deputy Clerk. Thank you very much. I rise in support of the Gentleman's Motion to adopt Conference Committee Report #1. The one provision has been added for the Secretary of State's Office. That should in fact enhance the quality of service at that office and I would ask the Members on this side of aisle to vote 'aye'."

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Speaker Johnson, Tim: "Seeing or hearing no further discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1465?' 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 115 voting 'yes'; none voting 'no', and 1 voting 'present'. This Bill having received the requisite Constitutional Majority, is hereby declared passed. Mr. Clerk, on Supplemental Calendar #2, on the order of Resolutions appears HJR 133 and on that, the Chair recognizes the Gentleman from Will, Representative Meyer. Proceed, Sir."

Meyer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Joint Resolution 133 provides that a blast task force be formed to evaluate the affects of blast-induced vibrations on landfills needed to limit ground vibration from blasting at quarries to prevent damage to those landfills. The need for this comes out of the fact that in my district, we have one of the very few quarry/landfill combinations in the entire country where we have adjacent to an existing, working quarry, we have a landfill that is just about to close and there is concern as the quarry operation moves closer to the landfill that the integrity of the clay liner that the landfill sits on could be damaged and the leachates would then filter down into the water source, the water table of the area. The water table in that area actually has been traced from Wisconsin flowing Southward through the Bolingbrook area and around into Indiana. So, it's extremely important to millions of people in this state that we make sure that, that landfill does not fracture and leak down into the

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existing water table and I'd appreciate your support."

Speaker Johnson, Tim: "On the Resolution, the Chair recognizes the Gentleman from Washington, Representative Deering."

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

Speaker Johnson, Tim: "Indicates that he will."

Deering: "Representative, will this task force look at these problems, or potential problems are concerned statewide?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "As I indicated, Representative, it's very specific in terms of looking at the relationship between a quarry as it would at blasting and the quarry, how that would affect a landfill that would be adjacent to it. It does affect people statewide because again, the water aquifer that lies underneath the landfill that is the subject matter here, actually flows Southeast away from Bolingbrook and towards the Indiana boarder and it would be important for us to understand it. I might add that the task force as it's proposed here in this Joint Resolution has been completely agreed to by the Department of Mines, the IEPA, the Governor's office, the, the group that represents the aggregate miners and a great deal of work has been put into place to get this Resolution before you."

Speaker Johnson, Tim: "Representative Deering, further inquiry? Representative Deering."

Deering: "Thank you, Mr. Speaker. I noticed in the task force, Representative, Representative, I noticed in the task force, you allude mostly to the aggregate industry in the quarries. Now, will this pertain also to the mining industry, the coal mines in Southern Illinois, Central and Southern Illinois?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Again, Representative, this does deal with the aggregate

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mining and that's why we put it in there. I know of no instance where there's a landfill adjacent to a coal mine, but this does cover aggregate mining as it affects the quarry and it's very specific because of the potential fracturing of that landfill liner that we need to understand how the blasting would affect it."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Why do we want to give the task force the authority to go in and inventory the Illinois quarries? Now, are you talking about inventorying equipment or are you talking about inventorying the ownership of land or the ownership of mineral rights and their proximity as to landfills or potential, future landfills?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Inventorying and, I believe you're probably speaking of paragraph four on the second page. Is that correct, Representative?"

Speaker Johnson, Tim: "Representative Deering."

Meyer: "In that case, what we're talking about is to, by inventorying the quarries is to take, to understand the number of quarries which are located next to, or adjacent to landfills. Again, the part of mining is not aware of other landfills outside of this area that, where they might be located adjacent to the quarries. And again, they need to understand what the problem is with it and see how significant it is in terms of other parts of the state. So, it wouldn't actually be inventorying equipment or anything, it would just be inventorying the number of instances where you have a landfill sitting adjacent to a quarry."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Yes, Representative. Will there be any authority

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granted this task force, or will there be any authority granted in any legislation that may come out of this task force that could close any current operations down because of potential hazards or dangers to a land fill?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Representative, I believe that the language of the Resolution indicates that through the rules and regulations of the Department of Mining that it would possibly be able to limit the amount of, the level of blasting. Last year, we passed legislation which put control of writing the rules and regulations for blasting in the hands of the department and it's at that point that they became aware that there was an instance where we had a landfill adjacent to a quarry. And when I talk about, Representative, being adjacent, I think it's important for you to understand that we're looking at the end of the quarry being where you stand and the actual landfill starting where the back wall is. It's that close to it."

Speaker Johnson, Tim: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you. Will the Gentleman yield?"

Speaker Johnson, Tim: "Indicates that he will."

Mautino: "Representative, on the, I was just looking at some of the members that you have on this task force, that you're setting up. Is there going to be any staff involved on this or are you going to have, do you have a budget set for this as well, for the task force? Are these reimbursable positions?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Representative, line 31 and 32 of the second page indicates that the members of task force will serve without compensation. Line 28 on the first page, all the way down

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to line 4 on the second page deals with the membership of the task force. Those departments estimated that they could take this type of workload on without additional funds or funding for the task force personnel, just using the current time that they're working in their jobs as a part of performing the tasks of the task force."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "Okay, do we have, I don't have any listing on this. Is there any opposition, who is in favor of this to start off with? Who is in favor of the Resolution?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Representative, all the entities that are named, and I'll just go through them for you. I realize you don't have that in front of you, perhaps. The task force would be made up of two representatives from the office of Mine and Minerals. One of which would serve as a chairman, two representatives from each of the following; the Environmental Protection Agency, the State Geological Survey, the State Water Survey, the Waste Management Industry, the Aggregate Mining Industry and two members from the public, and my understanding, working with the department is that all of those entities are in favor of this task force. What we're dealing with, extremely important information that's necessary for us to protect the health and safety of the people of this state, to make sure that we understand exactly, what's going on with blasting in relationship to the clay liners on the landfills that might be located adjacent to them."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "Mr. Speaker, I apologize, over the noise in the chamber, I wasn't able to hear part of the Gentleman's response."

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Speaker Johnson, Tim: "Okay. We'll try it the third time. Will everybody please give their attention to Representative Mautino, Representative Meyer, so that we can hear the questions and answers? Proceed. If you want to restate the question and have Representative Meyer restate the answer, that's..."

Mautino: "I have most of the answers on here. Did you say the aggregate Mining Industry is in favor of this task force?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Yes, as a part as putting this Resolution together, they were communicated with and they participated in the dates and determining the fact that they would participate."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "How many meetings are you expecting to have on this? I guess the reason I'm asking, the most important question is, is the Senate going to act on this?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Yes, this is a House Joint Resolution. Senator Dillard in the Senate is waiting, hopefully not with 'bated' breath, because he might be kind of blue by now. But, he is waiting to receive this so that he can get it out of Rules, which he sits on that committee there and vote on the floor in the Senate."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "I would hope that they would take some action on it, because if they don't, then we're talking about Veto Session sometime in November, and it you've got a report back date to the General Assembly of June 1, that's going to give you a very short time frame in which to get these answers. Thank you."

Speaker Johnson, Tim: "The Gentleman from Effingham, Representative Hartke, proceed."

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

Speaker Johnson, Tim: "Indicates he will."

Hartke: "Representative Meyer, is the Illinois Aggregate Producers Association on board with this Resolution?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "Yes, Representative, they are."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Well, I noticed there were just two members that were involved in this and there was some concern in the blasting legislation a year or so ago, that they maybe have to reveal what is known as trade secrets as they blast and so forth. Will this affect that at all?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "No, I wouldn't anticipate that this does. What it is going to do, well, what I believe it will do is to allow them to, allow this task force to evaluate the proposed regulation as it's been put forward through the legislation from a year ago, to make sure that the amount of blast of feet per second, or inches per second, whatever that measurement was, does not actually damage the clay liner of the landfill. That's primarily what they're looking at. Whether they have to divulge how they set their charges in terms of achieving the maximum efficiency and thereby, saving money, I can't believe that they wouldn't want to share some of that or it doesn't get shared just because of the measurements and things that they have to talk about when they do the blasting. But this is not, the purpose of the legislation is not to require them to divulge those types of trade secrets, if that's what they are."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Thank you, thank you very much for those answers. With that understanding that it will not inhibit them in any

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way, or restrict them in any way, or require them to divulge some of those things, well, I'll stand in support of your legislation. They are in support of this Resolution, correct?"

Speaker Johnson, Tim: "Representative Meyer."

Meyer: "That's what I have been told and I know that the owner of the quarry that is involved in this one is in favor of it, and their association, I'm not sure what it's named off hand, but they have been communicated with and they actually involved the owner of the quarry in terms of looking at this and agreeing to it."

Speaker Johnson, Tim: "The Gentleman from Will, Representative Meyer moves for the adoption of HJR 133. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 115 voting 'yes'; 0 voting 'no' or 'present', and a HJR 133 is adopted. Supplemental Calendar announcements, Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #4 will be distributed. Attention Members, Committee Notices. Rules Committee will meet at 6:45 in the Speaker's Conference Room. Rules Committee will meet at 6:45 in the Speaker's Conference Room. The Judiciary for Criminal Law Committee will meet immediately upon adjournment in Room 114. Judiciary for Criminal Law will meet immediately upon adjournment in Room 114."

Speaker Johnson, Tim: "Proceeding on Supplemental Calendar #2 under the Order of Resolutions, appears House Resolution 132 and on that, the Chair recognizes the Lady from Cook, Representative Wojcik."

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

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Resolution 120 congratulates the Alexian brothers on their 130th anniversary in Chicago. I happen to be a trustee."

Speaker Johnson, Tim: "Representative Wojcik, you may want to relook at the number."

Wojcik: "Oh, we changed it, okay. I have two of them, alright. House Resolution 132 has been a request from a constituent in my district. They're going to have a special week in Schaumburg and it's honoring 200 thousand Illinoisians proudly served their country in the Korean War. They want a, they would like to have a tribute to the Korean War Veterans and they would like to have the week of July 29 through August 4, 1996, designated Korean War Ex-POW week in Illinois."

Speaker Johnson, Tim: "Any questions on the Resolution? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. My light was actually on before you called this Resolution. I just simply wanted to let you know that we're very astute on this side of the aisle, and we heard you say there was going to be a committee meeting after adjournment today, so we're going to conclude, Sir, that there is no budget, we're not ready to go home and we'll be ready to do the people's business tomorrow."

Speaker Johnson, Tim: "To the Resolution. Thank you, Sir. Any further discussion on the Resolution? Seeing no discussion, Representative Wojcik to close."

Wojcik: "I would just like to thank the Members of the House and Mr. Unger would be very happy to know that this is going to pass. Thank you."

Speaker Johnson, Tim: "Representative Wojcik has moved for the adoption of HR 132. Those in favor say 'aye'; those

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opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and HR 132 is adopted. On the Order of Supplemental Calendar #4, Resolutions, appears HR 120 and on that, the Chair recognizes the Lady from Cook, Representative Wojcik."

Wojcik: "Now we're back to the right Resolution. Ladies and Gentlemen of the House, I happen to be a trustee with the Alexian Brothers Hospital and they have celebrated their 130th anniversary and therefore, I felt that a Resolution would be a great tribute to a wonderful group of people and a wonderful profession, so I just ask your favorable passage."

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

Lang: "Excuse me. Parliamentary Inquiry, Sir."

Speaker Johnson, Tim: "State your inquiry."

Lang: "Thank you. Do not our new rules that brought such light to the process, indicate that we're no longer doing these Congratulatory Resolutions, Sir?"

Speaker Johnson, Tim: "The Rules Committee, Sir, has approved this for consideration. It's the only consideration that the Chair is able to entertain. If you have further inquiry, state your inquiry."

Lang: "Well, the Rules Committee cannot overrule the House Rules, Sir, without a vote. Now, if we no longer allow Congratulatory Resolutions no matter how well-meaning and how valuable this one may be. I recall the Speaker of the House and the Majority Leader, both discussing how this is going to save us several hundred thousand dollars not doing these things. Should we now assume that it's several hundred thousand minus a few thousand that we're going to save?"

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Speaker Johnson, Tim: "I would suggest you pose your inquiry to Representative Barbara Currie, for whom we did a similar Resolution earlier today. Representative Lang."

Lang: "If we did a wrong thing for Representative Currie, I'm sure she'll apologize. The question is whether our House Rules allow us to do this and I've asked for a Parliamentary Ruling on that."

Speaker Johnson, Tim: "Representative Lang, we intend to proceed with the Resolution. On the Resolution, the Chair recognizes the Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Wojcik, I would like to congratulate you on your Resolution, but my concern is that I too, have a Resolution and it's House Resolution 111 and it's been kind of stuck in Rules..."

Speaker Johnson, Tim: "Representative Flowers, to the Resolution, please."

Flowers: "Well, I was just wondering if I can have my Resolution heard since Representative Wojcik has had two Resolutions?"

Speaker Johnson, Tim: "Representative Wojcik has moved for the adoption of HR 120. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and HR 120 is adopted."

Clerk McLennand: "Resolutions. House Resolution #136, offered by Representative Capparelli. Refer to the Rules Committee."

Speaker Johnson, Tim: "Supplemental Calendar #4, the Order of Conference Committee Reports appears House Bill 2529. And on that, the Chair recognizes the Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. I ask for the passage of Conference Committee Report #1 on House Bill 2529. There was a small technical Amendment. The Bill should have went

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on here yesterday on concurrence that Representative Andrea Moore requested and we sent this to a Conference Committee to eliminate one word. Both staff have signed off on this report and I ask for a favorable vote."

Speaker Johnson, Tim: "Is there any discussion? On that, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Saltsman, you indicated that there was a provision in the Conference Committee Report at the request of Representative Moore. Is Representative Moore, could she answer our questions on that particular provision?"

Speaker Johnson, Tim: "Representative Saltsman."

Saltsman: "Yes, I met with her and showed her the change and she was satisfied with it."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Could yourself or Representative Moore briefly describe the provisions, how they relate to voting, going from unanimous to 2/3 vote on those matters? I believe that was at the request of Representative Moore."

Speaker Johnson, Tim: "Representative Saltsman."

Saltsman: "Yes, it takes a unanimous vote at this time for this program to issue these permits and licenses for a district that is between 500 thousand and 750 thousand people and what this would do, it would eliminate the word 'directly', because some other agencies come in there to have different events and at that, they still need a license to do that. So therefore, all that this does is allow them to do what they're doing now at the present time. She was scared the word 'directly' might have stopped some of that program."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "And again, this is at the request of Representative

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Moore, so you're trying to assist her in her efforts. Thank you, Representative Saltsman, one more question. Does Representative Moore have her ethics package in this Conference Committee?"

Speaker Johnson, Tim: "To the Bill, Sir."

Granberg: "Mr. Speaker, that's a question. Does Representative Moore have the ethics package in this Conference Committee, because I don't believe it's been called in the Senate as of yet, unless Representative Moore would like to address that."

Speaker Johnson, Tim: "Representative Saltsman."

Saltsman: "No, this is more serious business than that. We want this one to pass. That was not going to go anywhere and I don't want it on my Bill, because then my Bill wouldn't go nowhere. I want this Conference Committee out of here, so let's not ask that question anymore on this one. Get her on another Bill. Let this one alone."

Speaker Johnson, Tim: "Representative Granberg, further questions? On the Conference Committee Report, the Gentleman from Vermilion, Representative Black. Representative Black."

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

Speaker Johnson, Tim: "Indicates that he will."

Black: "Representative Saltsman, in the underlying Bill, it gave some powers to counties to regulate poles and other, and utilities and cable television, has that been completely removed?"

Speaker Johnson, Tim: "Representative Saltsman."

Saltsman: "Amendment #1 in the Senate removed that. The counties and the telecommunications people of those towers are going to discuss that this summer. It's been removed."

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Speaker Johnson, Tim: "Representative Black."

Black: "Thank you very much, Representative. Thank you, Mr. Speaker."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2529'? 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 116 voting 'yes'; 0 voting 'no', and 1 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 2529, and this Bill having received the requisite Constitutional Majority, is hereby declared passed. On the Order of House Calendar Supplemental #4, Resolutions, appears House Resolution 133 and on that, the Chair recognizes the Gentleman from Cook, Representative Goslin, proceed."

Goslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 133 creates by Resolution, a task force that studies the issues affecting the townships of Suburban Cook County and the collar counties. The task force shall consist of 10 members. Six to be appointed by the Speaker of the House and four to be appointed by the Minority Leader, with the chairperson also appointed by the Speaker. Provides that the task force shall hold four hearings in Suburban Cook and the collar counties and shall submit a full report to the General Assembly by November 1, 1996, in providing solutions to address problems raised at the hearings. I'd entertain any questions."

Speaker Johnson, Tim: "On that, the Lady from Cook, Representative Flowers."

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Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Again, I would like to congratulate you, Sir, on your task force Resolution, but I would like to say, Mr. Speaker, that I have House Resolution 111 and..."

Speaker Johnson, Tim: "Representative Flowers, please address the Resolution before you. On the Resolution, the Gentleman from Bureau, Representative Mautino, proceed."

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

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

Mautino: "If we could give Representative Mautino and Goslin your attention. Representative Mautino, proceed with questions on House Resolution 133."

Mautino: "The Representative, I believe, has time left on her. I'd like to yield my time..."

Speaker Johnson, Tim: "To Representative Flowers? That's in order. For purposes of discussing House Resolution 133, the Chair recognizes your request to yield your time to Representative Flowers. Representative Flowers, proceed."

Flowers: "Well, Mr. Speaker, my Resolution is House Resolution 111, and it has nothing to do with his Resolution, so I would move to change the order of business, Sir, to address my Resolution because it's been there for such a very long time and this is a very important Resolution, Sir."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "We're dealing with the issues of the state."

Speaker Johnson, Tim: "Representative Flowers, if you wish to change the order of business, our rules provide that you may do so by filing a written motion, and if you want to do that, proceed, but we're now in the Order of House Resolution 133. And on that, the Chair recognizes the Gentleman from Washington, Representative Deering."

Deering: "Thank you, Madam Speaker. Will the Lady yield?"

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Speaker Johnson, Tim: "It's Mr. Speaker, but proceed."

Deering: "I'm sorry. Thank you, thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Johnson, Tim: "The Gentleman will yield, yes."

Deering: "Representative, how does this Resolution differ from the task force that Representative Bost has had for some time, dealing with Township Government?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "This Legislation, Representative, is for the, for Cook County and the collar counties only. Representative Bost would be for the rest of the state."

Speaker Johnson, Tim: "Representative Deering."

Deering: "What is the context of the Resolution? What are we studying? What are we looking after?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "Representative, I have the honor of serving my township as supervisor for the last 12 years. There are a number of issues in urban Illinois that are quite different from rural Illinois. As an example, in Cook County, we are required by law to elect collectors, yet the collectors have no responsibilities or duties. I think one of the things we'd like to recommend to Legislature is whether that position should be eliminated or it should be reinstated."

Speaker Johnson, Tim: "Further questions? Mr. Clerk, I understand a motion is filed, could you please read the motion?"

Clerk Rossi: "Representative Flowers has filed a motion and moves to change the order of business to consider House Resolution 111."

Speaker Johnson, Tim: "Rules Committee. Further discussion on House Resolution 133, Representative Deering."

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Deering: "Before I, before I ask another question, an inquiry of the Clerk. I understand that this Resolution is not on the system. Is that correct?"

Speaker Johnson, Tim: "It's the Chair's understanding that the Resolution is on the system and we'll confirm that with the Clerk. Mr. Clerk."

Clerk Rossi: "The Resolution is on the system."

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

Deering: "Representative, again I ask you, I don't think you answered the question, I know you're, it's for the Northeastern portion of the state. What are you trying to do that's different than the task force that has been working on a Township Government for the last year and a half that Representative Bost and several of us have been working on? What are you trying to do differently?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "I'm trying to address issues, Representative, that are specific to urban Illinois. That are specific to Cook County and the collar counties."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Will one of these hearings be held in Northfield Township?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "There would be four hearings and I would be delighted to host one."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Has the previous task force that has been conducting business, has it not had hearings or taken testimony in other areas of the state that would have dealt with urban or suburban townships?"

Speaker Johnson, Tim: "Representative Goslin."

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Goslin: "Representative, I'm only addressing this task force for urban Illinois."

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

Deering: "Yes, Mr. Speaker. It seems to me that while members of the other task force dealing with Township Government, we met and worked with the township officials in several portions of the state up to and including your area of the state. Do you think that this is not a dilatory Resolution? That maybe, maybe we could bypass at this portion of the time and wait for the other findings come out of the other completed task force?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "No, Representative. I think that we need to revolve the issues of township urban government."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, thank you, Representative. My seatmate here, Frank Mautino and I, we've been talking about this and we think that this is just a dilatory process and I think we could better serve the public doing other matters of important business at this point in time and, Mr. Speaker, I request a Roll Call vote on this Resolution."

Speaker Johnson, Tim: "Your request is granted. On this, the Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Johnson, Tim: "Indicates that he will."

Hartke: "Representative Goslin, House Resolution 133, in the debate here, I heard you say that this refers to problems in your township with your assessors. Is that correct, possibly?"

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Speaker Johnson, Tim: "Representative Goslin."

Goslin: "No, I never said anything about the assessors. I was talking specifically about the collector in Cook County."

Speaker Johnson, Tim: "Further questions?"

Hartke: "Do you have assessors in your township?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "Yes, we do."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "What function do they serve?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "Whatever function is prescribed by law for assessors in Cook County, which is a little bit different from assessors in the rest of the state, as you know."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Could you explain those duties of the assessors in Cook County Township?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "Those are the kinds of things, Representative, that I like to see brought out at the task force hearings, specifically discuss the duties of various township officials in the urban Cook County area."

Speaker Johnson, Tim: "Further questions, Representative Hartke."

Hartke: "Well, it's my understanding that assessors in Cook County have no duties. Those duties have been usurped to the Cook County assessors. Is that correct?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "They do not assess property. No, they do not."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Then why are they called assessors?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "That's up to the General Assembly. It's a statutorily created unit of government."

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Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Another question, did you vote for House Bill 375,
Conference Committee Report #1?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "Representative, I don't know, when was that?"

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "For your information, that was the anti-Tom Lyons Bill.
Did you vote for it or did you not?"

Speaker Johnson, Tim: "Give the Gentlemen your attention.
Representative Goslin."

Goslin: "Representative, yes, I did vote for that Legislation."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Did you say you did or did not vote for that?"

Speaker Johnson, Tim: "Representative Goslin."

Goslin: "I did."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Well, I guess you perceive a problem then, with township
officials and so forth, looking at some of the problems,
but yet you were ready to eliminate many of those from the
political process with your other vote and now, you want to
form a task force looking at township government and
Representative Deering indicated that we had hearings
across the State of Illinois dealing with this issue and
now, you want to just redo some things. I agree with
Representative Deering, that we ought to absolutely vote
'no' on this because it's really very redundant that we're
doing it all over again. Thank you."

Speaker Johnson, Tim: "Representative Goslin. No questions? The
Chair recognizes the Gentleman from Tazewell,
Representative Ackerman."

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

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Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' The in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Goslin has now moved for the adoption of HR 133. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 voting 'yes'; 55 voting 'no', and HR 133 is adopted. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report from Representative Churchill. Chairman for Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 22, 1996. Reported the same back, 'do approve for consideration', to the House Floor House Joint Resolution #81, Conference Committee Report #1 to House Bill 3436, Conference Committee Report #1 to House Bill 545. To the order of non-concurrence, Senate Bill 350 and Senate Bill 1490."

Speaker Johnson, Tim: "Representative Leitch has asked me to announce that a quarter was dropped in the hallway and someone may want to reclaim the quarter. Is it yours, Representative Lang? Representative Lang, for what purpose do you rise?"

Lang: "Thank you. Mr. Speaker, now that we know that we have no budget today, and now that we know we're not going home today, and now that we know that nobody knows what the heck is going on with the budget on both sides of the aisle, and since we're going to be here tomorrow..."

Speaker Johnson, Tim: "Representative Lang, you're not recognized for that purpose. For what purpose do you rise?"

Lang: "It's just an inquiry, Sir. We would like to know..."

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Speaker Johnson, Tim: "Is this a Parliamentary Inquiry? Then state your..."

Lang: "You could ask the Parliamentarian this question, if you wish. The question is, can you enlighten both sides of the aisle as to what's happening with the budget, Sir?"

Speaker Johnson, Tim: "That's not a proper Parliamentary Inquiry. Now, proceeding with the business of the House, House Calendar, Supplemental Calendar #4, on the Order of Conference Committee Reports, appears House Bill 3157 and on that, the Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report #1 to House Bill 3157 is taking a number of the obsolete and duplicated laws that we'd worked on three other Bills, put them together into one Conference Committee Report and it has been signed by both Members or by both sides of the aisle in both chambers and I'd appreciate a favorable roll call."

Speaker Johnson, Tim: "On House Bill 3157, the Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Well, thank you so much, Mr. Speaker. Will the Sponsor yield?"

Speaker Johnson, Tim: "Do you wish to reclaim your quarter? I have the quarter here, Representative Lang."

Lang: "Will the Sponsor yield, Sir?"

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

Lang: "Thank you. This isn't the State Budget, is it, Sir?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "No."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Because, I notice that you're repealing Section 17 of the Apple and Peach Marketing Act and we were wondering if

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that's going to be your vehicle to adopt a State Budget.

It isn't? Because, it is the pits, so I was wondering."

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "No, and I do not anticipate it would have anything to do with riverboat gambling, either."

Speaker Johnson, Tim: "The entertainer from Cook, Representative Lang, proceed."

Lang: "Well, thank you. Representative, let me ask you this, haven't we already passed all this common sense stuff? Why are we doing this again?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "Well, one theory is to keep us in practice in regards to common sense but, yes, we have passed all of this in Senate Bill 454, Senate Bill 675, and House Bill 3157. It's been over in the Senate, and what we've worked out with the Senate is the agreement that we're going to combine it all into one Conference Committee and take it all into one vote and pass it to the Governor's desk."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, is the Governor trying to save ink? I mean, can't he sign three Bills? We already passed three Bills that do all these same things. Why do we need to pass a fourth Bill to do this?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "Neither of those three Bills have gone to the Governor's desk and we're going to roll it all into one and make a shot at it this way."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, one of those Bills was a Senate Bill that came over here. Once we passed it, didn't it go to the Governor?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "Actually, Representative, two of them were Senate

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Bills and we amended them and they've gone back over to the Senate."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Oh so, we had a little more common sense than the Senate, we added some more of those provisions? Perhaps, they didn't have the Fresh Fruit and Vegetable Marketing Act in there, or some of these other very important items that we need to deal with. Was that the problem?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "No."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, why can't you and your Senate Sponsor get together on the common sense issues here?"

Speaker Johnson, Tim: "Representative Rutherford."

Rutherford: "We have and that's why we have a Joint Conference Committee here that the Senate has concurred, or the Senate has signed off on as well."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So, we have to go through this exercise a second, a third, a fourth time? If Session goes another week because the budget isn't ready, will we see this again?"

Speaker Johnson, Tim: "Representative Rutherford, do you wish to respond?"

Rutherford: "I would hope that we could have common sense prevail continually here in this chamber and if we do go into Session another week, perhaps you and I could work together and find additional common sense language to come forward."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Seems to me, the only real common sense would be a Motion to Adjourn, but I'll support your Conference Committee Report, Sir."

Speaker Johnson, Tim: "The question is, 'Shall the House adopt

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Conference Committee Report #1 to House Bill 3157. 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'; and 0 voting 'present'. This Bill, having received the requisite Constitutional Majority is hereby declared passed."

Clerk McLennand: "Supplemental Calendar #5 is being distributed."

Speaker Johnson, Tim: "The Gentleman from Effingham, Representative Hartke, for what purpose do you rise?"

Hartke: "Well, I filed a Motion. Is that in the Clerk's hands? I move to reconsider the vote by which House Bill #270, Conference Committee Report #2 was adopted. And, being on the prevailing side, I have the right to call for that Motion."

Speaker Johnson, Tim: "Thank you, thank you, Representative. And on that, the Chair recognizes the Gentleman from Champaign, Representative Winkel."

Winkel: "Mr. Speaker, I move to table the Motion."

Speaker Johnson, Tim: "Your Motion is in order. Both Motions are in order and your request for a Roll Call is granted. Representative Winkel, the Gentleman from Champaign is moved to table Representative Hartke's Motion to reconsider. All in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 voting 'yes'; 53 voting 'no'; 0 voting 'present', and Representative Winkel's Motion to table, prevails. On the Order of House Calendar Supplemental #2. Ladies and Gentlemen of the House, could I have your

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attention? The Order of Resolutions, appears HJR 127 and even though it's the normal practice of the House to reserve these matters until adjournment, out of courtesy to several requests from this side of the aisle, the Chair will entertain now, HJR 127, and on that Resolution, the Chair recognizes the Gentleman from Cook, Representative Turner."

Turner: "Thank you, Ladies and Gentlemen of the Assembly. The Gentleman that we're memorializing now, the honorable Joe Gardner did not serve in this chamber, but his name is one that's well-known throughout the State of Illinois and throughout this country. Joe was a community organizer, started out at the Woodlawn Organization. He was an executive at Operation Push. Involved in numerous community organizations. He served as an elected official, most recently, on the Water Reclamation District. Joe was 50 years of age when he passed away. An inspiration to guys like myself because Joe and I worked on numerous issues during my political career here, but more importantly, Joe was a major figure and player in terms of believing in community redevelopment and community organizing. Many of you know Joe ran for Mayor. It was one of his most recent political attempts. An office that many who said when Joe was getting ready to run, that he should not and he should leave it alone. Joe's attitude was, the time was right, the time was now. He had a platform that he thought was the people's platform, developed by the people. And, he was just, as I said, a genuine person, a role model for young, aspiring politicians. Not only in the city, but throughout the entire United States. He leaves behind a family, a young family and many in the City of Chicago for the last four or

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five days have reflected on Joe's memory. He's one who will always be remembered and I just ask that all Members of the Assembly be added to this Resolution."

Speaker Johnson, Tim: "With leave of the House, all Members will be added as Cosponsors to the Resolution. And on the Resolution, the Chair recognizes the Lady from Cook, Representative Lou Jones."

Jones, Lou: "Thank you, Mr. Speaker. I think Representative Turner said it all. Joe was a good friend to a lot of people. He was one of my best friends. Two weeks ago, I lost my brother, one of my favorite brothers, and I feel that I lost another brother when Joe Gardner passed. Joe called me the night before my brother's funeral. He called me from the hospital to give me his regrets for not being able to attend my brother's funeral. He was very weak and just the thought that he would pick up the phone knowing that he didn't have very much time left. I'm very fortunate because three months ago, Joe summoned 17 people to his home, and I happened to be one of those 17 people that he thought he wanted to talk to and explain what his sickness was. I felt very good that he thought of me in that light and we went down there that night and Joe told us that he had cancer. It was very sad. He was very upbeat. He said he had made his peace and that he was, that Monday, he would be starting his treatments and that only the Man upstairs knew how long he actually had. About a week and a half ago, he called me and told me that the doctors had said there was really nothing else that they could do but he still felt that, that was not the doctors' decision, and he passed away very peacefully in his sleep. And I feel that I lost a very good friend. When I decided to run for State Representative, Joe Gardner was the person

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that handled my campaign and from that point on, we were very close. The families were very close. He was a very outgoing person and a very lovable person. I remember one time, Joe came down here two years ago. I was carrying a piece of legislation for him and we were before that committee. And it made me feel real good because one of the committee members who was on the other side of the aisle spoke in committee to Joe and said he had worked with Joe, and what a grand person Joe was, and that made me feel real good. I will miss him. I will love him, and may God bless him."

Speaker Johnson, Tim: "On the Resolution, the Chair recognizes the Lady from Cook, Representative Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. Joe started out as a brash and energetic organizer for TWO, T.W.O., a community organization on the Southside of Chicago in one of the city's then, poorest neighborhoods. His brashness and his energy knew no bounds. They characterized his work as the director of the political education project for Harold Washington. His many important jobs with the City of Chicago and his work as an elected officer of the Water Reclamation District of Metropolitan Chicago. He had a special commitment to community. A commitment that never left him through all his years in public service and he had a very strong commitment to fair play. Fair play in education, in employment, in political participation. A 'can do' spirit. He was a man whose commitments to all of us and to the people of his own race, to people of different genders, to people who are in the, 'have not' sphere of our economy. He was a person who cared about inclusion and that spirit, I think lives on and will live on long after him. He was a

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breath of fresh air on the Chicago political scene. We will all miss him."

Speaker Johnson, Tim: "On the Resolution, the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. There was book I read when I was in college called, Real Men Don't Eat Quiche, and there was a joke in that book that I've used to shape my life ever since and it says, 'How many real men does it take to change a light bulb?' And it says, 'None, a real man's not afraid of the dark.' Joe Gardner was a real man and I say that because he was not only just a friend of mine, he was one of my ward committeemen. And for those of you who don't know what I've been through in the last year, last summer, my alderman, or one of my former alderman, I'll leave his name nameless, he's been widely reported in the paper, asked Joe Gardner to turn on me, to not support me. And Joe Gardner called me up and said, 'You know, Charles, I got a call from alderman 'nameless', and he asked me to turn on you.' And he said, 'Good buddy, I told him I couldn't do that because you were there for me, and I'm going to be there for you.' That speaks volumes about a person. You know, we all walk around with titles and we've achieved a lot in life and I'm going to say this to Joe Gardner's children. The only thing that any of us can leave to our children is our name in good standing. To the family of Joe Gardner, he has left your name in good standing. God bless the family of Joe Gardner."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Gardner is one of those gentlemen that

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Representative Turner just mentioned. He was a role model to many. He was definitely a role model to me. I was always impressed, the way he articulated the issues and was on top of every issue, and that's something I really took notice of in Mr. Gardner. But, what really impressed me about Mr. Gardner in '94 when I was campaigning, we went, we happened to show up at a function together and the place was packed and of course, it's a little older crowd and looking at me, most of the individuals in that place really didn't know me. They had heard of me, but they didn't know me. And so, Mr. Gardner walked into the place, and everybody knew Joe. He walked into the place, he said, 'Drinks on the house, on me.' And so, from that point on, after everyone got a little bit intoxicated, I was 'alright' and I didn't have to sell myself to everyone in there because Joe said it was alright. He's alright. And that's the type of guy that he was, truly. He was a consummate politician. He always had kind words for everyone. And from that time on, I had my secretary to call his staff person. I campaigned with Mr. Gardner quite a bit, but truly, he will be missed. The things he stood for, I will not forget and I would just simply like to say that I am sure that God is smiling down on him today. Thank you."

Speaker Johnson, Tim: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I met Joe Gardner a number of years ago. He was a community activist who would fight if he were all alone in an attempt to make things right. He led the boycott of Chicago Fest when he felt that the City of Chicago was being divided because of unfairness. It was successful. Joe Gardner's mother lives in my

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district. She's over 80 years old and a wonderful, delightful spirit. Joe Gardner worked diligently with and for the former Mayor, Harold Washington. And I think if I can learn one thing from him, that is even if you stand totally alone and you know you're right, continue to stand and perhaps eventually, some others will begin to see the light. Joe has made a tremendous contribution to our city, to our state, and if you look at his resume, he was only 50 years old and yet, he accomplished all of those things. To his family, to his friends, I'd like to say Godspeed and we're very grateful and blessed to have known him. Thank you."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I got the opportunity to meet Joe Gardner when he campaigned countywide, for county office. And we, when you're campaigning a place like Cook County which we all know is a massive, massive county, you don't get a chance to meet, you meet a lot of people but you don't get a chance to know them well. We run in districts that are about 90 thousand and I think we all begin to know people. What always struck me about Joe Gardner was in an era of media politics, he was truly a grass roots politician. He would move from place to place and he knew people, and he was a guy that you could just sense. He just enjoyed being with people. And he, and I think when you looked at his accomplishments as an organizer, and I think in great part he was, he was in great part I think, responsible for Harold Washington's success, because he was a great grass roots politician. And I think that any of us would love to have that legacy of being able to know that when we've left

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this place, that the people who we've served really knew us and appreciated the work that we did. And I think that's something that can be said about Joe Gardner. My family's always supported his campaigns because he always remembered, you have to keep going back to the well and asking. And that to me is not only the great sign of a good politician, but a smart politician. Mr. Speaker, on behalf of Republicans, we join in wishing him Godspeed and bless his family."

Speaker Johnson, Tim: "The Lady from Cook, Representative Jones has moved for the adoption of HJR 127. Those in favor, signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and HJR 127 is adopted. The Chair would like to recognize the modified presence of a former colleague, Representative Lee Preston in the gallery. Welcome to Springfield. Ladies and Gentlemen of the House, Ladies and Gentlemen of the House, on House Calendar Supplemental #5, under the Order of Nonconcurrency appears Senate Bill 350. And on that, the Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. I move to, refuse to recede from House Amendments 2 and 3 to Senate Bill 350. Both of these, these are the two Amendments relating to the ICC, controlling interconnected rail crossings and to the 800 number. That is Amendment #2. Amendment #3 deletes language that is in #2 relative to liability. The Senate Bill 350 with Amendments #2 and 3 passed this House on a vote of 115 'ayes' and 0 'nays'. Although, there is not agreement amongst all of the parties on the issues I just referred to, there is unanimous support for keeping this Bill alive by requesting a Conference Committee so that we can continue to negotiate out the remaining issues. Urge a

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motion to, I urge approval of the motion and request a Conference Committee be formed."

Speaker Johnson, Tim: "On this important issue, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Johnson, Tim: "Give Representative Granberg your attention. The Lady indicates she will yield. Proceed."

Granberg: "Representative Hughes, earlier today, you indicated to me that there was some concern about the provision on crossing a railroad and about the fines that were to be imposed and there was some opinion that this was a new fine. It has come to my attention that is not the case, so that concern might not be rightfully founded. So, is that one of the reasons we're throwing this into conference?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Representative, that conversation related to another Bill, not this Bill."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "And so, the purpose of this, Representative, is to continue the negotiations on this issue to allow you some more, some opportunity to reach a consensus and that would be the sole purpose of the Bill, the Conference Committee?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Precisely."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Well, thank you, Mr. Speaker. I, I would ask this side of the aisle to go along with Representative Hughes and what she intends to do here and I think the House should take immediate action so we can get this done right away so we can hurry up and wait for the next hour and a half."

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

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

Speaker Johnson, Tim: "Indicates she will."

Lang: "Representative, I missed your explanation of what's in House Amendments 2 and 3. Could you briefly tell us?"

Speaker Johnson, Tim: "Representative Hughes, an explanation of the two Amendments."

Hughes: "Amendment #2 contains language providing for the ICC to be the agency which regulates interconnected rail crossings. Amendment #3 deletes the last few lines of Amendment #2, which contained language indemnifying rails and state agencies from liability regarding the proposed 800 telephone numbers."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Is the Senate opposed to these Amendments, or is this just your method to get in into a conference?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "I believe that the action of the Senate was due to the opposition of Senate Bill 350 as passed the House by the Governor, the ICC, and IDOT because there is not an agreement. Therefore, they refuse to concur. At this point, all of those parties wish to continue negotiating and in order to do so and have a Bill for the resulting agreement, I wish to refuse to recede, keep this alive, form of Conference Committee."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Do you think this would be a good time then, to start the debate about seat belts on school buses as long as this Conference Committee will be open?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "This time, no. I believe we will have an opportunity

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for that at a future date."

Speaker Johnson, Tim: "Representative Lang."

Lang: "You'll recall that Speaker Daniel's daughter was on the House Floor not too long ago and spoke in favor of seat belts on school buses. Don't you think we really should start talking about this, Representative?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "I do recall that and I do believe we will be discussing this in the future, but not on this Bill."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, I'll support your motion but I'll just wait breathlessly waiting to see this debate take place on the seat belts on school buses. I don't really think we ought to disappoint the Speaker's daughter."

Speaker Johnson, Tim: "Without further discussion, the Lady from McHenry, Representative Hughes has moved that the House refuse to recede from House Amendments #2 and 3 to Senate Bill 350. Those in favor say 'aye'; those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendments #2 and 3 to Senate Bill 350, and the House request that a Conference Committee be appointed. Proceeding on House Calendar Supplemental #5, under Conference Committee Reports appears House Bill 3436 and on that, the Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Conference Committee #1 for House Bill 3436 contains a number of provisions. Only one of which has created any controversy at all and that was Senate Amendment #4 regarding the addition of some words applying to pedestrians and vehicles traversing rail crossings when there are warning signals in action. The law as it stands today, refers to trains, the approach of a

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railroad, the approach of a train. Because of some complaints of local police officers in enforcing this traffic code violation, in stating that judges are not imposing fines for these violations because they are interpreting narrowly the term 'approach' not to apply to a situation when although the train is approaching the intersection, it is departing from the station. The concern expressed by Representative Black, Representative Hartke and others in regard to this Amendment has to do with malfunctioning vehicles, malfunctioning signals which are not addressed in an expeditious manner, tying up traffic for those who wish to obey the law and not be fined for diverting around those signals. This language does not solve that problem. I have pledged to Representative Black and Representative Hartke, to work with them, to work with the ICC in developing language to address those legitimate concerns about this traffic ordinance and malfunctioning signals and to do so with the hopes that we will have an Amendment to a Bill in Veto Session to correct and address their concerns. That is the only portion of this Bill that has not passed unanimously both Houses. The Conference Committee restores that Amendment to the Bill with my word that we'll work on the concerns of downstaters and it adds two new provisions. One has to do with the Local Government Debt Reform Act and it is merely a clarification of that Act by adding to those local governments enumerated forest preserve. No, fire district, fire district. Noncontroversial, does not change any laws in any way. Simply, adds the words 'fire district'. The second addition to this Conference Committee Report has to do with under-insured motorists and settlement of claims stating that the insurance company will not withhold settlement

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payments for the portion they owe while there is a dispute over the amount for which there is no insurance. This is a measure which will benefit the insurees. There is no opposition to this element of the Bill. I would urge a 'yes' vote on this Conference Committee Report."

Speaker Johnson, Tim: "On the report, the Gentleman from Effingham, Representative Hartke. Proceed."

Hartke: "Well, thank you very much. I appreciate the Sponsor's willingness to work with us in the summer to come up with some language that you know, Representative Black and I disagreed with, that Amendment #4. But, I have another concern as well you know, we had in this legislation. We had an issue that addressed the CDL, elimination for those agriculture farmers and so forth, who drive semis grain to the market and that also, was eliminated out of this Bill. Would the Sponsor be willing to work with us on that issue as well on this fall?"

Speaker Johnson, Tim: "She indicates she'll yield to a question. Representative Hughes. Give the Lady your attention."

Hughes: "I could not hear all of that. The CDL provisions for township temporary people is in this Conference Committee Report. Was that your question? I could not hear the end of it."

Speaker Johnson, Tim: "If we could have quiet in the chamber so Representative Hartke can restate his question and Representative Hughes can respond. Representative Hartke."

Hartke: "It's my understanding that the question of the CDL for township snow removal is also in this piece of legislation but eliminated from this Conference Committee Report, was the elimination of the CDL for those in the agriculture community as well. And the question was, will she be working with us this summer to address that issue, as well

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as the signals that are not working at railroad crossings?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Actually, that provision never was a part of this Bill."

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

Hartke: "Oh, yes it was. It could have been. It should be. No further questions. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support the Representative's motion. I spoke against Senate Amendment #4 in the Transportation Committee and was joined by Representative Hartke and others. The Sponsor has worked very hard and I think those of us downstate who do not have the problems that occur in some of the suburban districts have to realize that this does not create a new fine and it does not create any new penalties. This is a Public Act that went into effect July 1, and the Sponsor on both the House and the Senate have assured us that they will work with us to try and come up with some language that will not make this such an onerous provision in downstate where we might have a signal malfunction and now we of course, can't cross that without risk of \$500 fine. The Sponsor has indicated the seriousness of the problem where they have commuter trains and people are, in fact, being killed and injured. And so I, even though I did speak against it and vote against it in the Transportation Committee, I'm satisfied that we can get this worked out and that our suburban friends and neighbors need this provision to put a little teeth in an existing law. Therefore, I would ask my colleagues on this side of the aisle, particularly those who live downstate, support the Lady's motion and adopt

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this Conference Committee Report."

Speaker Johnson, Tim: "The Gentleman from Washington, Representative Deering. Proceed."

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

Speaker Johnson, Tim: "Indicates she will."

Deering: "Representative, I see we got this CDL exemption in this thing again. Tell me, what if I'm a township road commissioner and we get, we get 12 inches of snow, so it's declared an emergency and I have to have someone else out there helping me? My son's 17 years old, he is technically a part-time employee of the road district. Can I put him out in a truck and let him go out and plow roads, whether it's 12:00 in the afternoon, or 3:00 in the morning? Will he then be able to go out and work on the highways?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "It would be possible only if he had the appropriate classification license for the vehicle. Probably, a Class B license."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, what is the appropriate classification? I mean, it's my understanding that if I'm going to drive a semi, I have to have a CDL. If I'm going to drive for hire, I have to be 21 years old and I have to have a CDL. So, what classification do I have to have?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "The CDL was intended for driving for hire. This is not driving for hire. The, the individual with the CDL still has to have the Class B or C license and be tested for competency in driving the size or type of vehicle for which he is licensed."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, Representative, I think you're mistaken, because

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if I'm a farmer and I'm driving a semi for myself, technically that's not for hire and I have to have a CDL. I think that goes in line with this aspect here. I just want to make, I want to know why we're wanting to grant another exemption. If you have to have a CDL to drive for hire to drive on the highways, why don't we have to make it clear across the board you have to have a CDL?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "First of all, I said it was the intent of the CDL for driving for hire. And that was precisely the issue that the farm community raised in attempting to get its drivers exempted. This particular provision is 100% consistent with the federal exemptions as they stand and there is not opposition to it at all. It is a township officials' initiative and supported by them. There is no opposition to it by anyone."

Speaker Johnson, Tim: "Representative Deering."

Deering: "I guess then, Representative, you're calling me a nobody? Seems to me, I'm opposed to this. So, am I a nobody? Further question, Representative. What BAC limit comes into play with this exemption, should this be signed into law by the Governor?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Point 10. And, no you are not a nobody, Representative. I spoke carelessly. I meant no organization is opposed to this piece of legislation."

Speaker Johnson, Tim: "Give Representative..."

Deering: "Oh, I'm glad I said..."

Speaker Johnson, Tim: "Wait, wait, wait, wait. If we could give Representative Deering your attention. Representative Deering, proceed."

Deering: "I'm glad I stand clarified on that, that little

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question. Why are we going up to a three tiered BAC limit? I mean, current law says if you have, if you drive with a CDL, you can't drive legally if you're over .04. Now, we're going to let some fly-by-nighter go out here in the middle of the night and plow a road. A snow plow might mow over a half a dozen mailboxes or might hit some vehicles coming at them and they can, we can pull them out of the bar because it's deemed an emergency, but my local truck driver, who relies on CDL for his or her livelihood, who may have failed the breath test at .05, does not have a license, yet we're going to let other people out there. Why do we want to do that? Why does that make good policy in the State of Illinois?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Again, this is consistent with federal regulation. There are other elements of record keeping and so forth that for a perhaps, once in a one year, two year, three year period for a temporary driver would be onerous to townships. This does not absolve township road commissioners from the responsibility of having competent individuals operating their equipment."

Speaker Johnson, Tim: "Your time is drawing to a close, Representative Deering. If you could bring your remarks to a close."

Deering: "Well, give me time and I can get done here."

Speaker Johnson, Tim: "Proceed."

Deering: "Let me ask you this then. If you say this in consistent with federal law, are you saying then, that the Secretary of State increasing, or is in agreement of increasing the BAC level for CDL drivers or non CDL drivers?"

Speaker Johnson, Tim: "Your time is expired, but I will grant you

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an extra minute. Representative Hughes in response."

Hughes: "No, I am not suggesting that."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Does the Secretary of State's office support this Bill or this concept in this Conference Committee Report?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "The Secretary of State's office has no position on this particular, this particular element of the Bill."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Thank you, Mr. Speaker, for your time. No further questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Bureau, Representative Mautino."

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

Speaker Johnson, Tim: "Indicates that she will."

Mautino: "Representative nobody, we just found out is also, you're not organized either from the last comments. Representative, on this Bill, would we, and I'm trying to get first of all, to the question of liability. Now, if we have this 17-year-old out in a, what I'm trying to figure out is, if we put this 17-year-old out in a vehicle which he is not licensed for, now, follow me on this, a tandem truck if he's got a load of salt in there and he's got the V-plow on the front, under your changes you're making, he would be able to drive that vehicle, correct?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "This, this does not allow anyone to be put behind the wheel of a vehicle who is not licensed for that vehicle."

Speaker Johnson, Tim: "Proceed, Representative. Further questions? Proceed, Representative."

Mautino: "Now, to be licensed to drive the vehicle I just described, it takes a CDL. I mean, that's the license that

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you have to have to drive that. Is that correct?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Under federal law, it does not require a CDL. It requires the underlying Class B or C license, as has been stated already."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "What does our state law require?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "Without this Amendment, state law would require a CDL for a person that may work a few hours once every two or three years for townships. It would also require extraordinary record keeping for those townships. This will put Illinois statutes in compliance with federal statutes relative to CDL exemptions."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "Okay then, by passage of your Amendment the changed Illinois Law, what license is going to be required for that vehicle?"

Speaker Johnson, Tim: "Representative Hughes."

Mautino: "We're talking about now, the dump truck load of salt..."

Hughes: "Depending on the, depending of the weight of the vehicle, it would be a Class B or a Class C license."

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

Mautino: "What is a Class C, how big is that license allow you to drive..."

Speaker Johnson, Tim: "Representative Hughes."

Mautino: "On a Class C vehicle?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "I can't tell you what weight for each class. I can tell you again, that no one will be put behind the wheel who is

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not licensed to drive the weight of vehicle with the proper class of license, Class B, Class C."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "What kind of documentation is the township going to have to have in a snow emergency? I mean, do they have to go out or, I mean, what's the process then, for getting this person in an emergency?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "There's the element of drug testing and there is other documentation and record keeping that would be required."

Speaker Johnson, Tim: "Representative Mautino."

Mautino: "But, aren't you exempting that now when you take, those are requirements of CDL. Now, you're exempting that so, it is, it's midnight, there's 12 inches of snow on the ground and you're going to go and swing open the door of the bar and say to Billy Joe Bob, 'How about jumping in this truck and plowing these streets with this vehicle?', where he might not even know under his classification of license, how to drive a five-speed with a split axle, that normally you would have those guarantees on? That's just one problems that I think might surface in this. What if he travels outside of the city of 3000? The township is 3000, crosses over, is he liable if he is outside of that township?"

Speaker Johnson, Tim: "Representative Hughes, if you could bring your response to..."

Hughes: "First of all, the situation that you described would not occur. The individual that would be put behind the wheel, would be licensed to drive that vehicle. He would have passed a test to drive that vehicle. Second of all, I don't believe there's a road commissioner in the State of Illinois that would open the door of a bar and pull out an

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intoxicated 17 year old. Should he do so, he would be subject to the same liability tomorrow that he was subject to five years or 10 years ago."

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

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

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

Lang: "Representative, I see on the board it talks about school buses, is there anything in this Bill about seat belts on school buses?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "No, Representative, there is not."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Don't you think this might be a really good opportunity to discuss this issue so that we can really have a debate on this issue for the citizens and the school children of our state?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "I believe that's an issue we will be addressing in the future. Not in this Bill."

Speaker Johnson, Tim: "Representative Lang."

Lang: "You do know that Speaker Daniel's daughter was on the floor of this House and she herself is in favor of seat belts on school buses. You wouldn't want to disappoint the Speaker's daughter, would you?"

Speaker Johnson, Tim: "Do you care to respond, Representative Hughes? Representative Lang, further questions?"

Lang: "No response. Well, okay. Then, I'll support the first Conference Committee Report. Thank you."

Speaker Johnson, Tim: "Gentleman from Kankakee, Representative Novak. Representative Novak, your light is on. Do you want to..."

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Novak: "Yes, Mr. Speaker, I would like to yield my time to Representative Nobody, I mean Representative Deering."

Speaker Johnson, Tim: "Your request is granted. Representative Deering, do you have further questions?"

Deering: "Thank you, Mr. Speaker. I appreciate that, good friend, or colleague. Representative, what happens if Billy Joe Bob is a 25-year-old and he's had a few more drinks? The same scenario that my good friend and colleague from LaSalle-Peru brought up. Who is liable then if we bring that person out of a bar and put them on the street in a vehicle?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "If there were to be such an irresponsible road commissioner, be that individual 17, 25 or 55, he would have the same liability with this Amendment, without this Amendment. The same liability that he has had five years ago, ten years ago, et cetera. This in no way absolves the road commissioners of their responsibility to have competent, responsible, fit individuals behind the wheels of their equipment."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Representative, can you specifically tell us where it says that in the language, in the Bill? It doesn't say that in the Bill at all."

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "The language of the Bill in this particular section does one thing, it makes the CDL exemption consistent with federal law."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Representative, you're talking about us assuming that road commissioners are irresponsible in this situation. You know, we all live in broad areas of the state. We all

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don't have townships that have people around 24 hours a day. Some of the townships we represent are very small. Some of the people that live in these townships aren't able to go out and drive these vehicles. So, I think it, you know, I think you're stretching the issue a little bit when you say that their downstate road commissioners are irresponsible. I'm talking about real life facts that happen every day down in certain areas of the state. Let me move to another issue. Says here in something to do with school buses that the vehicle code, we can circumvent that as far as the mechanical and safety equipment before operation. I understand we're going to waive that or we're going to allow another person other than the driver to do this prestart up inspection or the pretrip inspection. Tell me, under the current law, does the driver of a school bus have to do a pretrip inspection and then sign an affidavit or sign an inspection sheet that he or she give the inspection?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "I am uncertain as to whether an affidavit must be signed every day. Under current law, it is the driver of the bus that has to do that inspection. What this does, is allow for those school districts who have individuals more qualified than a school bus driver, such as a mechanic that is on staff, to do that inspection."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Will the driver be responsible for any portion of the inspection, or will he or she just have to take someone signing on a sheet of paper that the school bus was inspected and go from there?"

Speaker Johnson, Tim: "Representative Hughes."

Hughes: "You're asking if the driver would still have some

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responsibilities relative inspection? This would allow, this would allow for a more qualified person to do the inspection that a school bus driver would normally do."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, that's very interesting, Madam, or Representative. Who's that according to now? You're talking to the gentleman from IDOT saying that it allows for someone more qualified. Where does it say that? What if we got somebody else out there that thinks they can inspect a school bus? It doesn't say in the Bill it has to be more qualified or certified and also, what if someone is hired to inspect these school buses but they have a bad day or a bad night, and they don't get all the buses inspected and they go out and sign on the affidavit that the buses are inspected? They go out with safety violations, they cause an accident, we have some kids getting killed or they happen to run into somebody else, whose liability is that, then? Is it the school's, the inspector's or the school bus driver's?"

Speaker Johnson, Tim: "Quick response, Representative Hughes."

Hughes: "This does not, this does not absolve anyone from liability that is currently there. The, there were several questions in there. The assurance that these would be qualified individuals would be because of rule making on this issue. There was a third question. I lost the third question in there."

Speaker Johnson, Tim: "With no one seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3436?' 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.

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Clerk, take the record. On this question, there 115 voting 'yes'; 1 voting 'no'; 0 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 3436, and this Bill having received the requisite Constitutional Majority, is hereby declared passed. On House Calendar Supplement #5, on the Order of Conference Committee Reports appears House Bill 545 and on that, the Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move for the adoption of Conference Committee Report #1 to House Bill 545. This Conference Committee Report has to do with the East St. Louis School District, is the only school district that is affected by this language. That's District 189 in St. Clair County. It's the only district in the state that has involuntarily been taken over by the State Board of Education through a financial oversight panel. The provisions of the Conference Committee Report are very similar to the action taken in the House Committee just several days ago. But there are changes and I'll delineate those in a minute. But basic provisions on the Conference Committee Report address the financial and administrative controversy that has surrounded the East St. Louis school district. The district is currently on the school code compliance probation, because it has not been in compliance with the school code for among other things: finances, certification issues, life safety, length of school days, and sanitary conditions. In addition, the district's been certified by the State Board of Education to be in financial difficulty. The district is required to adhere to certain tenets of the financial plan developed by the district and approved by the State Board of Education, but

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unfortunately, and I would stress unfortunately, the school district has failed to comply with its financial plan. The basic provisions of the oversight panel recommendations, and that's where these recommendations come from, from the State Board of Education and the oversight panel that is in place. This legislation again, only applies to those oversight panels that are imposed involuntarily. That does not include all the other districts that on this, under financial oversight who have stepped forward voluntarily. This legislation insures that the oversight panel will have in place, will have a place of operation to conduct its duties at a reasonable request. The legislation also calls for the appointment of an inspector general and authorizes the panel to hire staff necessary to assist that inspector general and delineates their duties along with the duties of the inspector general. Furthermore, requires the district hiring to be in accord with a financial plan, the budget and staffing plan of the district which is approved by the panel. Legislation further authorizes the auditing of the district's books by the panel and allows the financial and managerial assessments by the panel. Furthermore, the legislation authorizes the panel to take certain action on behalf of the district. Actions that are neglected by the school board regarding such issues as reduction in force notices and nonrenewal of contract notices. Furthermore, the legislation requires the superintendent's and principal's business operation responsibilities be subject to the direction of the panel in such districts. Furthermore, includes language that precludes the automatic renewal of the superintendent and principal contracts in the districts under involuntary oversight and does not require a hearing when such

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contracts are renewed and finally, legislation insures that the oversight panel will be informed about the status of collective bargaining negotiations and that the negotiations will be conducted within the parameter set forth by the panel. Especially important since the panel has to approve the budget and the board should live within that adopted budget. There are, I'd like to refer briefly to the changes in the Conference Committee Report as compared to, as it was presented in committee just days ago in the form of Amendments 2 and 5. The first change clarifies that the mandated long-term planning be done to provide for the transition when the panel will no longer exist and to analyze the financial needs of the district. In reference to the additional panel powers and its reference to staff hiring and unnecessary purchases, to insure financial accountability, the language has been clarified to express that these powers to hire necessary staff, lease space and purchase equipment will occur only when such resources are not readily available from the appropriate district. Furthermore, the inspector general language has been refined to indicate that the inspector general will be appointed if necessary to investigate matters of the board, matters that the board won't or which would be inappropriate or improbable for the board to address. In regards to the panel's budget, Section K, Subsection K of the additional power section, clarifies that the cost associated with the inspector general as with the other costs related to the panel under the present statute must be in part, must be part of the panel's budget, approved by the State Superintendent and finally, with respect to the financial operation duties of the district, the superintendent and principals, the language

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is expanded to clarify that these duties will only be subject to the panel when the board fails to comply with the panel's directive. Mr. Speaker, Ladies and Gentlemen of the House, this is an extremely important issue. In committee the other day, the discussion got off of the facts and onto other matters. I would only hope that on behalf of the oversight panel headed by Richard Mark of St. Clair County, who approached both Senator Watson and I over the weekend and pleaded, pleaded that we grant these additional powers because in his opinion, and he is indeed one of our most honored citizens, his opinion was that if we didn't do this, we were heading for absolute total and financial disaster. I would urge its adoption and ask all Members to support that Motion. I'd be glad to answer any questions."

Speaker Johnson, Tim: "The Gentleman from Madison, Representative Hoffman on a point."

Hoffman: "Yes, I would just like to announce because of potential conflict of interest, I'll be voting 'present'."

Speaker Johnson, Tim: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. I'll ask everybody to vote 'no' on this Conference Committee and for the reason that we were in the middle of a negotiation with the attorneys for the panel when the negotiations were cut off very abruptly and we were not able to fashion a Bill that is Constitutional. The thing that everyone should know about this situation is that the panel, the oversight panel ousted the board, the seven-member board and this is an effort to have a three-man appointed panel take total control of the school district that I represent. I would ask that if this Conference Committee appears to get the

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requisite number of votes, that there be a verification. I would like to, would the Sponsor yield for a question?"

Speaker Johnson, Tim: "Indicates that he'll yield. Proceed."

Younge: "Does the Bill describe or define what a staffing plan is?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "I didn't hear the question. Could she repeat? I didn't hear her."

Speaker Johnson, Tim: "Want to repeat the question, Representative?"

Younge: "The Bill as I understand what you said, requires a staffing plan to be submitted at the same time as the budget is considered. Does the Bill define what a staffing plan is?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Representative, it doesn't define that language, but I think I can help you understand. A staffing plan is in the projected school year, those persons who would be hired to administrate, teach, and otherwise maintain an educational facility."

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

Younge: "I think that, that's the very point. It does, the Bill does not define what a staffing plan is. Does the Bill define what the qualifications of the inspector general are?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "The Bill delineates, first of all, in respect to the inspector general, they may be appointed if necessary. Secondly, it delineates that person's duties along with their support staff and, Representative, we need to understand that we're not dealing with an entirely new concept here. We're talking about a school district. A

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school district with buildings and building principals and teachers, other administrators and staff and we have a school code that you're very familiar with. It's voluminous and it is very much in detail as to the normal operations of a school district."

Speaker Johnson, Tim: "Representative Youngue."

Youngue: "What we're talking about is a statute which the court has said is unconstitutionally vague in reference to its sanction powers and by dicta it said that the general powers is unconstitutional vague and here we're confronted with an Amendment that does not define what the qualifications are for a new person that is to be appointed, an inspector general. There is no definition. How much has the oversight panel spent in reference to the financial administrator and CPA firms? I understand it's over a million dollars. Is that true?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "First of all, in reference to your question about the Constitutionality. I will tell you that the Attorney General Ryan has reviewed the language in this legislation. In reference to the court decision that you made reference to in your remarks and the Attorney General's office is absolutely comfortable with this language and has assured us that it will stand up to any challenge. Secondly, as to the amount of dollars that had been used for the inspector general or their staff or any auditing that is done, I have no numbers on that, but I can tell you that it's not a question of if we need to do this. That question's already been asked and answered and the answer is, this is something that we absolutely have to do. If it takes us a few dollars to make sure that we're not going to waste dollars and waste individual's education, those children

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that are being served by this \$70 million budget in the East St. Louis School District, I think that's appropriate."

Speaker Johnson, Tim: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman. Mr. Chairman, Representative Youngue and I both share District 189. She has the vast majority of it, so I have a real concern for our students and what we do with our duly elected officials from our school district. However, in this case, I have to say that extensive negotiations have went on and there's been give and take on both sides. Senator Clayborne from our district, supports this agreement. I support this for the agreement. Our teachers' union supports this for the agreement. And for the good of the students, I say let's give this a chance so that at least those students will be accessed to a good education. If the school board has their house in order, this oversight board will end and I would urge the Members on both sides of the aisle, for the good of the students to give it a chance and support this Bill. Thank you."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Turner. Art Turner."

Turner: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Wyvetter Youngue."

Speaker Johnson, Tim: "You're request is granted. Representative Youngue, proceed."

Youngue: "Thank you, Representative Turner. Does this Bill take away the right of a superintendent to have a hearing if there is no notice of a renewal of contract?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Yes."

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Speaker Johnson, Tim: "Representative Younger."

Younger: "In other words, if a person is not as superintendent, going to be hired for another year, there is no right of notice in reference to that, under this Bill?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Mr. Speaker, I apologize. Would the Lady repeat the question?"

Speaker Johnson, Tim: "Representative Younger, do you wish to repeat the question?"

Younger: "Yes. What is the status of the right of a superintendent to have notice that their contract will not be renewed? Is this taken away under this Bill?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "They are entitled to notice. They don't get an automatic renewal."

Speaker Johnson, Tim: "Representative Younger."

Younger: "Is the superintendent, under this Bill, entitled to a hearing if there is not going to be a renewal of contract under this Bill?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Representative, if there's an agreement to hire a superintendent for a certain number of months or years, at the end of that period, there is no reason for a hearing. However, if they are fired or dismissed for some other reason other than the expiration of their contract, then of course, they would be, they would have access to a hearing. They would be giving due process, but when a contract expires, they're simply notified and that's, I think very appropriate."

Speaker Johnson, Tim: "Representative Younger."

Younger: "I don't believe that what you have just said is anywhere in the Bill. What about the collective bargaining rights?"

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Isn't it true that under this Bill, the panel is not an educational employer? In other words, it is not subject to the Educational Labor Relations Act?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Well, of course that's true because as you know, they're not directly involved in the negotiations. They simply give the guidelines to the existing school board. And remember, we're dealing with a district here that is financially bankrupt. That's the whole reason that the panel is there, is to give advice and guidelines to the board and the board is the one who negotiates the contract. So, there would be no need for the Labor Relations Act to be in effect to the panel that does no negotiation. Does no negotiating."

Speaker Johnson, Tim: "Representative Younge."

Younge: "I think that what is happening under this Bill, is that the right of teachers to negotiate and collectively bargain is taken away, because anything that the board would agree to has to be approved by the panel, the oversight panel. And I think it takes away the 60 year rights of teachers to be involved in collective bargaining. But, that isn't the basic thing about this Bill, why it should be, it is so objectionable. It is objectionable because we stand here, right now with an effort to amend an unconstitutional Act. This matter came before, in the last two weeks before the Circuit Court, and the court said that the Bill, the basic Bill was unconstitutional. The panel has appealed that decision to the Supreme Court of the State of Illinois and so, we're here acting on a Bill that is, has been ruled unconstitutional by the Circuit Court and will be more than likely be ruled unconstitutional by the Supreme Court. And if that happens of course, the actions that we take here

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are, are useless, are worthless, and it's a waste of our time. What has happened here is that the panel has ousted a fully elected seven-member board and it is attempting by this Legislation, to take total control over this district. There is one thing that is true about our law here in Illinois in that, educationally, we believe in local control. The..."

Speaker Johnson, Tim: "The Gentleman from Williamson, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield for a question?"

Speaker Johnson, Tim: "Indicates that he will."

Woolard: "Originally, I think that we had some confusion on the content that you refused to accept a few days ago, Representative. Let me just clarify a couple of things that I think that we need to make sure about. There was a concern, that maybe there had been an exclusion in the previous Bill as it was drafted, that would have excluded participation by certain employees in the bargaining agreement as far as their right to strike and other cases. That's been taken out of this Bill now, has it?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Yes, Sir. That language has been removed."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "To be more specific, the ban on strikes by employees in this district is now removed, right?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Representative, and Ladies and Gentlemen, the ban, any ban on strikes by collective bargaining units, is not, is not in this Conference Committee Report."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "Let me ask, and just for clarification in everybody's

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mind, this was a Conference Committee Report and were there people from the area besides yourself, that were on this Conference Committee?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "Thank you, Representative. Mr. Speaker, the, Senator Clayborne, whose Legislative district includes, I believe all of District 189, is a signator on this Conference Committee Report. I met with Senator Clayborne today and yesterday, Senator Watson from our area, they all concur with Richard Marks. The leadership on this, the language has been agreed to by Senator Clayborne, Senator Watson, the other signators, the State Board of Education, and the oversight panel. I believe that the opponents, we've got several Representatives who spoken against, the only opponents that I know of, of any organizations, are the school board itself and none other."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, to the Bill. You know, I think that we have responsibility here in this Body to accomplish many goals, but none any more important than insuring that we have adequate opportunities for kids to learn. A good environment, a good setting, quality, qualified individuals in that process to teach and to guide. I think that, that's what we're really trying to accomplish with this piece of legislation. I think it's terrible that we have a school district that is in this kind of financial condition. If we don't stand up for them, the kids, and insure that we have the best educational facility possible for them to go to school in. I stand in support, in fact, strong support of this piece of legislation as it's now drafted."

Speaker Johnson, Tim: "The Lady from Cook, Representative Monique

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Davis."

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

Speaker Johnson, Tim: "Indicates that he will."

Davis, M.: "Representative Woolard, I'm sorry, not Woolard. Stephens this time, right? Okay. Has this kind of oversight been placed on any other school districts in the State of Illinois?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "There's been one similar, Mt. Morris, but it was voluntary. This particular oversight panel was placed without the cooperation of the district."

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

Davis, M.: "Has this been voted on in the Senate and if so, what was the vote?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "I believe not. I'm not sure, but I'm not knowledgeable that it has."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Could you tell this Body why, Representative Stephens, why this Bill is necessary? I'd like to know why this school district is being treated differently than the other nine hundred and something in the State of Illinois?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "To my knowledge, this is the only district in the state that has failed to comply with various sections of the school code, including areas of finance, which are the budget, sanitary conditions, life safety, length of school day, and violation of certification issues in the Illinois School Code. If you know of some other district that is in violation, I don't, I'm not aware of that and I don't think the State School Board is either."

Speaker Johnson, Tim: "Representative Davis."

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Davis, M.: "Did this go to court, Mr. Stephens? Were these charges similar to the charges that were raised in court, in which a judge ruled against you and your charges?"

Speaker Johnson, Tim: "Representative Stephens."

Stephens: "I don't, I know that you're representing this to the best of your knowledge, but I believe that the Circuit Clerk has not ruled on any language or any subsection that we're referring to here. What the Circuit Clerk ruled is in favor of the school board's stating that the provisions, certain provisions in the statutes giving the panel the authority to fire the school board were unconstitutional. That is being challenged in the Supreme Court as you know, and that judgement is yet to come down. But I will tell you, that is not a subsection that we are addressing. The language in this Bill has been reviewed by your Attorney General and they have concluded that this language is very much in order, it is Constitutional, and statutorily correct. So, I think your question is slightly off of the beaten path."

Speaker Johnson, Tim: "Further question, Representative."

Davis, M.: "What you're asking is that your panel, that you have appointed, be allowed to remove elected officials. What you want to have done is a board of education that's duly elected, be removed because you say they should be removed. I'm going to tell you what I said to you in committee. This is racist in it's purest form. Those officials who are in authority in East St. Louis, are African-American. Now, I know you say Ol' Mr. Marks is in charge of this oversight panel. We also know Mr. Marks' particular situation. So, you can't use him any more, but I want you to know that the only reason you want to do this is because you feel that African-Americans are not capable of dealing

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with budget deficits. Because of the financial condition of all the schools in our district, not just East St. Louis, the majority of them are suffering from financial problems. Some of them are being given the opportunity to borrow, to borrow and go into great debt in order to continue and educate children. I don't know what her borrowing circumstances are, but this is not good legislation. We should solve the..."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I move the previous question."

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Representative Stephens to close."

Stephens: "Thank you, Mr. Speaker. I want to close by saying that this issue has nothing to do with race and I'm sorry that the Representative from Cook decided to bring that issue into it because there are many other school districts of many different nationalities, races and creeds that are involved in successful schooling on a daily basis. This has nothing to do with that. It has nothing to do with singling out any particular group. It is simply standing in support of children. If you wish to stand in support of Illinois children and their education, you vote 'yes'. If you're more concerned with other issues, you vote 'no'. It's as clear as I can make it. I urge an 'aye' vote."

Speaker Johnson, Tim: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 545?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 voting 'yes'; 22 voting 'no'; 11 voting 'present'. There's been a request by Representative Younge for a verification. Do you persist in your request, Representative? She withdraws her request. So, on this question, there are 84 voting 'yes'; 22 voting 'no'; 11 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 545, and this Bill having received the requisite Constitutional Majority, is hereby declared passed."

Clerk McLennand: "Committee reminder. House Judiciary for Criminal Law Committee will meet immediately upon adjournment in Room 114. Judiciary for Criminal Law Committee will meet in Room 114, immediately upon adjournment."

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

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

Speaker Johnson, Tim: "State your point."

Wennlund: "Generally, when one of our colleagues receives an honor and a distinction, we try to recognize that and congratulate them of the House Floor. Well, one of our esteemed colleagues, and I'm told on good information, on the latest and the newest issue of People Magazine, is my esteemed colleague who sits to my left, whom you often have the opportunity to hear on this House Floor, and I have courtesy copies for all, most, if not all Members of the House, that I just wanted to share that with you and my hearty congratulations go out to my esteemed colleague from Danville. Let's give him a big round of applause."

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

136th Legislative Day

May 22, 1996

Speaker Johnson, Tim: "Representative Black, you're to be congratulated. On Supplemental Calendar #5, on the Order of non-concurrence, is Senate Bill 1490. Representative Winkel now moves that the House refuse to recede from House Amendments #1 and 4 to Senate Bill 1490. Those in favor say 'aye'; those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendments #1 and 4 to Senate Bill 1490. The House requested a Conference Committee Report. Representative Churchill now moves that the House stands adjourned until Thursday, May 23, 1996, at the hour of 10:00 a.m. Those in favor signify by saying 'aye'; those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The House now stands adjourned until Thursday, May 23, 1996, at the hour of 10:00 a.m."

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