

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

147th Legislative Day

December 4, 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 invocation for today will be given by Doctor John Hembruch of the Westminster Presbyterian Church here in Springfield, Illinois. Doctor Hembruch is the guest of Representative Klingler. Guests in the gallery may wish to rise for the invocation. Doctor Hembruch."

Reverend John Hembruch: "Near the end of the year and the end of the term we offer thanks to God for accomplishments of the past and seek divine aid for transitions of the future. Therefore, in an attitude of reverence, let us turn to God in prayer. Almighty God, You have created the world in a pleasing but perplexing diversity. The breadth and depth of human experience beyond the comprehension of any one individual, with our finite understanding of Your transcendent design and purposes. To call upon your Name in this Chamber is always a risky undertaking. Deeply held beliefs about freedom lead some to actions that others label selfish. Cherished values regarding responsibility lead others to actions that some call oppressive. We find it difficult to balance individual dignity and community spirit to maintain parity between our needs on the one hand for progress and justice and on the other hand, for stability and order. Recognizing the challenges of our task, we pause to remember the abundance of personal talents and gifts represented in this room. For in the face of our colleagues we may be reminded of Your grace toward us and may gain wisdom and guidance from their experience. Oh God, You are sovereign. There is no force that can frustrate Your plans, and so we ask for Your blessing upon this Assembly, that its work may be in

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keeping with all that is sacred and of high value. That Your presence may enliven its members thoughts, words, and deeds that they may prove themselves to be servants of the State of Illinois and its people. So let it be. Amen."

Speaker Daniels: "Thank you, Dr. Hembruch. We'll be led in the Pledge of Allegiance by Representative Jim Durkin."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representative Morrow is excused with a new baby, and Representative Martinez is also excused."

Speaker Daniels: "The record will so reflect. Representative Hoeft is recognized on the Republican side of the aisle to explain why Representative Cross is not here and for excused absences."

Hoeft: "Thank you, Mr. Speaker. All intelligent Republicans are here today."

Speaker Daniels: "Mr. Clerk, take the record. There are 115 Members answering the Roll and a quorum is present. The House will now come to order. Committee Reports."

Clerk McLennand: "Committee Report from Representative Tom Cross, Chairman from the Committee on Judiciary for Civil Law, to which the following Bill was referred, action taken on December 4, 1996, reported the same back with the following recommendations: 'do pass as amended' Senate Bill 522. Committee Report from Representative Cowlshaw, Chairman from the Committee on Elementary and Secondary Education,

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to which the following Joint Action Motions were referred, action taken on December 4, 1996, reported same back 'do approve for consideration.' Floor Amendment #4 to House Bill 546 and Floor Amendment #5 to House Bill 996."

Speaker Daniels: "For what purpose does Representative Noland arise? The Gentleman from Macon."

Noland: "Speaker, thank you for the opportunity to recognize a Government Class from Decatur Eisenhower High School. The class is in the gallery to the straight ahead. Chaperoned by Mr. Rusk and Mrs. Brown. Thank you for coming."

Speaker Daniels: "Committee Reports."

Clerk McLennand: "Committee Report from Representative Krause, Chairman from the Committee on Health Care and Human Services, to which the following Bills were referred, action taken on December 4, 1996, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 3168 and House Bill 3769. Committee Report from Representative Tenhouse, Chairman from the Committee on Appropriations for Public Safety, to which the following Joint Action Motions were referred, action taken on December 4, 1996, reported the same back: 'do approve for consideration' Floor Amendment #4 to Senate Bill 1263."

Speaker Daniels: "What purpose does the Gentleman from Williamson, Representative Woolard, arise?"

Woolard: "Speaker. Thank you, Mr. Speaker. I'd like for the record to reflect that on Senate Bill 1186 that if my finger had been a little longer I would have voted 'no'."

Speaker Daniels: "The Record will so reflect. Mr. Clerk, on page three of the Calender appears Senate Bill 1440, Amendatory Veto Motions. Representative Kubik. A Gentleman, Representative Kubik, is recognized. May we please have

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your attention, Members of the House?"

Kubik: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I would move to override the Governor's Amendatory Veto on Senate Bill 1440. I make this motion...I do not make this motion lightly, but I think that there are some very, very important issues involved in this legislation and I'd like to briefly describe them for you. As you can see, Senate Bill 1440 has bipartisan support, Republicans and Democrats alike, who have come together to...in agreement that the deaf community and the hard of hearing community are a community that are one that needs...which have not, I should say, have not received the sort of attention by Illinois' state government that they deserve. And so, Senate Bill 1440 in its original form created a commission to look at the issues concerning the deaf and hard of hearing and provide access to state government for those individuals. I would draw the attention of the Members to the lady who is in the...at the Clerk's well. She is an interpreter and is interpreting what I am saying, my remarks this morning, to a crowd of people in the galleries who are deaf. Including, I might add, some school children from the Illinois School for the Deaf. I think that this is a perfect example of the challenges that the deaf community faces every single day of their lives. A challenge of communication in a world where the majority of individuals can hear. We have a very strong, vibrant, active community who cannot hear, and yet they are entitled, in my opinion and I hope in your opinion as well, they are entitled to the same services that those who can hear are entitled to. So we have proposed and passed, unanimously, I might point out. The House vote was 116 to 0. A commission that would help these individuals have

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access to state government. The Governor vetoed that portion out of the Bill believing that it is not consistent with his plan to consolidate Human Services. I would argue, and I would hope that you would support me in this override. I would argue that this community needs access to those services and they have a particularly difficult challenge in getting to those services. And so, we believe that this Commission in concert with all of the other things that are going to be done on the Human Service level will increase communication between the hearing community and the deaf community. I would like to thank those in the hearing-impaired and deaf community for their strong, strong support of this legislation. They have worked very hard. I would be happy to respond to any questions that you might have. I would hope that you would join with me to open up the door to state government to all people, whether they can hear or whether they cannot. So I'd appreciate your support of this motion to override and would respond to any questions."

Speaker Daniels: "The Gentleman moves to override the Governor's Amendatory Veto on Senate Bill 1440. Is there any discussion? The lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I rise in support of the motion to override. When I was in Committee and this Bill was being first considered it was stunning to learn that the Department of Rehabilitation Services had not, in fact, provided a sign language interpreter for those people that would be most affected by the legislation, those that are deaf and hearing-impaired. I think this is indicative of what happens when these services are rolled into another agency and then all too often given short shrift. It is

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clear that the services that will be provided by the Commission are needed and that it is essential that it be in a separate venue, and so I strongly support a favorable vote for the override."

Speaker Daniels: "Further discussion, the Gentlemen from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I represent the 97th District, which includes in it your state school for the deaf, the Illinois School for the Deaf. I'm proud to represent that school. That school has acquired a community of those who are hard of hearing and have hearing impairments. At the same time, I believe that there's probably no person on the floor that's a stronger supporter of the current Governor than I. In this circumstance I think a couple of things ought to be made clear. First, is that I believe it is never the intention of the Governor or the Executive Branch to give short shift to those who are hard of hearing. It is not the intention of the consolidation of Human Service Agencies to ignore those from my district and your district who are hearing-impaired. Just the opposite, I believe that they have had their comments discussed and that their conversations have been meaningful. However, in this circumstance it goes beyond a consolidation of an agency. This is a effort that Representative Kubik has initiated that becomes one that is extremely important, emotionally and educationally, for those in the deaf community. This morning I just had an opportunity to talk with fourth and fifth graders from your school for the deaf who visited my office. Bright, energetic, delightful children who are working very hard to become good students and good citizens of this state. There are...there are citizens of this state, graduates of the Illinois School for the Deaf, who

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are...continue to be meaningful citizens of this state. It is for their accomplishments and for the future of those children that I regretfully will be seeking to assist in the override of the Governor's Amendatory Veto, and offer my compliments to Representative Kubik for his diligence in this matter. Mr. Speaker, thank you."

Speaker Daniels: "Representative Kubik to close."

Kubik: "Thank you, and I do appreciate the comments made by Representative Ryder. I would agree. I do not believe that the Governor has made it a policy in any way to short change or give short shrift to the deaf and hard of hearing community. However, I think what we really have here, as Representative Ryder knows well because he represents an area that includes this school for the deaf, is a lack of understanding of the communication barriers that these individuals face everyday. And so I believe that it is appropriate in this instance to provide more access for these individuals. And I would hope that you would join me in overriding the Governor's Amendatory Veto and I thank you, and I thank you on behalf of the deaf community for your support in the past."

Speaker Daniels: "The Gentleman, Representative Kubik, has moved to override the Governor's Veto on Senate Bill 1440. All those in favor signify by voting 'aye'; opposed by voting 'no'. This is final action. Takes 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'ayes'; 0 voting no, 0 voting 'nay' and the Gentleman's Motion to override the Governor's Amendatory Veto to Senate Bill 1440 is hereby declared passed. This Bill having received a Constitutional Majority, is hereby declared passed. For what purpose is the Gentleman from

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Coles, Representative Weaver, arise?"

Weaver: "Mr. Speaker, a point of personal privilege."

Speaker Daniels: "State your point, Sir."

Weaver: "I'd like to ask the Members of General Assembly to join me in welcoming Chris Merifield and a group of student leaders from Eastern Illinois University who are here to observe us. So be on your best behavior. Thank You."

Speaker Daniels: "Welcome to Springfield. Mr. Clerk, on page 2 of the Calender under Senate Bills Second Reading appears Senate Bill 503. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #503. A Bill for act in relation to bonds. Bill has been read a second time, previously. Floor Amendment #1 was referred to Rules. Floor Amendment #2, offered by Representative Rutherford, is 'approved for consideration'."

Speaker Daniels: "On the Amendment, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 2 would become the Bill. Very simply is the Bond Authorization for the Capitol projects as outlined by the Governor in his past budget books. It's approximately \$560 million worth of projects. Included in that is an additional \$50 million worth of bonding to help pay for the backlog in Leaking Underground Storage Tanks effort and I would appreciate a favorable adoption of the Amendment."

Speaker Daniels: "Any questions or debate? Being none...Representative Skinner. Excuse me, McHenry."

Skinner: "Yes, I wonder if the Gentleman can tell us if there is any money in here for highways?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "No, Sir."

Speaker Daniels: "Representative Skinner."

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Skinner: "Thank you."

Speaker Daniels: "Further discussion? Being none, excuse me, Representative Parke."

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

Speaker Daniels: "Indicates he will."

Parke: "Is it your intention that this Amendment becomes the Bill?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Yes, Sir."

Speaker Daniels: "Representative Parke."

Parke: "What is the total amount of the new...of the Amendment for bonding for the State of Illinois?"

Speaker Daniels: "Representative Rutherford."

Rutherford "It would be approximately \$610 million."

Speaker Daniels: "Representative Parke."

Parke: "So, a vote on this Amendment is a vote for a \$610 million bonding increase for the State of Illinois? Is that correct?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "A vote for this Amendment would put it as the underlying, would become the Bill and then, ultimately, hopefully go to the Governor's desk to increase the bonding authority for the state by \$610 million, which is two years of capital projects that we've been trying to bring forward."

Speaker Daniels: "Representative Parke. No further questions. Gentleman moves for the adoption of Amendment #2. All in favor signify by saying 'aye'; opposed 'no'. They 'ayes' have it. Amendment # 2 to Senate Bill 503 is hereby adopted. Further Amendments or motions?"

Clerk McLennand: "No further Amendments. Fiscal note, State Mandates note have been filed on the Bill as amended."

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Speaker Daniels: "Third Reading. Mr. Clerk, it appears on the Calender, House Bill...Senate Bill 503 the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #503, a Bill for an Act in relation to bonds. Third reading of this Senate Bill."

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. We just adopted the Amendment which became the Bill on Senate Bill 503. Once again, this is the bond authorization for the Governor's capital projects, has been outlined in his budget book as well as the \$50 million worth of bonding to catch up on Leaking Underground Storage Tanks Projects. I'd be glad to answer any questions you have."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes, a Parliamentary Inquiry, Mr. Speaker."

Speaker Daniels: "State your point, Sir."

Hannig: "Since this increases bond and indebtedness, does this require 71 votes?"

Speaker Daniels: "Requires 71 votes."

Hannig: "Yes, and, Mr. Speaker, I would request a verification if this receives 71 votes."

Speaker Daniels: "Your request is acknowledged. Do you wish to discuss the Bill, Sir? Okay, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. When this was first proposed about two years ago, this additional borrowing, we owed the pension systems about \$15 billion and that continued to rise. We have outstanding long term debt of about \$12 billion and this proposes that we add to that. Compared to other states we have one of the lowest bond ratings in the nation. We're in the bottom one third of the states as far as our bond ratings. That

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was the case two years ago, and, frankly, that's still the case today. We still owe the pension systems \$15 billion. We've got a 40 year plan to try to address it, but we still owe them an awful lot of money. We still owe \$12 billion of outstanding debt and we still have a bad bond rating. Now some people are of the assumption, the incorrect assumption, that our bond rating has been raised, but that's not the case. The bond rating was not upgraded by Moody's when we sold bonds in September. They pointed out that the ending cash balance was still small relative to the state and that we lacked a budget reserve. Standard and Poor's did not change their rating of AA-. They noted that the financial condition of our state was still moderately weak, and they pointed out that cyclical economic pressures challenges associated with the medic plan plus and the pressures for education reform and unfunded pension liabilities were still big problems for the State of Illinois. So nothing has changed in the last two years for us to incur this additional \$600 million of debt, money that will increase our bond payments each year or our bond service each year by about \$46 million. That's \$46 million that we'll pay in bonded indebtedness each year if we pass this Bill. But I think the thing that bothers me the most about the whole process the last two years, is what happened last year during the budget process. There is a portion of bonded indebtedness. There was a portion of bonded indebtedness that had not been obligated and not been used and could have been used to to fund some of these projects that are on this list that we now understand are so important to the Governor and so important to that side of the aisle. But, frankly, the Republicans made the decision last year to spend that bonded indebtedness on

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pork projects. They spent \$35 million on road projects out of road money, bond money, for projects in Republican districts that they chose that the Department of Transportation had no input on and doesn't even want to fund and build. Thirty-five million dollars from Capital Development, \$30 million from General Revenue, \$20 million from the Build Illinois Fund, \$13 million from the School Construction Fund went to the wealthy suburban areas to help them with their schools. No money for Chicago, no money for downstate. That was the decision that they made and \$4 million in coal development was spent on a priority system that they devised without input from DCCA or this Body and any hearings. So, we've already spent last year \$137 million of bonded indebtedness on pork projects. Now, now we're being asked to allow the state to borrow, to borrow another \$600 million so that we can go about the business of looking at some other projects. So I say, Ladies and Gentlemen of the House, we on this side of the aisle are willing to work with you on these bond projects and talk to you about what we think makes sense and does not. But we need to revisit the whole issue of these pork projects from last year and we need to have a change in the way this system is run. If you think in the final days of this Session you're going to run this thing down our throats, I think you're wrong. The people have seen what you've done in the last two years with the pork projects, they've sent us down here and asked us to change and I'd ask all Members to recognize that this is a big...that this is a big program that will cost the state a lot of money. Its not being done in any type of manner, except that that side of the aisle has made their decisions. So if you think that the pork projects last year were the right

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priority, that's fine. You made that decision, you spent that money. But I'm not willing to give you another blank check to go out and spend some more money the way you see fit after what you did last year. So I would urge all Members of the House, and especially those on this side of the aisle to vote 'no' and renew my request for a verification."

Speaker Daniels: "Representative Lang."

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

Speaker Daniels: "Indicates he will."

Lang: "Representative, you passed out a memo to us dated today with a list of all the bond of the projects that would be completed. There was just one I had a question on. Its really a small one, but it's interesting to me. The Lincoln Correctional Center, you're going to upgrade the water softener, why are we doing that?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Because, because it's more efficient for the infrastructure of the facility. Soft water won't deteriorate the pipes as much as what the hard water would. It's similar to your home."

Speaker Daniels: "Representative Lang"

Lang: "So this has nothing to do with the convenience or comfort of the inmates?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Absolutely not."

Speaker Daniels: "Representative Lang."

Lang: "Thank you. To the Bill. I rise in opposition to this. You know we've had a task force studying the state debt. Not just the debt we owe, but the debt that's owed to us. Currently there's over \$6 billion. That's billion with a 'b', Ladies and Gentlemen, owed to us by our own taxpayers."

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The only proposals on the table to collect that \$6 billion are on our side of the aisle, and all of those proposals have been buried in the Rules Committee. It's interesting to me that while our bond rating is as low as it could possibly be and the lower it goes, the more we have to pay when we borrow more money, that we don't do something about collecting the \$6 billion that's owed to us. If we would collect the \$6 billion that was owed to us, we wouldn't need \$610 million of new borrowing even if we assumed that every project on the list was worthy. Why do we want to borrow money when we have money out there from our own citizens who have ripped the state off and have not payed us what is due and owing to us. Taxes, fees, bounced checks, unpaid loans, etc., etc. Instead, we want to continue to increase the amount of money that we owe. Let's not take these steps when they're not necessary. Let's certainly not take these steps when the Bond Bill is one that both sides of the aisle have not talked about. Why should we as a General Assembly put on votes on both sides of the aisle for projects that are mostly projects that are either pet projects of the Governor or pet projects on one side of the aisle. I know people will point out the fact that there's projects here in Democratic districts, but we all know what this Bill is about. This is about projects that could have been done another time, projects that could have been done previously with the \$60 some-odd million dollars that was not used previously, but was used for other pork projects. So, Ladies and Gentlemen, two issues here, one this is not a Bill that's been fairly thought out, including both sides of the aisle in negotiations, and second and perhaps more important, why do want to add \$600 million dollars of new debt when we have

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so much money owed to us by our own taxpayers, which if we simply collected, we wouldn't need this Bill. We wouldn't need further borrowing, we wouldn't need to decrease the state's credit rating even further, and we wouldn't need to go about the business of continuing to put ourselves farther and farther in debt. I would recommend 'no' votes.

Speaker Daniels: "Further discussion, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The last day I found it very intriguing on the floor of this Chamber. I've seen the party of so-called restraint in government take the unprecedented action of having the state take over a Municipality's airport. Today I find the so-called party of fiscal restraint, taking the action of borrowing another \$600 million while the state's credit rating is in the bottom of the country. Let's understand one another. In an article from the Wall Street Journal two weeks ago, the headline is 'The States May Well Find The Easy Days Are Over, Tough Days Are Coming'. Tough days are coming, Ladies and Gentlemen. At the same time Illinois ranks in the bottom 20% of all the states in the country in terms of credit worthiness, and the tough days are coming. Illinois used to lead this nation in education reform, in funding for priorities for the people of this state, in fiscal restraints. Now we're leading the country in terms of how bad our credit rating is. The bottom 20% of all the states, then last year we take the unprecedented action of intentionally defaulting on state obligation. The first state in the country to intentionally default on bonds, \$400 million. What kind of track record, what kind of message are we sending companies in the country, the bond markets, that we can't get our own house in order? And now, after defaulting on bonds, and now after having

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our lowest credit rating, which has been downgraded three times in five years. And now we want to borrow \$600 million. Ladies and Gentlemen when do we say that we should get our fiscal house in order? When do we start making the tough decisions to do that? So far we have been unwilling to take that course of action that is desperately needed in this state, that the people are desperately seeking. We can issue bonds at some point, but don't we need to see how our credit rating might improve? Don't we need to see that we need to change the course of where we're going in our fiscal management? One of the worst states in the country. Every other midwestern state has a tremendous balance in their general revenue. Indiana, Michigan, they're looking to lower taxes. Evan Bayh, Engler, Voinovich, Ohio, every midwestern state looking to lower taxes. What do we do? We're going to borrow \$600 more million dollars. The state is not on the right course. We have to change it, and we need to show fiscal discipline. I am surprised by the other side of the aisle wanting to borrow this additional money, further worsening our credit record, at a time when we can't fund education. Ladies and Gentlemen, our priorities are simply wrong. We should take care of the people in this state, we should reform education, we should cut back on unnecessary spending, and we should not go further and further in debt without having the means to pay for it. It's very simple. I'm asking my friends on both sides of the aisle to vote 'no' on this Bill, and say 'no' to increased spending, say 'no' to increased borrowing, and let's make the tough decisions and get Illinois on the right track where we set a...set the example for the rest of the country. A good example, not the example, not the, not the course that

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we're currently following. Enough is enough, Ladies and Gentlemen. No more borrowing, fiscal restraint, and make the priorities. Make the right decisions for a change, and put our people first. Thank you."

Speaker Daniels: "Further discussion? Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Will the sponsor yield for a question? Mr. Rutherford, what are the...I have with me the most recent Illinois Bond Watcher from the Economic and Fiscal Commission, the state's bipartisan revenue forecasting arm. And it indicates that the, this report was issued and approved by the Commission last week. It was estimated that for Fiscal '97 the debt service of \$678.8 million dollars would represent an increase of \$57.1 million or 9.2% over the Fiscal Year 1996 level. Could you tell me how this passage of this Bond Bill would affect our debt service?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Just trying to get the right numbers for you, Representative, just a moment. The answer, I understand, would be that it does not affect it this year, and as far as next year it may increase it approximately 10 million. But if I could, Representative, I want to, I want to highlight in here some of this stuff about debt service. This year our debt service, as a percentage of revenue for the State of Illinois, is approximately 4.3%. Ten years ago, 10 years ago a percentage of debt service to revenue was approximately 4.7%. What this is saying, is that the trend in this State of Illinois of debt service to revenue is actually going down. I think that's a very strong and important position to try to bring out here."

Speaker Daniels: "Representative Schoenberg."

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Schoenberg: "While the actual, while the actual debt service to revenue may be somewhat constant, the actual debt to revenue, the amount of debt which we are incurring, relative to the amount of revenue that we have to pay those bills is among the tops in the country. I believe that the Economic and Fiscal Commission data has shown that we are at the top of the list for the midwest and one of the top five in the country. We have a debt to revenue ratio of approximately 65%. That is the amount of total debt that we're accumulating versus our ability to pay for it. I'd like to ask you what are, Mr. Rutherford, you, and I met with the Comptroller this morning a number... along with a number of our other colleagues to talk about our capabilities for payment of debt amongst other subjects. I'd like to know what the implications of this Bill are, if it indeed goes to the Governor's desk and is signed into law, for our ability to pay off this debt?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. First of all, I want to correct something that the previous speaker had to say with regards to the amount of debt that we have. And, yes, we do have large debt, but we have large revenue. And you were talking about it in regards to the size, remember that we are fifth largest state in the nation, and the amount of revenue that we have coming in is commensurate to the amount of debt that we can go at. Let's go back again and focus on the fact that debt service is approximately 4.3% of revenue as opposed to 4.7 of 10 years ago. I mean, when you talk about the size of the debt we have we are a very large state. It's just like a very large income household in some northern suburban area compared to some of the lower income households in central Illinois. I mean, your

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amount of debt to the amount of income, of course, is something proportionate to it. Now to go back to your other question, Representative, in regards to the, the question on the, the being able to have this be a part of debt that we can retire. I mean, you've been through the appropriation process as well. You've got it all scheduled within. We know what our debt retirement schedule is going to be. We put it in as a part of our appropriation process. I guess I'm somewhat confused on what your bottom line question is in that."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "My bottom line question is, what is our, given the fact that we seem to be fiscally challenged now as far as being able to pay our bills, what is our ability going to be to pay for this indebtedness if we indeed take on \$600 million new debt?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Well, I'm going to reference your comment about having met with the Comptroller this morning to quote the Comptroller directly out of Cranes Chicago Business: 'The cumulative deficit in the state's General Operating Funds budgetary balance is cut 66% in four years,' and it goes on like that. 'The state has reported operating surpluses at five consecutive years,' says Comptroller Loleta Didrickson. Bottom line, we're in a very healthy state."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "I think I just want to take exception to the Gentleman's last statement that we're a very healthy state, and I'll bring my remarks to a close. At the same discussion we had this morning, we all agreed that Illinois has in a relatively weak position of..."

Speaker Daniels: "Representative Schoenberg, can you bring your

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line to a close?"

Schoenberg: "As I was saying, just in conclusion that with the economy being relatively strong now and us seeing anywhere from \$700 and \$750 million in new revenue to meet obligations and pay, and pay bills, I can only guess what is going to happen, what occurs, when in fact the economy continues to slow or even takes a downturn and that's why I urge my colleagues to vote against this. Thank you."

Speaker Daniels: "Thank you. Further discussion. Representative Stroger."

Stroger: "Thank you, Mr. Speaker. Due to a potential conflict of interest I will be voting 'present' on Senate Bill 503."

Speaker Daniels: "Thank you. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'm not naive enough to think that anyone can get up here and change anyone's mind when we become locked in to political issues. I realize that timing isn't the best because there seems to be an air of politicized tension in the air, and I understand that. And those of you that have been here for a while, I'm sure understand it as well. But I would submit to you, Ladies and Gentlemen of the House, if you choose to make this a political issue you're not picking the right issue to politicize. In all due respect to my esteemed colleague, who brought up a little while ago and said, 'We need to make some tough decisions.' Well this is a tough decision, and many of you will vote politically. Not based on what you know was in the Governor's budget two years ago. My esteemed colleague also said, 'Tough days are coming, tough days are coming.' The sky is falling too, but it hasn't fallen on any of us yet. If you want to know how tough days are coming why don't you pick up your phone and call back into your

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districts and ask the carpenters, the laborers, the brick masons, the steel workers, the Building Trades Union people, who get most of the work in these capital projects. Ask them if tough days are coming, they're going to tell you, 'No, tough days have been here for two years because you won't let us go to work.' Those are tough days that come home to roost in the living rooms and the kitchens of the people you were sent here to represent. My esteemed colleague also said, 'We will issue bonds at some point.' That's true, we will. And another esteemed colleague on that side of the aisle said, 'This costs too much money.' I submit to you that when we finally issue these bonds we will spend more money on deferred maintenance than it would cost if we passed this out of here today. Maintenance delayed is maintenance that costs more when you finally get around to doing what we're supposed to do. I noticed in some of the newspaper clippings that all of us get, three of my colleagues on that side of the aisle from central Illinois, and I realize you may not be quoted accurately, but three of you say you won't vote for this because you don't know what's in it. I would say to you when the Decatur Herald and Review asks you again at least be honest with the Decatur Herald and Review. You know what's in here. You know what's in here and you knew a year ago what's in here. At least tell the truth, say you can't vote for it because your leadership doesn't want you to, or you can't vote for it because there isn't enough in your district, but don't go home and tell your building trades people and your reporters and your constituents that you didn't know what was in here. You know what's in here. So do I. I see another quote from a Chicago Legislator who says, if she's quoted accurately, 'Most of this is weighted

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towards the Department of Corrections.' Well you better look at the list and then you better ask the Democrat leader if you don't want to vote for this because you think it's weighted towards the Department of Corrections, ask the Democrat leader why all he wants us to vote for is a prison Bill, nothing else in here but a prison bill. That same Chicago Legislator has said, 'There's only \$13 million in this for higher education.' Take a look at the list. There's over \$100 million in here for education projects. The largest, single contract to be issued in here is for Southern Illinois University at Edwardsville. So there's something in here for higher ed. Yes, there's something in here for Danville Area Community College. And let me dispel some of the rumors and the nonsense that I've heard for the last two years. This project at Danville Area Community College has been going through this process for 10 years, 10 years. Through the board of higher ed, through the Community College Board. We have 1898 buildings, built in 1898 and we're finally hoping we can renovate them so you don't have to walk through one classroom to get to another. In summation, I wish that there was a way that we could put aside political differences and concentrate on this Bond Bill. It is good for the people who sent us here. It is good for the people of Illinois. It's good for working men and women throughout the state. And if you don't join with this now, how much longer?"

Speaker Daniels: "Representative Black, can you conclude your remarks please?"

Black: "Yes, thank you very much, Mr. Speaker. You've already said we're going issue bonds some day. Some of you have said you don't know what's in here and that's not true. If

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not now, when? And if you don't do it, who will? Don't go home and fib to your constituents. I want to vote today to put building trades people to work, to build classrooms and to keep an exterior wall at a prison in my district that many of you didn't want, that's why it's down in Danville, from crumbling. This is a vital and necessary part of government service. It's why you were sent here. It's what the people back home expect you to do. If you turn your back on higher ed, if you turn your back on infrastructure there will come a time that you will be called to account for deferred maintenance that will simply cost more money when you finally decide to vote for a Bonding Bill. I hope you will vote 'yes'. I certainly intend to do so."

Speaker Daniels: "Representative Davis."

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

Speaker Daniels: "He indicates he will."

Davis, M: "Representative, of this over \$600 million bond request, what percentage of these dollars will be spent to repair school facilities or build new facilities? What percentage of this bond request?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. There is nothing in here for elementary and secondary, but for higher education, which includes our community colleges, the total amount is approximately \$119 million of the \$610 million"

Speaker Daniels: "Representative Davis."

Davis, M: "Are you saying there is absolutely no dollars to repair facilities for elementary schools or high schools that are old, where the buildings are dilapidated, where there's no wall to put the paint on? Are you saying to me there is absolutely no dollars here for capital development

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for our elementary or secondary schools?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Representative, I wasn't here at the time, but it is my understanding that approximately 10 years ago the program that was in place to accommodate those types of needs for the state was eliminated. Now, Representative, Representative, I don't know if you heard what I said. I'll repeat it. I said that approximately 10 years ago that program was in place and was eliminated here in the General Assembly. So that program does not exist in the Bond Authorization Program today. If you're interested, though, in looking to bring something like that forward I'd be interested in entertaining some participation with you in that."

Speaker Daniels: "Representative Davis."

Davis, M: "According to the figures we have, only 11.1% since, only 11.1 percent, is there an increase for school construction. So that means over, what, 80, over 80% is for something other than educational facilities."

Speaker Daniels: "Representative Rutherford."

Rutherford: "Well, Representative, I'm not, maybe you could explain to me how you came to that formula, but I'm going right off of the Capital Budget Fall Veto Session sheet, which you have a copy of. Specifically noting that higher education is \$119 million and a specific cover memo to this noting that the total proposed program is \$610 million. Now I don't have my calculator to put a percentage to it, but I know it's not 11%."

Speaker Daniels: "Representative Davis."

Davis, M: "The Higher Ed Capital Development Fund has gone up 883.4% in a 10 year period. Higher Ed Capital Development, but the other schools, the elementary schools, the high

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schools, in 10 years has only increased by 11.1%, and what that says to me is there's very little interest in providing the adequate facilities for the children in the State of Illinois who go to these schools. Let me ask you this question, Representative. What percentage of this budget is for the Department of Corrections?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Representative, I want to go back to the issue that you brought up again about elementary and secondary if we could please. I tried to explain that earlier and I want to make sure it's very clear. That program for Capital Projects for Elementary and Secondary Education was eliminated in this state approximately 10 years ago. So the idea of the percentages you're talking about, and only being 11% over a 10 year period, may well be for the fact that there's been nothing put into that program at any time over that 10 year period. Now to go to your direct, or your question after that is what percentage of it is for the Department of Corrections? Approximately \$270 million of the \$610 million is for the Department of Corrections and they're everything from the East Moline Correctional Center to Danville to Dixon, the Pontiac Correctional Center, which I happen to represent, which by the way, I'm going to take some deference with some previous comments by other members of your side of the aisle in regards to pork projects. You know the kind of pork project I've got in this program? The kind of pork project I've got in here is a lock and key system for the Pontiac Correctional Center. Now that's not an awful lot to take back home in a district, but I'm doing it for what's right for the people of Illinois. Representative, the Joliet Correctional Center, the Lincoln Center, the

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Menard Correctional Center, we've got the funds in here for the Valley View. I mean, to go through the complete list obviously is more than what we need to here, but to answer your question directly \$270 million. So that's going to be slightly less, slightly less than half of it, out of the total \$610 million, and the rest of it is going to go to education and other programs."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I've been around for a year or two and I think what we ought to do now is try to separate the wheat from the chaff. Those people that have spoken against this Bill may have legitimate reasons to be against it. You didn't get something in it you wanted, you weren't talked to about it, that's legitimate, if that's your reason say it truthfully and vote your conscience but, Representative, don't stand here and blow smoke saying that the State of Illinois has defaulted on bonds. They have not. This Legislature voted by a majority. This Legislature voted to not support an incinerator issue in Robbins that was private development, not state bonds. Other Legislators have said, 'All we've got to do is collect our debts.' Well, Representative, if you and I could collect debts from bankrupts, from people that no longer have assets, from people that no longer have jobs, from people that are no longer in this state, the Comptroller and other reasonable people will suggest to you that a huge percentage of that money is uncollectable and that's why we don't have it, but we continue to have it on the books because that's what the law says. And now let's talk about this issue of ratings. Ratings is what a company places on our bonds, but when we issue those bonds we receive the same low interest rate as those with much

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higher ratings. Those ratings have not cost a single penny in the marketplace of competition when our bonds are placed for sale. Those ratings are an artificial determination and the marketplace says, 'Your bonds are good and your bonds will be backed by an interest rate that is competitive for the best rating that there is.' But let's talk about those ratings for a minute. Those ratings didn't happen over night. Those ratings started to fall as a result of what we did, collectively, over the past 10 years. What we did prior to issuing these bonds, the state that we allowed the State of Illinois to get into and it has always been my recollection when the previous Majority Leader would close this General Assembly on an annual basis with the Bond Authorization Bill. I remember him standing up and doing that. It was traditionally the last piece of business that we did for every one of the years in which the previous Speaker stood in the podium. For the last two years we haven't done that. I submit to you that the very existence of a Bond Bill Committee by the current Minority Party indicates that you have every intention of proposing and voting for a Bond Bill in the next General Assembly, and if it has in there things that you like and it has in there things that I like, we'll pass that Bill. But don't blow smoke to the General Assembly and the people of Illinois by suggesting that we've defaulted on bonds when you know better. Don't suggest that we've got hundreds and millions of dollars to collect when you know that they're not there. And don't suggest, don't suggest that simply because we are doing what is best for the people of the State of Illinois in our best effort, that we're therefore wrong and vile and that you're the forces of truth and light. I hope that I have the opportunity to cooperate

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with you during the next General Assembly to pass a Bill for Bonding and I hope it contains entirely different issues because I hope that this one passes to take care of the needs of the people of the State of Illinois. Thank you, Mr. Speaker."

Speaker Daniels: "Further discussion. The Gentleman from Will, Representative Wennlund."

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

Speaker Daniels: "Previous question has been moved. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Rutherford to close."

Rutherford: "Sorry, Mr. Speaker. You know, Ladies and Gentlemen, we've been, we've been debating this thing for two years. I mean, we stood on this floor two years ago and, for over an hour, debated this. I went back and read the transcript to see the questions that were asked. Every one of those questions you asked were answered and answered efficiently. Ladies and Gentlemen, in this piece of Legislation is...will allow us to issue the college savings bonds that are going to be important for parents to help send their children to school. Ladies and Gentlemen, that are talking about getting tough on crime, we have \$270 million dollars worth of prison work in here, both new and to support the infrastructure we have. Ladies and Gentlemen, this Legislation has \$119 million worth of projects for higher education. Including building the Engineering building at SIU-Edwardsville for \$21 million. To bring it home in my area, we have a science building at Illinois State University that's due to open in August of next year, but we can't even buy the science equipment. You can't have a science building without science equipment. If this thing doesn't get passed, they will not be able to put in the

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equipment and that building will go on mothballs and will not open. Ladies and Gentlemen, we have \$48 million in here to help the mentally handicapped, for those with disabilities. Ladies and Gentlemen, in here we have facilities for our veterans. The Alzheimer's unit in Manteno will not get built unless this Bill passes. Ladies and Gentlemen, Ladies and Gentlemen, there are hundreds and hundreds and hundreds and hundreds of small gas stations that have problems with their underground storage tanks. This \$50 million will provide us the opportunity to clean those up, and to clean those up now. Ladies and Gentlemen, the armories, our state parks, we want to put a roof on the State Police Headquarters and we can't do it unless this Bill passes. We want to improve windows. We want to put in the lighting for our facilities. Ladies and Gentlemen, this Bill will do that. I'm going to emphasize again that the amount of debt that we have today to revenue, Representative, is 4.3%. It is going down. It is going down. Ladies and Gentlemen, to highlight what Representative Black said earlier, there are tens of thousands, tens of thousands of jobs that will be created if this Bill passes. We've got laborers, we've got teamsters, we've got our electricians, we've got our painters, we've got our carpenters and our bricklayers that if this Bill passes they will go to work. Think about it. It's not just for those people with needs, it's for those people that want good jobs. Ladies and Gentlemen, for the students, for the mentally handicapped, for our veterans. You know, the election is over. The people have spoken. We know the returns. Ladies and Gentlemen, it's time to do what's right for the people of Illinois. End this partisan politics and vote 'yes'."

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Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 503. All those in favor signify by voting 'aye'; opposed by voting 'no'. This will take 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 69 'ayes', 45 'noes', 1 voting 'present'. This Bill, having refused to receive the Constitutional Majority hereby declared lost. Representative Mitchell, for what purpose do you arise?"

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

Speaker Daniels: "State your point."

Mitchell: "Mr. Speaker, I'm proud to introduce, up in the Speaker's Gallery the Government classes Newman High School Sterling, Illinois along with their instructor, Mr. Jerry Standley and his wife Pat. The students have traveled here from Sterling to watch their government in action. Thank you."

Speaker Daniels: "Welcome to Springfield. Page 3 of the Calender under Conference Committee Reports appears House Bill 632. Representative Saviano. Excuse me, Representative Saviano, could you hold for a second? Representative Currie, for what purpose do you arise?"

Currie: "Thank you, Mr. Speaker. I rise at a point of personal privilege to invite all of my colleagues in helping us celebrate my seatmate's 40th birthday. Yeah, 4-0,4-0. Representative Sara Feigenholtz and please come over and join us for some cake. Thank you."

Speaker Daniels: "Happy birthday, Representative Feigenholtz. Now on House Bill 632. Representative Saviano."

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

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Conference Committee Report to House Bill 632 has various provisions in it renewing some of our practice Acts here in the State of Illinois, which are sunseting next year. The first portion of it refers to the renewal of the sunset of the Clinical Psychology Act, which is essentially the changes in it are housekeeping proposals which were worked out with the Department and the Illinois Psychological Association, and there are no known opponents to that. We're also renewing the Optometric Practice Act, which has a few substantive changes in it which include establishing applicants, Will have three years to complete application processes or their field will be forfeited and reapplication must be made. To establish the Department shall authorize examination requirements by Rule. It authorizes Optometric Licensing Disciplinary Board to require a mental or physical examination of an applicant or licensee when deemed necessary. Failure to submit the examination is grounds for suspension until compliance with the examination. Requires the Department to submit matters involving policy relating to discipline to the Board before taking action, and it deletes obsolete authority for transfer of \$200 thousand from the Optometric Licensing and Disciplinary Fund to the General Revenue Fund in 1992. The third provision in the Conference Committee Report is the renewal of the Speech Language Pathology and Audiology Practice Act. The only substantive change in that Act is that it clarifies that licensed physicians have authority to supervise equilibrium tests administered by an appropriately trained person. There are no other changes in the act. The last provision in the Conference Committee Report is the renewal of the sunset of the Medical Practice Act. The Medical Practice Act will sunset at the end of

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1997, December 31, 1997. The Department of Professional Regulation, Illinois State Medical Society, myself and other interested parties have worked on this, on this Bill for quite some time. There have been a number of self-imposed reforms that Illinois State Medical Society has suggested to implement into the new Act and there are other reforms that were initiated by the Department of Professional Regulations to create a more consumer-friendly practice Act in the profession of physicians in the State of Illinois. Some of these reforms which have been implemented into this new Act, most distinguishable is that now the State of Illinois will provide a mandate that at least 50 hours of continuing education be complied with for physicians in the State of Illinois. I can tell you that this is the strictest continuing ed requirement in the whole United States at this time. It also would define grounds for discipline related to immoral behavior to include sexual misconduct. It adds a ground for discipline for the failure to establish and maintain patient records as required by law. It provides for public access to confirm disciplinary actions which could then be publicly available on the Internet through State of Illinois World Wide Web Page. It allows probation, fines, suspension, or revocation to be imposed for failure to comply with these new state laws. It requires a physician to respond in writing within 60 days to a mandatory report received by the Medical Disciplinary Board. It clarifies that the State Statute of Limitations for the Department to bring an action following a mandatory report begins upon receipt of the report by the Department. It adds specific authorization for a physician who examines another physician at the request of the Medical License Board to

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testify before the Board or the Department. It requires applicants to complete the licensure process in a maximum of three years. It also requires foreign graduates to pass the Educational Commission of Foreign Medical Graduates Examination to comply with the current standards. It extends Visiting Physician Permits to 180 days from the current period of 120 days. It deletes the citizenship or admitted alien requirement for visiting physicians and visiting residents in conformance of, with the North American Free Trade Agreement, which we have done periodically with other, other practice acts over the last few years to come into federal compliance. It clarifies that the Medical License Board must review policies regarding licensure rather than every license application supporting document concerning licensure. I can tell you that in the Medical Practice Act, in this Bill there are a litany of revolutionary self-imposed reforms in the practice of medicine in this state. Some people might ask why we're renewing this approximately a year before it sunsets. Well it very simple, with the new reforms that we have put into this, into this new Practice Act it will take that long for us to get the department mechanisms in place to implement all of these reforms, and I would ask that we approve Conference Committee Report to House Bill 632."

Speaker Wennlund: "Representative Wennlund in the Chair. Is there any discussion? On this matter the Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker. Will the sponsor yield? Representative Saviano, a few weeks ago I received a letter from a physician in my hometown and he practices with ears, nose, and throat, and the question was concerning some of the language interpretations in the, I think the Audiology

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Act. It deals with vestibular functions, function testing. In talking to the Medical Society I understand that there is some language in that Bill that sort of accommodates the interests of the physicians questioning the interpretation of that Act. Is that correct?"

Speaker Wennlund: "Representative Saviano."

Saviano: "As I stated earlier on, the only change here is in that situation concerning your constituent is that a licensed physician may have the authority to provide that test. Okay, that's the only substantive change in the Bill from the previous Act."

Speaker Wennlund: "Representative Novak."

Novak: "So the Audiology people were more or less agreed to this?"

Speaker Wennlund: "Representative Saviano."

Saviano: "Yes, they did."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you. No further questions."

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

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

Speaker Wennlund: "He indicates he will."

Schakowsky: "Representative Saviano, are you aware that right now the Legislative Audit Commission is looking at the Department of Professional Regulation particularly in regard to its disciplinary actions?"

Speaker Wennlund: "Representative Saviano."

Saviano: "Yes."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Then can you explain to me since the report is due at the end of the month and is likely to suggest changes that might be necessary or important in the way the

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Disciplinary Board functions, why do we need to move this
Legislation right now?"

Speaker Wennlund: "Representative Saviano."

Saviano: "I considered that whole situation and I think,
Representative Schakowsky, that under the circumstances I
believe that we will study whatever results come of that
Commission, because we know it is an independent study. And
I can tell you that if there are things warranted in that
commission that we must address, we will address them. At
this point it's a matter of, I was impressed by the amount
of reforms that were suggested by the department and the
profession, which were implemented into this Bill. And I
think that we want to get the ball rolling to implement
this Act so that we do it in a timely fashion and we're up
and running by the time the Act eventually sunsets."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "To the Bill. Ladies and Gentlemen of the House,
there is no good reason for us right now to be extending
until the year 2007 the Medical Practices Act. I really
rise in opposition to that portion. I understand it is
part of a larger Bill, but I think that was the plan to
help railroad this whole thing through and quickly. The
Sponsor has said that there are consumer-friendly parts to
this and cites as one, access to the Internet to find out
about disciplinary actions. I want to tell you, the only
good news about that is it won't take up very much memory
on your computer if you choose to download it, because they
hardly ever act against doctors in the State of Illinois.
In fact, it's gone from bad to worse. We are seeing fewer
and fewer disciplinary actions. I have a Bill that I
introduced that I would love to see as part of the Medical
Practices Act that would provide real consumer information

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about settlements and judgments against doctors, about loss of licensure, about their education and their specialty degrees that could be on the Internet, could be available through an 800 number. This would provide consumers real opportunities. This should be part of the Medical Practices Act. I was told by a reporter who asked me about this that one of the rationales was that we don't want to clutter up the calendar in the Spring Session with Bills like this. Well, Illinoisans go to doctors 22 million times a year. This is clearly an issue that is of concern to Illinoisans, their doctors. And so it would seem to me a deliberate review of the Medical Practices Act, and not just a cursory extension of it until the year 2007, would be in order. It is hardly clutter on the Calendar to consider thoughtfully and with appropriate numbers of hearings and testimony this Legislation. I think it really is a sham and it is a, just a railroading effort by the part of the Illinois State Medical Society to push this through on us without appropriate discussions. And I plan to vote 'present' on this Bill."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "He indicates he will."

Dart: "Is there any opposition to this Bill in its form it is now, and if so can you tell me who it is?"

Speaker Wennlund: "Representative Saviano."

Saviano: "We have opposition from some consumer groups because, obviously, they wanted some of these reforms that they have pointed out. But I also pointed out in Committee yesterday that the 30 or odd some additional reforms they wanted in this Bill have in one way or another been introduced before

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this General Assembly, both in a Democratically controlled General Assembly and a Republican controlled General Assembly, and they were never successful. I have a list of probably 20 some Bills here that were introduced by various Members of this Body and they were never successful. And we felt that to make sure that we put the essential reforms in that we knew that would be acceptable to all parties, and also give us enough time to implement these reforms that we would go ahead with this Bill as it's in its present form and, down the line, after the audit commission comes out the report then review it."

Speaker Wennlund: "Representative Dart."

Dart: "Is it the intention then to take what the Audit Commission comes up with and implement that as well?"

Speaker Wennlund: "Representative Saviano."

Saviano: "Well, obviously, I don't want to speak on behalf of the Department of Professional Regulation, but it is a study of their agency and I'm sure that they would be prudent enough if there are some strong concerns as a result of that study that they would try to implement some of those reforms, and I'd be willing to work with them on some of those reforms. Unfortunately, we all know that if you save so many people to the left and so many people to the right were trying to find a happy medium and I think this is a good, solid piece of Legislation which represents the middle in the practice of medicine in the State of Illinois."

Speaker Wennlund: "Representative Dart."

Dart: "I think you referred to some revolutionary changes. Can you tell me about some of those?"

Speaker Wennlund: "Representative Saviano."

Saviano: "I couldn't hear. Could you repeat that please?"

Speaker Wennlund: "Representative Dart."

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Dart: "I think you referred to some revolutionary changes. Can you tell me about some of those?"

Speaker Wennlund: "Representative Saviano."

Saviano: "I think I read through some of those and, obviously, I think the most revolutionary one is the fact on the 50 hours of continuing education. This state has never had any provision requiring that, and what's really unique about this is that you know the physician's license are good for three years. This requires them to take that 50 hours each year in those three years. They can't take the 150 hours at the end. And in that respect they will be able to keep up on changing technology, different techniques, which I think that today in the fast changing world we're living in is very essential in the practice of medicine."

Speaker Wennlund: "Representative Dart."

Dart: "Are there any procedures or techniques in particular they should be keeping up with here that you're aware of?"

Speaker Wennlund: "Representative Saviano."

Saviano: "I've suggested a few, but they wouldn't agree with me on it."

Speaker Wennlund: "Representative Dart."

Dart: "Nothing further."

Wennlund: "There being no further discussion, the Gentleman from Cook, Representative Saviano to close."

Saviano: "Again, I feel that this is a good, solid piece of Legislation. There are other Acts in this Conference Committee Report which we need to pass to perpetuate the different practices and I would would ask that Conference Committee Report to House Bill 632 be adopted. Thank you."

Speaker Wennlund: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 632?' All

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those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye'; 0 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Supplemental Calender announcement."

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

Speaker Wennlund: "Mr. Clerk, on page 4 of the Calender appears HJR 139, and on that matter the Chair recognizes Representative Deering. Representative Deering moves for the passage of HJR 139. All those in favor signify by saying 'aye'; those opposed signify by saying 'nay'. In the opinion of the Chair the 'ayes' have it, and the Resolution is adopted. Mr. Clerk, introductions."

Clerk McLennand: "Introductions. First Reading of House Bills. House Bill #3773, offered by Representative Ackerman. A Bill for an Act to create the offense of sexual battery of a child. House Bill #3774, offered by Representative Dart. A Bill for an Act in relation to certain offenses and prohibited conduct. House Bill #3775, offered by Representative Santiago. A Bill for an Act to amend the Illinois Pension Code and to amend the State Mandates Act. Introduction, First Reading of these House Bills. Introduction of Resolutions. House Resolution #141, offered by Representative Brady. These Bills and Resolutions are referred to the Rules Committee."

Speaker Wennlund: "Mr. Clerk, on the Order of House Bills, Second Reading appears House Bill 546. On page 2 of the Calender. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill #546. Bill has been read a second

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time previously. Floor Amendments # 1 and 2 and 3 were referred to Rules. Floor Amendment #4, offered by Representative Mitchell, is 'approved for consideration'."

Speaker Wennlund: "On that matter, the Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Amendment #4 to House Bill 546 was heard in the Elementary and Secondary Education Committee this morning. If it is adopted it becomes the Bill, and since it is Representative Mitchell's Amendment I would like to turn this over to Representative Mitchell and let him present the Amendment. Thank you."

Speaker Wennlund: "Thank you, and on that matter the Chair then recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. Amendment #4 basically repeals some language in the School Code concerning Vocational Education. That particular side of language was put into law last year and the intent of the Legislation at that point was to allow the State Board of Education to purchase liability insurance for students entering a school-to-work experience. The intent has been confused because of the way that the language was written. It states in the new language that the employer will be responsible for providing workers compensation and unemployment insurance coverage for a student who participates in an education-to-careers work-based learning experience. That language has caused some confusion with the employers, the local business folks and they have opted to not try to enter this school-to-work experience because of that language. They're afraid that they will have to put this insurance in place. They've never had to do that before, therefore it's caused some problems in that way.

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The second point that I'd like to make is that in speaking to my local director of Whiteside Area Vocational Center, the cost of the insurance for a liability has been rolled down to the local school level and they feel that it could be construed as an unfunded mandate upon the school district. And, therefore, the school district is passing that on to the vocational centers and they don't have the money in their budget to cover the liability insurance either. Because of the confusion with this language we are asking now that we receive the same vote, which was a unanimous vote in Committee, to repeal this language and come back with a Bill that explains exactly what it is we want to do to enhance the school-to-work experience and not be a detriment to it. I'd be happy to answer any questions."

Speaker Wennlund: "On the Amendment is there any discussion? On that the Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "Indicates he will."

Dart: "Representative, this was a law we just recently passed here?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "Yes. It was passed as part of Quality First."

Speaker Wennlund: "Representative Dart."

Dart: "Okay. It was part of Quality First, but now it's not working the way it was intended, I guess, is that it?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "Certainly not the whole Bill but this portion has caused some real confusion with employers and business folks and I can understand that. In my opinion it would still work, but they don't want to try it because the

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language is there. It would be easier to draft a Bill on, I think Members on both sides of the aisle have been contacted to discuss a very simple Bill separate from this major Bill to cover this issue after we get all of the parties to the table and discuss the issue so that we reach an agreement among the people involved."

Speaker Wennlund: "Representative Dart."

Dart: "So, is it primarily the business community that is opposed to this language as it exists now?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "The business community has concerns about it. Individual employers have called me and are concerned about the fact that they're going to have to come up with money for insurance that they've never had to before. You see, basically, this is a stipend paid to students, not a permanent worker, and how it got construed as to a permanent employee that we need workers compensation and unemployment insurance is beyond me, but the language did get in there and the easiest way to deal with it at this point is to craft language that addresses the problem exactly so that everybody knows where we're coming from and is not subject to Rules interpretations that change the meaning or the intent of the Legislation."

Speaker Wennlund: "Representative Dart."

Dart: "So then in the interim time is this program, as far as giving a stipend to students, is that abolished then in the meantime until this is worked out?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "It won't affect the School-to-Work Program, whatsoever, it will just revert back to the way it was prior to this Legislation and those that were involved will stay involved, but it won't invite any new people and that

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was our intent was to invite new employers, new businesses. Maybe some smaller, maybe not with the money behind them to allow students a greater variety of work experiences. That's what we're after and that's what we hope to get later."

Speaker Wennlund: "Representative Dart."

Dart: "Nothing further."

Speaker Wennlund: "Further discussion. On that question, the Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Wennlund: "He indicates he will."

Black: "Representative, I've talked to you several times over the summer. We have in my district a very active Career-to-Education Program and, in fact, I'm really excited that many of our local manufacturing plants are willing to take these high school students in as apprentices and trying to get the message out that there are skilled jobs available for those with the skills. But we've hit a brick wall since we passed this because of high school student learners suddenly being eligible for unemployment and insurance benefits and of course under the law that creates a problem right there because they're really full-time students and I know I talked to one of my human resources managers this morning. This corrects that problem and takes it back to the way things were when we started the Education-to-Careers Program. Is that right?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "Yes, Representative Black, that's exactly right and you are correct. The intent of the legislation and the way it was explained on the House Floor is entirely different

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than the way it's being interpreted to both the school community and the work community. Because of that issue nobody wants to try this thing in our court system and I certainly understand that so it would be much easier to start over and to craft a Bill separate from the House Bill that this was on and do it properly."

Speaker Wennlund: "Representative Black."

Black: "And, Representative, this in no way endangers any working man or woman in the State of Illinois, a full-time employee is not in danger if we repeal this Act. It isn't going to endanger any full-time employee in the State of Illinois as far as being covered by WC and UI. Correct?"

Speaker Wennlund: "Representative Mitchell."

Mitchell: "No, that's absolutely correct. This deals only with full-time students that are a part of the School-to-Work Initiative."

Speaker Wennlund: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the Sponsor's work on this. I don't know how it is impacting everyone's district but I can tell you if we can get this signed into law, there will be upwards of 12 high school students spending a portion of the day in manufacturing facilities as apprentices all worked out with the labor unions. This is a tremendous program. It's offering young people, young men and women the chance to see that there are skilled, well-paying jobs out there if, in fact, they have the necessary skills and background in education. I think it's a tremendous program. I appreciate the Sponsor's efforts on this to clear up this obvious misunderstanding. I hope everyone will vote 'yes'."

Speaker Wennlund: "If there is no one further seeking

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recognition, Representative Mitchell to close.

Mitchell: "Thank you. I just urge everyone to vote 'yes' so that we can move hastily toward a Bill that will enhance the School-to-Work Initiative and open more doors to our students as time goes on. Thank you very much."

Speaker Wennlund: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further amendments?"

Clerk McLennand: "No further Amendments."

Speaker Wennlund: "Third Reading. And on the same order of business on Supplemental Calendar #1 appears House Bill 3168. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3168, a Bill for an Act concerning benefits of...for certain health treatments. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. State Mandates Note and a Fiscal Note have been requested on the Bill as amended and they have both been filed."

Speaker Wennlund: "Third Reading. On the same Order of Business on page 2 of the Calendar appears House Bill 3734. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill #3734 a Bill for an Act that amends the Counties Code. Second Reading of this House Bill. Committee Amendments #1 and 2 were adopted. No Floor Amendments. Fiscal Note, State Mandates Note and Home Rule Note have been requested on the Bill as amended and have been filed."

Speaker Wennlund: "Third Reading. On the same order of business, House Bill Second Reading, appears House Bill 3769. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3769 a Bill for an Act concerning

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medical coverage for mastectomies. Second Reading of this House Bill. Committee Amendments #1 and 2 were adopted. No Floor Amendments, no Note Requests."

Speaker Wennlund: "Third Reading. Turning to Supplemental Calendar #1. On the Order of Senate Bill, Second Reading, appears Senate Bill 522. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #522. A Bill for an Act in relation to adoptions. Second Reading of this Senate Bill. Committee Amendments #1 and 6 were adopted. Committee Amendment #2 was referred to rules. Floor Amendments #3, 4 and 5 have been referred to Rules. A Fiscal Note, State Mandates Note, Judicial Note have all been filed...requested on the Bill as amended and have been filed. The Bill has been read a second time previously."

Speaker Wennlund: "Third Reading. Mr. Clerk, on page 3 of the Calendar on the Order of Senate Bill, Second Reading, appears Senate Bill 1036. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1036, a Bill for an Act that amends the Criminal Code of 1961. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. Fiscal Note, State Mandates Note, Correctional Budget and Impact Note have been requested and filed."

Speaker Wennlund: "Third Reading. On the same Order of Business appears Senate Bill 1263. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1263. Bill's been read a second time, previously. Committee Amendment #1 was adopted. Floor Amendments #2 and 3 referred to rules. Floor Amendment #4, offered by Representative Ryder has been 'approved for consideration'."

Speaker Wennlund: "And on the Amendment the Chair recognizes, the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This appropriates 3.5 million

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GRF, and over 40 million of other funds to the Emergency Management Agency, so that we can continue to pay claims to the 11 counties in northeastern Illinois that were deluged by 17 inches of rain in a 24 hour period. And I would be happy to answer any questions that you might have."

Speaker Wennlund: "And on that matter the Chair recognizes the Gentleman from Macoupin, Representative Hannig."

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

Speaker Wennlund: "He indicates he will."

Hannig: "Representative, is it your intention to move this Bill today, on Third Reading, or are we just going to put the Amendment on today?"

Speaker Wennlund: "Representative Ryder."

Ryder: "Representative, I think we're doing...moving this to Second and then we're going to do Third Readings tomorrow. Unless, of course, you want to help me pass it today, then I'd be happy to do it. It just depends."

Speaker Wennlund: "Representative Hannig."

Hannig: "Representative Ryder, we have been trying to get some additional information on the agency as to how this impacts specific Members of the Assembly. And we've been unable to get very much response from the agency. So, I would just ask that maybe you would want to see that information as well, not necessarily by community, but by legislative district. As to how it affects district 1, 2, 3 and 4, for example. And if you would help me get that and share that with us, perhaps, it could help us more better understand what it is we're considering, because we have a lot of confusion having just heard this Bill this morning in Committee."

Speaker Wennlund: "Representative Ryder."

Ryder: "Representative, I will be glad to share with you every

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bit of information that I have at my disposal. And I'll also be glad to determine if we can obtain the information you can request. But allow me to suggest to you that the 97th and the 98th districts do not get anything out of this."

Speaker Wennlund: "Representative Hannig."

Hannig: "Well, maybe we should have addressed that. But in any case, I thank the Gentleman for his efforts, and we'll take a look at this. And with that, then we have no further objections or comments and I thank you."

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

Ryder: "With the Gentleman's assistance, if we could move this to Third Reading by adopting this Bill, then I'll do my best to get the Gentleman as much information as I have. And we'll do our best to try to find out whatever other information we can if it's available. So I'd appreciate your support."

Speaker Wennlund: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye'; opposed signify by saying 'nay'; the Amendment's adopted. Further amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Wennlund: "Third Reading. On the same Order of Business appears Senate Bill 1643. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1643. The Bill's been read a second time, previously. Committee Amendment #1 was adopted. Floor Amendments #2, 3, 4, 5 and 6 have been referred to Rules. Floor Amendment #7, offered by Representative Ciarlo, has been 'approved for consideration'."

Speaker Wennlund: "Mr. Clerk, for the time being, let's take this

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Bill out of the Record. On page 3 of the Calender appears Conference Committee Reports, Senate Bill 1766. Read the Bill, Mr. Clerk. And on that the Chair recognizes Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1766 would top the Secretary of State's Special Services Fund at \$15 million for FY97 and \$17 million, thereafter. Any excess revenues in that fund would be transferred to the Statical Services Revolving Fund. To make it very simple the State's Special Services Fund is used by the Secretary of State for, general automation efforts, for technology applications and to provide funds for library grants. Anything that would be over that amount is going to go into the Statical Services Revolving Fund which will be used by Central Management Services to pay for computer systems and upgrades for state agencies. Also this legislation would clarify that the Secretary of State has the ability to make certain types of grants to veterans' homes as well, and is a significant clarification on the disposition of fees that are filed with the Unified Commercial Code so that those funds would stay within the counties, as opposed to coming to the state. There was some error in the language, apparently, that was written into it when we originally passed that. I'd ask for a favorable Roll Call."

Speaker Wennlund: "And on this Bill is there any discussion? The Chair recognizes the Gentleman from Bureau, Representative Mautino."

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

Speaker Wennlund: "He indicates he will."

Mautino: "Representative, originally this Bill came from the Constitutional Officers Committee in its original form, I

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believe. This issue we had on the increases, the fee increases originally. Now we've got some changes from...some changes from the...what the Secretary of State initially asked for. Can you tell me, since it didn't come back through Constitutional Officers, again what it is?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "I'm sorry, Representative, repeat that question. Representative Mautino."

Speaker Wennlund: "Representative Mautino."

Mautino: "What are the changes over the original proposal that had the fee increases? What are the changes? Where does the money now go? The Secretary came and asked originally for these fee increases which were passed through and now there's been a change to the distribution of those funds. Where is that going? I apologize, with the noise in the Chamber I couldn't hear your explanation."

Speaker Wennlund: "Ladies and Gentlemen of the House, Ladies and Gentlemen of the House, please give Representative Mautino and Representative Rutherford your attention so that everyone can hear what's going on, and understand each other. Representative Rutherford."

Rutherford: "Thank you, Representative, to answer your question, the underlying Bill was to raise the threshold of funds available, cash balances available at a local driver's facility, that was no fee increase. What it did was allow for the petty cash funds in those facilities to be up to a certain level. What this does now, in regards to the State's Special Services, that's just an account. It would be like a line item account within the state, and that's going to be topped at a certain level, so that anything above that amount would then go into the Statical Services Revolving Fund. So there is no fee increase in this at

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all.

Speaker Wennlund: "Representative Mautino."

Mautino: "So then what we're doing here this is just...this is basically the authorization, spending authorization for the fee increases that were passed earlier. And apparently the Governor's office would like some of that so we are going to shift those dollars. Is that a pretty fair assessment?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Yes."

Speaker Wennlund: "Representative Mautino. Nothing further? Okay. Further discussion? On that, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Wennlund: "He indicates he will."

Granberg: "Representative Rutherford, just to make sure I understand this, this is at the request of the Secretary of State's office, is that correct?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Yes, Representative, it is."

Speaker Wennlund: "Representative Granberg."

Granberg: "And the portion of the funds that will be transferred to the administration come out...those funds actually come out of the revenue provided by the fee increase that we voted upon last year, is that correct?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "It is, if I could clarify. The fees that are...the fees that are going to be coming in, once again, are going into a very specific identified fund, which I explained earlier. Statutorily will be set for what the Secretary of State can use those funds for. A threshold level is being set at \$15 million and the next year at \$17 million. Anything above that threshold level goes into this

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revolving fund for which then Central Management Services will utilize it for the support network for computers and so forth."

Speaker Wennlund: "Representative Granberg."

Granberg: "No further questions. Thank you."

Speaker Wennlund: "And on that matter, further discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Wennlund: "He indicates he will."

Hartke: "Representative Rutherford, can you tell me, I know you're wanting an increase in this distribution amount on the funds, over and above. What is your total collections estimate for this fund now?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "As of the numbers we have available to us now it's approximately \$19.4 million. And to go at this again we're thresholding it at 15 and then to 17."

Speaker Wennlund: "Representative Hartke."

Hartke: "So that means you have approximately excess funds then in that, or excess dollars in that fund to distribute to the technology services group and the veterans' home, correct?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Actually, I don't know if I'd call it excess. What this does, it sets very specifically the parameters for the amount that can be utilized. Anything that's above that threshold goes into that revolving fund."

Speaker Wennlund: "Representative Hartke."

Hartke: "What, in dollars, do you estimate will be available for the Veterans' Library System?"

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Speaker Wennlund: "Representative Rutherford."

Rutherford: "As of right now we do not have a good estimate on that, Representative. This is for the Universal Veterans' Plate and we're still in the process of trying to get a good handle as to how many there may be, since it is a new program for us."

Speaker Wennlund: "Representative Hartke."

Hartke: "Would only those dollars that are generated by the Veterans' Plates be then contributed for the veterans' libraries?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "It will be for veterans' libraries. And, Representative, just to clarify, none of those funds from the Veterans' License Plates' sales will be going into this fund that we're talking about here. The issue that's a part of this Bill talking about the veterans' grants is just clarifying language for another area."

Speaker Wennlund: "Representative Hartke."

Hartke: "You mean none of the fees that go into this fund originally for plates and, so forth, is Veterans'...the extra...I don't know \$12.00 or whatever the extra Veterans' plates cost. Isn't that part of this, these dollars that are in the \$19 million that you collected last year?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "No, Representative, it's not. The Veterans' plate revenues go into the Special Plate Fund, and that...okay, the fund we're talking about here is called the Special Services Fund. The revenues that go into that are the driver's abstract record, corporate annual report filings and the Uniform Commercial Code filing fees. Those three fees go into that fund which is at 19.4 million, which we're putting a threshold at. The revenues from our

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Veterans' plates go into our Special Plate Fund and that is then going to our Veterans' home library grant."

Speaker Wennlund: "Representative Hartke."

Hartke: "Well, thank you for clarifying that. Does this fund we're talking about, has that been increasing annually for the Secretary's office?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "It's actually been pretty flat; it's been about the same number of searches that they do each year. So it has not been necessarily an aggressively growing fund."

Speaker Wennlund: "Representative Hartke."

Hartke: "If it's been hanging around the \$18 or \$19 million for the last several years, what has happened in the past since now you're asking for an increase in that threshold? What has happened to those dollars in the past?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Representative, I want to make sure I clarify. We increased this fee about a year ago. So that's in part where this increase is come if you were talking...if you've been able to identify one. It's not necessarily from the traffic patterns through it, it's from an increase in the fee."

Speaker Wennlund: "Representative Hartke."

Hartke: "Well then, apparently, you were incorrect in your statement when you said this fee has been relatively flat for the last couple years. Because I think you're estimating, what, \$18 or \$19 million in that fund this year?"

Speaker Wennlund: "Representative Rutherford."

Hartke: "...a tremendous increase over the...I guess amount, because now you're finding excesses in this fund. Fifteen million was the limit, did you always reach that limit in

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the past?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Yeah, the...as I'd said before the fund has stayed flat as far as the number of transactions. The increase has come because of the increase in the fee. Now the figure of \$15 million and \$17 million is a figure that's come up with by concurrence of the Executive Branch and the General Assembly, so anything above that amount is what's going to go into this Revolving Fund, anything below that is going to stay within our Special Services Fund."

Speaker Wennlund: "Representative Hartke."

Hartke: "I understand that, but I'm still trying to get a handle on...on why these funds were chosen; and why not back to the general revenue...of the Department of Revenue, you know, the state coffers rather than specifying where it goes in the office of Secretary of State."

Speaker Wennlund: "Representative Rutherford."

Rutherford: "It's a very good question. We've got the language in here identifying specifically where it could come from. I...it's going to be similar to what we have in other fees; similar as you were interested in the Veteran's License Plate. We, as a General Assembly Body, have statutorily said that the purpose for those funds will be specifically to be utilized for our Veterans. It's the same concept here. The revenues that are coming in for this are going to be used to help support the computer systems."

Speaker Wennlund: "Representative Hartke, please bring your comments to a close."

Hartke: "I have no further questions. Thank you very much for your responses."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Wennlund: "He indicates he will."

Lang: "Representative, Representative, hi there, hi there. You done with the braintrust? Can I ask you a couple of questions? Thank you. The Bill indicates that the Secretary of State shall establish, by Rule, the criteria for awarding the literacy funding grants. What assurance does the General Assembly have that there is going to be a certain accountability here and a certain oversight; or are we just going to give him the full power to do whatever he wants with these grants?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Absolutely not, Representative, I don't know of any General Assembly that would want to give any Constitutional Officer complete authority to do whatever they like. That's the reason they have JCAR in place. So with a Joint Committee on Administrative Rules, would be the input that the General Assembly will have on that."

Speaker Wennlund: "Representative Lang."

Lang: "The Bill provides that all fiscal year receipts over \$17 million should be transferred from one fund to another fund, rather than stating the title. Why should we give fees that the Secretary of State generated, to the Governor?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "The fees are going to be coming in to be utilized for...in part, through the Secretary of State's office for computerization, upgrading the mainframe, and so forth. Taking those fees and setting a threshold level, so a certain amount over that will go into the Statistical Revolving Fund, will be utilized by the administration for its computer systems, upgrades and needs throughout the

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entire state government."

Speaker Wennlund: "Representative Lang."

Lang: "However, these are Secretary of State fees. In fact, we just increased the fees. Why did we increase the fees and charge the people in the State of Illinois more money to access these departments, and charge them these additional fees, if we now have excess fees? We just raised the fees. How do we have excess fees?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Well actually, Representative, these aren't the Secretary of State's fees; these are the fees of the people of the State of Illinois. And where we can utilize these fees to be providing efficient service through agreement between the executive branches of government through appropriations, through concurrence through the General Assembly. I mean, this is a deliberative, decision-making process we're going through, and it's a healthy debate we're going to have on the whole issue. But, I mean, there's no, no entitlement and possessiveness of these fees. I mean, these aren't George Ryan's personally. He wouldn't keep them in a shoe box some place. These are the fees for the...these are the fees for the people...for the people of the State of Illinois to utilize for the best services we can possible provide."

Speaker Wennlund: "Representative Lang."

Lang: "Well, thank you for that little history lesson, but that's not what I was talking about here. We just increased the fees that the Secretary of State is allowed to charge, and now all of a sudden we're going to have excess fees which are estimated at \$16.6 million. Why did we raise the fees if we're going to have excess fees?"

Speaker Wennlund: "Representative Rutherford."

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Rutherford: "Could you help me find where that 16.6 number comes from? Using my figures I'm not sure that I can equate to that."

Speaker Wennlund: "Representative Lang."

Lang: "Alright, I have misspoken, but apparently you're planning on some sort of an excess. It's alright, it happens; mark the date down. Apparently you're planning on some sort of an excess because you've built into your Bill what happens to excess funds. And I'm simply asking you, which you have not yet answered. If we were in court I'd ask the court to admonish the witness to answer the question. I'm simply asking you why we have increased fees so much, which I'm sure you'll acknowledge we did. If we're going to establish there are going to be excess fees, why don't we lower the fees so there are no excess fees?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Well, obviously, coming out from a lawyer talking, if I had been just admonished, I stand admonished. The issue on excess fees, this is not at all what we have here. What we're saying is that as a Body deliberative we are setting a threshold unto which certain uses...certain amount of fees can be used for identified uses. It says so right there in the Bill, and what we're saying is anything above those amounts will be used for other purposes. Now, one of the things that we can do in the future is, if for some reason we want to change the \$15 and the \$17 million, we have the prerogative to do that. So, I mean, these aren't necessarily excess fees, what we're doing here is citing the very specific places, examples and uses that these monies can go through. You know, I think...I think the important thing to understand is, you know, where we're using...where we're getting these from, again, are the

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Driver's Abstract Record, the Corporate Annual Report filings and the Uniform Commercial Code filings. I mean, that's...that's where it's all going. It's going to be used by the Secretary of State. Again, if I can clarify, it's going to be used by the Secretary of State for general automation efforts. It's going to be used for technology application. It's going to be used to provide funds for any type of library grants. And as well what we're doing in this legislation, is clarifying the type of library grants that he can go through as well as those within the veterans' homes. So I'd think it would be a good piece of legislation."

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

Lang: "Well, I thank you for the opportunity. I'm going to vote 'no' on this, Mr. Speaker, Ladies and Gentlemen. I am because there seems to be a lot of confusion about these fees. We increased the fees just recently and now all of a sudden there's a Bill to tell us what to do with excess fees. People in the State of Illinois should not have to pay fees that they don't need to pay. They should not have to pay taxes they don't need to pay. And for us to generate excess fees, and not only generate excess fees through the Secretary of State's office, but then declare statutorily that we're going to give them to the Governor's office. And then to have these grants that the Secretary of State gets to give with no criteria, with no accountability, with no oversight, seems to me to be a little over the top. And I would think we'd want to rethink our position on how to spend the taxpayers' money."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Madison, Representative Stephens."

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Stephens: "Mr. Speaker, I'm afraid a great injustice is taking place here on the House Floor. I suggest that the Gentleman from Cook be allowed to borrow two of Representative Rutherford's staff. I mean, he's got several to spare here and then maybe he would have the information that he could properly question Representative Rutherford on the legislation. Now, Representative, you've got at least, well they're starting to shy away now, but you've got five staffers here. If you could give him two, then we could get to the end of these questions and we could vote this Bill out and do George Ryan a great favor. Would that be alright with you?"

Speaker Wennlund: "Representative Lang."

Lang: "Well, I thank Mr. Stephens. I just wanted him to know that in a few weeks I'll have all the staff I need over here."

Speaker Wennlund: "No one further seeking recognition the Chair recognizes Representative Rutherford to close."

Rutherford: "Thank you, Mr. Speaker. I'd ask for a favorable Roll Call."

Speaker Wennlund: "The question is, 'Shall the House adopt Conference Committee Report to Senate Bill 1766?' All those in favor voting 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 111 voting 'yes'; 4 voting 'no', 0 voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 1766. And this Bill having received the Constitutional Majority, is hereby declared passed. Representative Bugielski, for what reason do you rise?"

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Bugielski: "Thank you, Mr. Speaker. Would the record reflect that my red switch was inadvertently pressed, it should have been green. I would have been voting 'yes'."

Speaker Wennlund: "The record will so reflect. And I'm sure Secretary Ryan will take note of it. Thank you. Returning to the Order of Senate Bill Second Reading on page 2 of the Calendar, appears Senate Bill 775. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #775, a Bill for an Act that amends the Illinois Vehicle Code, Second Reading of this Senate Bill. Committee Amendment #1 and 2 were adopted, Floor Amendment #3 was adopted, and Floor Amendment #4, offered by Representative Hughes, has been 'approved for consideration'."

Speaker Wennlund: "On Floor Amendment #4, the Chair recognizes Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Floor Amendment #4 becomes the Bill. While I can't say there is no opposition to any element of this Bill, I can say that it's the result of months of negotiation and of considerable give-and-take by the interested parties. Yesterday after thorough discussion it passed the Transportation Committee on a vote of 26 to 1. I'm going to briefly outline the provisions of the Bill for you. There are three substantive elements. And this is the Rail Safety Bill that we've been working on the entire spring. You have voted on portions of this previously. The three substantive elements that are in Floor Amendment 4 which becomes the Bill are: Giving authority to the ICC over interconnected crossings. Providing that no changes can be made by either rail carriers or highway authorities without ICC approval, and that is the real guts of the substantive portion of this

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Bill. The second, is a change in the accounting practices for the ICC allowing for accelerated grade crossing improvement projects. The result of that change will mean that with the adoption of this Bill, more dollars, more real dollars will be spent in each of the next few years for real grade crossing improvements. And the third substantive portion of the Bill is to call for a joint ICC/IDOT study on the relationship of train speeds to grade crossing safety. There were concerns last Spring about some elements that were in a previous version. There is no reference in this Bill to an 800 number, and most particularly of concern, there is no language in this Bill regarding any immunity for any parties. The second portion of this Bill has the funding provisions for the Rail Safety Program and they're contained in two areas. The first changes the railroads' portion of funding. And this proposal was negotiated with and suggested by the Railroad Association. The funds generated by the railroads will come from three sources and be in equal amounts. Source #1 will be through the Gross Receipts Tax on intrastate revenues. That tax will be reduced from .23% to .15%. That tax applies only to intrastate carriers and gross receipts. The second third will be generated by a fee based on miles of track, that will be assessed on all rail carriers in the state. The third portion will be an assessment based on the number of grade and nongrade crossings in the state. Those three components will generate an additional \$425 thousand from the Railroad Industry. It will increase, but it will also spread the burden to all rail carriers. Currently 23 out of 43 carriers in Illinois pay non...no taxes under this program at all. The second funding component consists of an

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increased transfer from the Grade Crossing Protection Fund to the ICC administration. That increase in the amount of \$750 thousand. This is the portion that the rails remain opposed to. Their concern is that we are taking dollars from capital improvement at grade crossings and shifting them to administration. In fact, we are doing so. But we must do so to have the staff to administer the projects to get them out there. And as I explained with the accounting change, we will, even with this transfer, be spending significantly more dollars for actual grade crossing improvements. That is the summary of the Bill. I would be happy to answer questions.

Speaker Wennlund: "Is there any discussion? On that Conference Committee Report, the Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Wennlund: "She indicates she will."

Lang: "Representative, do these proposals come from the task force or the subcommittee meetings that you had following the Fox River Grove accident last year?"

Speaker Wennlund: "Representative Hughes."

Hughes: "These proposals come from the Governor's Address back in January, come from an assessment of the causes of the accident in Fox River Grove, come from negotiations between the rails and so forth. Also from the NTSB reports. Specifically from...from our hearings, not specifically. No."

Speaker Wennlund: "Representative Lang."

Lang: "I assume you've seen the National Transportation Safety Board Report on that accident. Are these recommendations in your Amendment compatible with the recommendations the NTSB made?"

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Speaker Wennlund: "Representative Hughes."

Hughes: "Yes, I believe they are. Yes."

Speaker Wennlund: "Representative Lang."

Lang: "Are there any proposals the NTSB made that we are ignoring, or pushing aside for another time? Or is this a complete response to their recommendation?"

Speaker Wennlund: "Representative Hughes."

Hughes: "This is not...this, in itself, is not a complete response. There are other recommendations that affect other entities and those are being taken care of. All of them are not in this Bill."

Speaker Wennlund: "Representative Lang."

Lang: "Was there any dispute from any quarters about the proposals you are making in this Amendment?"

Speaker Wennlund: "Representative Hughes."

Hughes: "As I explained, there has been significant changes, some things pulled out, modifications made as a result of negotiations. There still remains one area, that is this transfer from the Grade Crossing Protection Fund to the ICC administration of \$750 thousand that is...that remains in dispute by the railroads, as I said, because of the issue of how many dollars are going for grade crossing improvements. In fact, those dollars, as I said, will be increased under this plan."

Speaker Wennlund: "Representative Lang."

Lang: "As you know the accident in Fox River Grove, that was the impetus to all of this activity, involved a train and a school bus. Is there anything in this Amendment that deals with school bus safety?"

Speaker Wennlund: "Representative Hughes."

Hughes: "There is not."

Speaker Wennlund: "Representative Lang."

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Lang: "Well, as you know, this is something that some Members of the General Assembly have been concerned about for some time. It was something that was mentioned in your subcommittee hearings. Why is it that we're completely ignoring the issue of school bus safety while we're talking about grade crossings?"

Speaker Wennlund: "Representative Hughes."

Hughes: "First of all, indirectly this is addressing school bus safety. We did pass other legislation earlier in the Session which has some provisions to enhance school bus safety and it's an area that I know all of us are going to continue to be reviewing and evaluating."

Speaker Wennlund: "Representative Lang."

Lang: "Well you had indicated to me during your subcommittee hearings, and again on the Floor of this House, on more than one occasion that you are prepared to continue to discuss and debate the issue of seat belts on school busses. And I note that has not been debated. I note that that has not been discussed. I note that that is not part of your Amendment or any proposed amendments you have. Can you explain to the Body why we have not at least debated that issue?"

Speaker Wennlund: "Representative Hughes."

Hughes: "I would have to review the tapes. I don't know that I specifically said that I was going to debate school...seat belts on school busses, but that we were going to discuss and review a number of issues relating to school bus safety. And we have discussed some of those and we will be continuing to discuss them further."

Speaker Wennlund: "Representative Lang."

Lang: "But, nevertheless, you have proposals here that deal directly with railroads, but nothing in this Bill or

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Amendment dealing directly with school bus safety. Is that right?"

Speaker Wennlund: "Representative Hughes."

Hughes: "That is correct of this Bill, in itself."

Speaker Wennlund: "Representative Lang."

Lang: "Do you have any proposals that we'll be seeing before the end of Veto Session that deal with the issue of school bus safety?"

Speaker Wennlund: "Representative Hughes."

Hughes: "There has already been a Bill signed into law by the Governor which contains some school bus safety provisions. I believe you voted for that Bill earlier in the Session. There may very well, I expect to have legislation proposed, not necessarily by myself, but in the Spring Session. I don't anticipate further legislation in Veto Session."

Speaker Wennlund: "Representative Lang."

Lang: "Well, let me suggest that I think there's a failure here to deal with a very important issue, an issue that at least should be debated. It's been on the table for some time. The subcommittee had an opportunity to debate it, they didn't. It's a failure. I'm probably going to vote for this Amendment. But we are missing the boat here."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Wennlund: "She indicates she will."

Granberg: "Representative Hughes, I understand your intentions and they're very honorable. But let me just ask you a few questions. In fact, let me preface that question by saying Bernie Morris and the Commerce Commission do an outstanding job in regard to railroad safety. They bend over backwards for us downstate. What tax has increased, and by what

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amount in your Amendment?"

Speaker Wennlund: "Representative Hughes."

Hughes: "There is a tax reduction for the...on the gross receipts for intrastate profits...revenues from .23% to .15%. There are two new fees on rails. One is based on the number of track miles to be imposed on all rail carriers in Illinois, as opposed to the 20 out of 43 that pay the Gross Revenues Tax. The second, attacks a fee based on the number of crossings. The reduction in gross receipts, the imposition of the two fees I just referenced will generate about \$425 thousand additional revenues from the rail industry. That is the only increase in new revenue. The other funding portion is a transfer of funds that are already there."

Speaker Wennlund: "Representative Granberg."

Granberg: "So the tax increase you're speaking to is one of \$425 thousand, which actually doubles the current tax. And that's \$425 thousand. And additionally you are seeking to transfer \$750 thousand out of the Grade Protection Fund. Is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "That's correct."

Speaker Wennlund: "Representative Granberg."

Granberg: "And the Grade Protection Crossing Fund is used for capital expenditures around the State of Illinois to protect railroad crossings. Is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "That's right."

Speaker Wennlund: "Representative Granberg."

Granberg: "So we're taking that money out of capital projects to hire administrative staff. And how many people will we be hiring, Representative?"

Speaker Wennlund: "Representative Hughes."

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Hughes: "Eight people."

Speaker Wennlund: "Representative Granberg."

Granberg: "So we're taking \$750 thousand out of the Grade Protection Capital Fund; we're increasing the tax by \$425 thousand. So totaled that's over \$1 million to hire eight people. Is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "Those monies will be...the major portion of that will be to hire those eight people. But these are highly technical people. These are people who are field people, who will require equipment as well. So, yes, and basically it's to add eight people plus the support for those eight people to do the job of highly technical inspections in a field setting."

Speaker Wennlund: "Representative Granberg."

Granberg: "So these people you're going to be hiring will be paid over \$125,000 a year. Is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "I can't answer what their salaries are going to be. This is a...this is the best conservative analysis of Mr. Morris as to what it's going to take for these eight people to function and get this program running the way it ought to be."

Speaker Wennlund: "Representative Granberg."

Granberg: "And with the addition of these eight people this...if these people had been on the staff prior to this terrible incident at Fox River that would in no way have alleviated...have prevented that tragedy from occurring. Is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "These eight people will do two things: One, there's a surplus in the growth...Grade Crossing Protection Fund

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which is there, in part, because of a lack of staff to review projects to expend those funds. And partly, because in the aftermath of the Fox River Grove tragedy there is an intensive review of 243 grade...interconnected grade crossings, which have added to the burden of this department."

Speaker Wennlund: "Representative Granberg."

Granberg: "Thank you, Representative Hughes. Again I understand what you're attempting to do. But with all due respect, I intend to vote 'no' for the simple reason that the Grade Protection Fund is to be used for capital projects. I don't think we need to shift those funds, those monies, out of that fund because we, downstate, in particular, we need those monies to be expended on capital projects. We have enough unguarded railroad crossings. We need that money to be used for those projects. I don't think we need those funds to be shifted from capital into hiring more people in the State of Illinois, more state employees. And frankly I just think that's the wrong way to go about it. Thank you very much."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Wennlund: "She indicates she will."

Hartke: "Representative Hughes, I basically stand in support of this legislation. I want to commend you for doing a good job in putting this together. Bringing recognition to the fact that the Illinois Commerce Commission over the years has done a great service to downstate districts, as well as, all over the State of Illinois. And it is a fact that we do have a surplus of dollars. But there's a whole pile

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of projects that are waiting to be looked at and discussed, and engineered so that we can continue to build railroad crossing protection devices in areas in the State of Illinois. And without the additional individuals to do this work in the administration, that will not be done. And I would imagine that that surplus would continue. However, yesterday in committee we discussed this salary question that Mr. Granberg just addressed. After the committee I talked to you and Mr. Morris and he indicated that at some point in time we will work this backlog of projects down and get our projects in line with the workload that they have. So maybe at some point in time we have to readdress this funding issue. Question, Representative Hughes, would you be able to work with me and this side, and the Transportation Committee to try to adjust that? We know that this is a tremendous increase in the Commerce Commission, a workload that has been placed upon them in a new emphasis and it's welcome, but will you work with me at readjusting this budget in the years to come?"

Speaker Wennlund: "Representative Hughes."

Hughes: "I made a commitment to you, Representative Hartke, to the Rail Association, to the ICC, to continue to work to do the best we can with this, to readdress the funding issue in the future, and to make sure that we are providing adequate funding for all those downstate crossings. And it isn't just downstate, it's suburbs in Chicago as well."

Speaker Wennlund: "Representative Hartke."

Hartke: "As we look at the issue of transportation in the State of Illinois, rails playing an intricate part in moving masses amounts of people around the suburbs as well as downstate. We talk about a high-speed rail and I think we

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must keep a very viable inspection teams to make sure that those rails are safe. Bernie Morris has done a good job and I stand in support of this legislation."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in support of the Lady's Amendment. As she indicated it passed overwhelming out of the Transportation Committee. Once again I feel compelled to respond to my esteemed colleague on the other side of the aisle who wants to make this an issue other than what it is. We're going to pay people \$125 thousand a year. Oh baloney. He knows better than that. So do all of us on this floor. If they're going to pay these inspectors \$125 thousand a year, I have enough confidence in my fellow Legislators that we'd all be first in line to apply. Don't obfuscate the issue. Don't be disingenuous. The same...the same colleague that I do hold in the highest regard said, 'You know we need money for capital projects, especially downstaters. We need money for capital projects.' Thirty minutes ago he voted 'no' on \$150 million worth of capital projects for downstate. You can't have it both ways, Sir. You can't have it both ways. Vote 'aye' for the Amendment, vote 'aye' for the Bill."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. I rise in support of this Bill. As someone in whose district there was a rail traffic fatality and tragedy that has hurt a small community, this is so important. I know most of us probably want to initially look at this and see it as, well this is moving money from actual projects to personnel. But the key thing

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here, and I thought that at first when I first heard the testimony, I first read about the Bill. But as the more I read about it, the more I listened to the testimony from the people from the ICC, the more I became convinced that it's crucial that we get these eight additional personnel so that we can actually get more money. We can get these personnel working on the backlog of paper work to get more money actually out into the state for these thousands of rail crossings that need work. So I would appreciate it if all of my colleagues on both sides of the aisle would support this legislation. It may seem...in one sense we have to reject the argument that this is moving money, several hundred thousand dollars, in fact, from projects to personnel. But actually what it will do is it will free up millions of dollars so that we can get these long overdue projects on thousands of crossings across downstate Illinois in particular. Thank you very much."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Hughes to close."

Hughes: "Thank you, Mr. Speaker. While Illinois has an excellent, and I mean excellent and improving safety record, and we have both dedicated and competent staff we can and should do more. Here is why you should be a 'yes' vote on this Bill. Number one, there has been no funding increases to Illinois Rail Safety Programs since 1989, none. Number two, since 1990 ICC staff has been cut nearly in half. Number three, Illinois ranks second in rail crossings in the nation. Yet we have five technical staff who are accountable for nearly 10,000 crossings, for annual inspection of over 7,500 miles of track, for inspection of 3 million tons of hazardous waste, for the review of

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projects for the grade crossing improvements. in the amount of \$18 million annually. Thirdly, there is a \$40 million surplus in the Grade Crossing Protection Fund, which is there, in part, because there isn't a staff to administer the review of projects to get the money out there and spent. And finally, about a year ago, seven young lives were lost in Fox River Grove in a tragic accident. We owe it to the community of Fox River Grove and to all citizens of Illinois to act upon what we have learned from the aftermath...in the aftermath of that tragic accident. That means even greater expectations and demands on ICC staff and those five technical people. A 'yes' vote on Floor Amendment 4 and on Senate Bill 775 is your chance to show that we can learn from the past, even from the tragedy of last year. And that we can make a responsible and reasonable response, take responsible and reasonable action and that we can work together for a safer Illinois, and a safer rail system. Thank you for your 'yes' vote."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #4 be adopted?' All those in favor signify by saying 'aye'; opposed by saying 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Further amendments Mr. Clerk."

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

Speaker Wennlund: "Third Reading. Mr. Clerk, on the Order of Senate Bills Third Reading appears Senate Bill 775. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 775, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Wennlund: "And on that, the Chair recognizes the Lady

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from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. You just heard the debate. I would ask for a 'yes' vote on Senate Bill 775."

Speaker Wennlund: "No one seeking recognition. The question is 'Shall Senate Bill 775 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question, there are 111 voting 'yes'; 1 voting 'no'; 1 voting present. And this Bill having received the constitutional Majority, is hereby declared passed. Committee announcements."

Clerk Rossi: "The House Rules Committee will meet today at 2 p.m. in the Speaker's Conference Room. The Rules Committee 2 p.m. Speaker's Conference Room."

Speaker Wennlund: "The Gentleman from Whiteside, Representative Mitchell, for what purpose do you seek recognition?"

Mitchell: "Thank you, Mr. Speaker. I pushed my button, the light did not come on, you called quickly. And would the record please reflect, that had I had the opportunity I would have voted 'yes' on that Bill?"

Speaker Wennlund: "The record will so reflect. The Gentleman from Sangamon, Representative Poe, for what purpose do you seek recognition?"

Poe: "I also would like to be recorded as a 'yes' vote on the last Senate Bill 775."

Speaker Wennlund: "The record will so reflect. On page 3 of the Calendar on the order of Senate Bill Second Reading appears Senate Bill 1643. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1643 has been read a second time previously. Amendment #1 was adopted in Committee. No motions have been filed. Floor Amendment #7 has been

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approved for consideration."

Speaker Wennlund: "And on that matter, Floor Amendment #7, the Chair recognizes Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker. Floor Amendment 7 becomes the Bill..."

Speaker Wennlund: "Excuse me Representative Ciarlo. Ladies and Gentlemen please give the Lady your kind attention so that we can get on with the business of the House and everybody can hear what's going on so we won't have to be repeating. Proceed, Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker. Floor Amendment 7 becomes the Bill. And this legislation is a result of a very tragic accident which occurred in my district over the Memorial Day weekend when three young girls were killed by a hit-and-run driver. This Bill will increase the penalty for failure to report a hit-and-run accident in which any person is killed from a Class IV Felony, to a Class II Felony, for which, the driver may be sentenced from 3-14 years in prison. It also increases the driver's license revocation from one year to three years. Also it includes multiple convictions, such as, reckless homicide, fleeing the scene of an accident, or DUI. If two of these convictions should occur in a 20 year period the driver's license would be revoked for a minimum of five years, currently it's three years. If there are three convictions in a 20 year period, the license may be revoked for a minimum of 10 years, and currently it is six years. It also cuts the reporting time to one hour from three hours, and if you are hospitalized, one hour after being discharged from the hospital. I strongly urge my colleagues to support this legislation. And I would be more than happy to answer any questions regarding this."

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Speaker Wennlund: "On Floor Amendment #7 is there any discussion?

On that matter the Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "She indicates she will."

Dart: "Representative, can you just explain to me the change you're making in the time period for reporting?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Representative, it's going to go from a period of three hours to one hour. We feel that that is a sufficient amount of time for a person involved in an accident to report that kind of an accident."

Speaker Wennlund: "Representative Dart."

Dart: "So that I'm clear then. From the time of the actual accident occurring the clock will start running at that point in time, so that that person who is involved with the accident then has, present law it's three hours, under this it would be now they would have one hour in which to go to a local authority to report that this offense had occurred?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Yes, Sir."

Speaker Wennlund: "Representative Dart."

Dart: "I'm not as familiar with a lot of the downstate regions as I am with northern Illinois. But has there been any thought given to our information from downstate whether or not physically there may be areas that may be more than an hours drive or you'd be cutting it very close to get to a local law enforcement agency within that time period? Because I do know...I mean, we've heard quite frequently about the problems with hospitals and like how far away they are in some of the rural areas. But are there going

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to be situations or is there some type of exigent circumstances in your Bill that would allow for somebody who was involved in an accident, who left the accident, drove right to the police station, but could not physically get there for an hour and a half?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Representative, we haven't actually done any physical kind of driver's time in a situation like that. But in accessing this piece of legislation, we felt that anyone could get to anyplace within a reasonable amount of time. And we felt that an hour was sufficient. Now, however, if that person is driving to the police station and doesn't get there, I don't think we're necessarily talking about a stopwatch kind of situation. I think we can definitely, if he or she is in progress to the police station, I think that that's an allowable...I think we need to use some common sense."

Speaker Wennlund: "Representative Dart."

Dart: "Would it suffice under this legislation if the individual contacted the local law enforcement by telephone?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Yes, Representative."

Speaker Wennlund: "Representative Dart."

Dart: "That should remedy some of the problem I would imagine then. Another question I had was in regards to the number of people that have been losing their license in regards to this. My understanding is one of the Bar Associations had some concern about whether or not the Secretary of State's Office would have the ability to handle all of the new cases that would be coming in to them for reinstatement and the like. Have you got the information on that?"

Speaker Wennlund: "Representative Ciarlo."

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Ciarlo: "Representative, we actually worked with the Secretary of State in drafting this legislation. So they are aware of all of the things and are supportive of this legislation."

Speaker Wennlund: "Representative Dart."

Dart: "Nothing further. Thank you."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Ciarlo to close."

Ciarlo: "I would just like to say that yesterday during the Committee hearing, the families of these three victims were in attendance and gave testimony. It was extremely difficult for those members. And so I ask all of you to remember that so many times we pass legislation and it just seems to be words and we know that they are intended to do well. This means a great deal to these people. It is particularly important because it makes a difference in their lives and it will make a difference in the lives of people in the future. So for the Shanahan's, Acre's and Moller family, I do please ask for your positive vote on this piece of legislation. Thank you."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #7 be adopted?' All those in favor signify by saying 'aye'; those opposed signify by saying 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Third Reading. Further announcements, Mr. Clerk?"

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

Speaker Wennlund: "Third Reading. Committee Announcements, Mr. Clerk."

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

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

Clerk Rossi: "Representative Churchill, Chairman for the Committee on Rules to which the following Joint Action Motion was referred. Action taken on December 4, 1996. Reported the same back 'do approve for consideration', referred to the House Floor, Floor Amendment #6 to House Bill 996. To the Order of Postponed Consideration, Senate Bill 1463 to the Order of Second Reading Senate Bill 326."

Speaker Wennlund: "Mr. Clerk, on page 2 of the Calendar appears House Bill 996 on the Order of House Bill Second Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 996 has been read a second time, previously. No Committee Amendments. Floor Amendment #5, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Wennlund: "And on that the Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #5 to House Bill 996 is the Golden Apple Teacher Education Program. The Amendment creates an Alternative Teacher Certification Program which would apply only in the City of Chicago. That would be provided in partnership with The Golden Apple Foundation, Northwestern University, the Inner City Teaching Corps and the Chicago Public Schools. All of the aforementioned entities are prepared to cooperate in presenting this Teacher Certification Program. And all, of course, stand in support of this Amendment. The Bill would require the State Board of Education and the State Teacher Certification Board to proceed to implement this plan which has been planned over a very extensive period of time by the Golden Apple Foundation, the people in the College of

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Education at Northwestern University, and in a good many others who have been very active in the current efforts to reform and improve the Chicago Public Schools and also to try to improve the quality of teaching for the children in the schools' largest school district. This is a comparatively small program, Mr. Speaker. I think it is important to recognize that in any...any one year the Chicago schools may have as many as between 800 and 1000, either opening as new employees or whatever. This program, at least at the outset, would produce, perhaps at the most, 140 to 150 new teachers with an alternative means of certification to teach in the Chicago schools. So, in many respects, Mr. Speaker, this is a pilot program. This is not a full-blown program. It is something that those people associated with Northwestern University and the other entities I've mentioned, believe would do a lot to at least start a system for truly improving the quality of teaching for Chicago's public school children. That is essentially what this is, a pilot program for improving teaching in Chicago. I would be glad to answer any questions."

Speaker Wennlund: "And on the Amendment, is there any discussion? On Floor Amendment #5 the Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Wennlund: "She indicates she will."

Davis, M.: "Representative, the teachers who complete this program, when they leave, can they go and teach in Naperville?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "No."

Speaker Wennlund: "Representative Davis."

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Davis: "After four years of experience and they've obtained a teaching certificate, can they teach in Naperville?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "If the question is, do those people who have reached certification under the existing practice have a right to teach in the community in which I happen to live, the answer is, yes."

Speaker Wennlund: "Representative Davis."

Davis: "People who get teacher certification under the Bill that you are proposing, can they ever teach in Naperville with this certification that you are proposing?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Under the current provisions of this Amendment, those people would not be entitled to teach in any public school district in Illinois except the City of Chicago, however, this is a pilot program and as I told Representative Murphy in the Committee meeting this morning, the hope would be that if this does fulfill its promise, that at a later date it would be possible with the approval of the people who brought this forward, the Golden Apple Foundation, Northwestern University and so on. It would be possible, of course, to expand it and so it would have a wider scope and apply in more areas of the state."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Well, let me just say that I believe, Representative, the children in Chicago are just as important, just as significant, and just as valuable as those in Naperville. Now, we cannot have a different standard for teachers, one in Chicago and one in the rest of the state. According to this legislation, a person who obtains teacher certification, can never teach any place but to Chicago. Chicago has a number of African-American children, a number

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of Latino children, and children who are extremely needy. Rather than 'dumbing down' the the process, we should be increasing the standards for those who teach in Chicago. Now, many of you have said things like, 'There are vacancies in Chicago.' Sure, people go on maternity leave and you're going to put on a temporary teacher in place of that person, not someone who was perhaps thrown out of some industry, someone who doesn't want to go to school and go through the university process. They want to take an eight week class in which some of us have spent eight years. A teacher learns not only the methods of teaching, a teacher learns about the psychological development of a child, the physiological development of the child, the neurological development of a child. You don't learn that in eight weeks. The children in Chicago, need more than any other children in this state, the very best teachers you can offer because so many of them are needy, economically needy. Sometimes they come to school with a number of needs that you don't face. How dare you suggest to those of us in this room, how dare you suggest that the teachers for the children in Chicago should be less prepared. The university system, I'm sure, would not want to tell you that you could become a teacher in one year. We have a program that exists. It allows teachers or it allows people with bachelor's degrees to come into the teaching force by obtaining a master's and by studying for your master's, the whole curriculum is in reference to teaching. It might be a two year program, but to suggest to me, as a mother and grandmother, that the child...the teacher in my child's classroom won't meet the standards of those in your classroom, I think is a bit hypocritical, it's racist, it's racist in its highest form. I think it's so unfair that

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you would think so little, so little of the taxpayers in the in the City of Chicago that you would say to them that the standards for your teaching faculty will be different than the rest of the state. We don't care about you. Your children are insignificant to us. Chicago Teachers' Union is opposed to this legislation. They're not opposed..."

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

Davis: "They're not opposed because these people won't be members, they're opposed because you're setting up two standards of certification in the state. We got rid of that over 10 years ago. Let's not bring it back. No! Vote 'no' on this racist piece of legislation."

Speaker Wennlund: "Further discussion. The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Mr. Speaker. If the Sponsor will yield for a few questions."

Speaker Wennlund: "She indicates she will."

Erwin: "Thank you. Representative Cowlshaw, it's my understanding that this pilot program, that this program is in cooperation with the Chicago Public Schools. Is that correct?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Yes, Representative, the Chicago Public Schools have been a participant in the planning for this. It is strongly endorsed by Paul Vallas, the Chief Executive Officer of the Chicago Public Schools."

Speaker Wennlund: "Representative Erwin."

Erwin: "Thank you. I appreciate you making that clarification. Secondly, the Golden Apple Foundation, could you tell us a little bit about what they do?"

Speaker Wennlund: "Representative Cowlshaw."

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Cowlshaw: "The Golden Apple Foundation was created approximately 11 years ago, I understand, with the single sole purpose of improving the teaching force in the City of Chicago. The Foundation is actually located in...its offices are in downtown Chicago. The members of its board are all people who are Chicagoans. So, it has limited its interest to trying to improve teaching for the children in the Chicago Public Schools. That's why this Bill applies only to Chicago and why it is in many respects a pilot project. The Golden Apple Foundation also has had a program for awarding a mentor teacher, teacher of the year, the teacher who has done an exemplary job, they recognize people who fit into that category every year and it has become, I understand, very prestigious in Chicago to have been a teacher who received a Golden Apple Award."

Speaker Wennlund: "Representative Erwin."

Erwin: "Thank you, Representative, I appreciate your clarifications on that. I rise in support of House Bill 996 and I do so as a former public school teacher who has walked picket lines, as a former public school teacher with a master's degree, as a former public school teacher who was a union representative in my local and in my building, the person who represented my building during times when we had strikes every year, frankly, that I taught in the Elgin Public Schools. And I do so, because I think if we will think about this, Ladies and Gentlemen, we have a huge body of talent in this state. We have PHDs who would love, in the many career changes that you and I and many of us will go through in our adult careers who would love to give back to their communities, their expertise. We have dire needs in math, in science, in technology and in many specific areas. We have many talented people who are willing to

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give up income to give back to the kids in this state. I think that this is a...frankly, alternative certification is something that is probably long overdue in this state. I think, if it is done right, and I feel confident with Northwestern University and the Golden Apple Foundation that it will be done right. I think we ought to keep our eye on it and make sure it's done right, but I think it unfolds a unique opportunity to bring talent into the classrooms in this state so that our kids are going to be prepared to compete with children in Thailand and children in Japan who are going to school a lot more days, a lot more weeks, and a lot more months and then they're learning a whole lot more math and science than our kids are today. And they're in Japan and they're speaking English on top of it. So, I urge you to view this as an opportunity to bring excellence into the classroom. I have the greatest respect for public school teachers. I was a public school teacher. I may one day again a public school teacher. This is a way to augment, to supplement, to bring an additional bit of expertise into the classrooms of the City of Chicago where it is so needed. I don't think we ought to view this as antagonistic or anti-union or anti-anything. This is pro-quality, pro-progress and it should be something that we should want to do for the children of Chicago and, frankly, I hope it works well enough, Representative, that we will do this in every school district in the state."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in opposition to Floor Amendment #5. And I do so somewhat reluctantly. I understand that there may be a need for alternative certification programs, but I find it kind of bizarre that

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we're going to do a pilot program on largest school system in the state. Generally, people start with a small pilot program and they see if it works, then they move to a larger program but the Lady, in this case, feels the need to start with a pilot program on the largest school system in the state which doesn't seem to really make any sense and I'm sure it really doesn't make any sense to anyone here. The City of Chicago already has in their public school systems an alternative program. That alternative program works well and that alternative program requires that there will be training for the teachers or the people that are getting that alternative certification. They are getting training along the way and so that when they are finished getting the training, they are in position to do it. This Bill, although well-intentioned and although is designed to fill shortages as Representative Erwin said in math, science, et cetera, and we have shortages in those areas, the fact is that not everyone can teach. You can get the brightest PHD in any program you care to discuss and they may not be able to teach children, in fact, sometimes a very bright person who knows so much about their subject, can be counterproductive in the area of teaching because maybe they don't know the techniques of teaching. And without training I don't know what's going to get through to the kids. So, to say that anyone can teach, it seems to me as an insult to every teacher in the State of Illinois. Teachers have gone through rigorous training, some for four years, some for six, some for eight, some continue it throughout their lifetimes. The education of teachers is an important training ground and you cannot just pluck a person, no matter how well-intentioned they are, no matter how well-intentioned

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the Bill Sponsor is and declare them to be a teacher and put them in a classroom, untrained, with children and say, 'Okay, teach them mathematics, teach them science, teach them computers, teach them physics, teach them physiology.' Whatever they're teaching all the way up and down the public schools to simply say, 'Okay, you're a teacher. We've anointed you to be a teacher, no requirements of training before, no requirements of training during, no requirements of training after.' Makes no real sense, makes no sense. I wouldn't want my children taught by someone who wasn't trained how to be a teacher because we want our teachers to be trained. If this pilot program were to be one that could be successful, it should be started elsewhere. Perhaps the Representative from Naperville would like to start this pilot program in Naperville. It's a smaller district. Let's see how it works with the children in Naperville. Let's see if those children can learn from untrained teachers and if they can, let's expand it to Chicago and the rest of the state. But let's not take untrained people, no matter how bright, and foist them on the children of Chicago. Let's not reduce the educational product, let's increase the educational product. Let's require accountability, let's require training, let's require continuing education, if you will, and let's bring in the best and brightest who are trained to be teachers to teach our kids. In the process of this Amendment, not only will we bring people in who are not trained to teach our children, but we will insulting every teacher in the State of Illinois who has gone to school for many, many years to not only learn subject matter to teach our children, but to learn how to teach children. That's not an easy job and it's not a job that we should assume

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someone can learn overnight. If you vote for this Amendment, you are saying that we believe anyone can teach just by handing them a pointer and by giving them a blackboard. That's not what teaching is all about. I would recommend 'no' votes."

Speaker Wennlund: "On the Amendment. Further discussion, the Chair recognizes the Representative from Kankakee, Representative Novak."

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

Speaker Wennlund: "Yes, she indicates she will."

Novak: "Yes, Representative Cowlshaw, according to our analysis here, does this indicate there will be 260 positions? Is that the number of alternative teachers that will be employed? That's what it says on my...on the Amendment."

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Yes, thank you for your question. I'm glad that you asked it because that has been somewhat confusing, it was in the Committee this morning. When the Golden Apple Foundation, Northwestern University, the Innercity Training Teachers' Corp, and the Chicago Board of Education worked together to put this language together to be introduced here, they decided that they would put in the number that they regard is what the maximum number would be if this program really flourished when they finally reached the point where they had done it as much as they could, they would perhaps have as many as 260 people that would be taking part in this program in any one year. However, as I mentioned in the opening remarks, the current plans are for the first year to involve between 140 and 150 people in the program to develop them into the point where they can have an alternative certificate."

Speaker Wennlund: "Ladies and Gentlemen of the House, please give

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Representative Cowlshaw and the questioning Representatives your attention so we can carry out the business of the House. Representative Novak, continue, please."

Novak: "Yes, thank you, Representative Cowlshaw. Mr. Speaker, before we act on this Amendment, I'd like to also request a Roll Call vote on this Amendment, please. Will that be accorded on our side of the aisle? Thank you."

Speaker Wennlund: "Yes."

Novak: "Yes, Representative Cowlshaw, okay, so whether it's 260 or a lesser number, will current teachers be displaced? Will they be laid off? How are you going to fit these new people into the system?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Absolutely not. Not one single teacher, regardless of the degree of that person's competency, would ever be replaced by one of these people unless, of course, that person was retiring or had decided to move away or for one of those kinds of reasons. Paul Vallas told me, not more than a week ago, that on the average he hires new people, new teachers for the Chicago Public Schools every year, somewhere in the vicinity of 1000 people. Now, 200 or 150 or 175 of those 1000 people could come from this program, but there would still be a vast majority of those people who are hired new each year to teach in Chicago who would have come through the standard certification process."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you, Representative. So what you're saying, according to Mr. Vallas, there are enough vacancies that are created every year to prevent any type of displacement of current teachers or so essentially what you're saying is through attrition, through vacancies, I mean, through

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resignations, retirements, and so forth, you'll be able to slot these people in. Now, another question, is the Chicago School System going to have two separate lists to work off. I mean, let's say there are 50 vacancies for the month of January 1997, as an example, and if this were to become law, would you have one list of alternative teachers who have been certified under this program and another list of traditional teachers who have taken the four year baccalaureate program and all their other teacher education requirements? How are they going to implement this?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "That's a very good question. It is not contained in this legislation, nor was it the intention that it should be. That is a matter of the implementation of the program and how the people who are in charge in the City of Chicago Public School District choose to actually implement this is left entirely up to them."

Speaker Wennlund: "Representative Novak."

Novak: "Well, Representative, it won't be up to the State Board of Education or it won't be up to a Rules process to the Joint Committee on Administrative Rules, neither of those facilities?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "It is possible that since one of the provisions of this Amendment is that the State Board of Education in cooperation with the State Certification Board has to come up with some ground rules on how all of this is going to work but that type of thing might be included in that set of proposed rules which would, you are quite right, would have to come before the Joint Committee on Administrative Rules and be approved."

Speaker Wennlund: "Representative Novak."

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Novak: "Let me ask, let me pose this rhetorical question here. How would you envision a selection process that the Chicago School Board would implement to ensure fairness, equity, Affirmative Action, and all the other personal management requirements that the board is legally obligated to pursue now?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Representative, I have someone here who is with the Golden Apple Foundation and I needed to consult him so I am sorry for the delay, but I want to make sure that your answer is correct. If I understand your question, you want to know how do they select these 140 to 150 people to take part in this program in the first place. I am told that they already have a process that is going to be followed. Number one, there is a very long and very extensive application form that each applicant must complete and submit. Secondly, there is an evaluation of all of the information that that person provides, including all the transcripts from everywhere where they ever went to school, any of the information from any of the places they've ever been employed, and then there is a very long interview in which certain representatives from the sponsoring entities, that is the Chicago Board of Education, the Golden Apple Foundation, Northwestern University and so on, sit in and interview these people, face to face, over a period of at least an hour. And it is from all of that information, that the selection for the people to take part in this program is actually made."

Speaker Wennlund: "Further discussion. The Chair recognizes the Lady from Cook, Representative Schakowsky. Representative Novak, in addition to the five minutes, I added more than a minute on top. Would you please bring your remarks to a

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close?"

Novak: "I'm sorry, Mr. Speaker. I was looking at the clock up there and it said 2:37 and it just stayed there. I thought maybe the clock was stuck or..."

Speaker Wennlund: "No, your five minutes was exhausted and I added a minute on top of that."

Novak: "Okay. Well, I just had one other question, with your indulgence. Thank you."

Speaker Wennlund: "Go ahead, proceed."

Novak: "Representative Cowlshaw, will there be any background checks on these individuals? Will background checks be authorized?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "There would be background checks on these people because that is a requirement of the state law already."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady...no one seeking recognition, the Chair recognizes the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I rise in opposition to this Amendment, not because I don't think that we should look for avenues to get qualified people into the Chicago Public Schools, but because we have such an avenue and that is called Teachers for Chicago, a program, which by the way, I understand, was developed with the help of the Golden Apple Foundation. It is a program that will take people who are interested in teaching and at the end of a process that involves two years, these will be trained and qualified teachers that can teach anywhere in the State of Illinois because they will have met all of the certification requirements. This is not something that will just qualify people only to teach in the City of Chicago because no other school district will accept them

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because they don't meet those qualifications. I can't quite understand why, when we already have in place, an excellent program that can bring a 100, 150 if we want to expand it 200 new teachers into the City of Chicago that will meet standards of excellence. Do our children in the City of Chicago deserve less? I simply don't get it. If the Golden Apple Foundation would stick with a program that's working, that's in process, we can achieve the goals that they want and better. Let's stick with what's been proven, what we've got and let's not go for a program that will, in fact, contribute to the 'dumbing down' of our children in Chicago. Vote 'no'."

Speaker Wennlund: "No one further seeking recognition, Representative Cowlshaw to close."

Cowlshaw: "Thank you very much, Mr. Speaker. The Gentleman who is here with me, who is with the Golden Apple Foundation, and I, would like to just correct one mistaken impression, if we may, please. The Golden Apple Foundation has by no means abandoned the Teachers for Chicago Program. That is a very successful program of which the Golden Apple Foundation is proud. However, this is a program which is somewhat similar to Teachers for Chicago, but not identical. It is a program that has been created by the entities I mentioned before, partly on the basis of things that have been learned by them during the time that they have been active with the Teachers for Chicago Program. So this program is not meant to replace or in any way threaten the program called Teachers for Chicago. This is meant to be a supplement, an addition to that program that hopefully would be even more productive than the very successful Teachers for Chicago. With that understanding, Mr. Speaker, I would respectfully ask that Floor Amendment #5

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to House Bill 996 be adopted."

Speaker Wennlund: "Representative Cowlshaw has moved for the adoption of Floor Amendment #5 to House Bill 996. All those in favor, vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish.? Have all voted who wish? Mr. Clerk, take the record. On this question there are 64 voting 'aye', 48 voting 'nay', 1 voting 'present'. The Amendment is adopted. Further Amendments, Mr. Clerk."

Clerk Rossi: "Floor Amendment #6, offered by Representative Cowlshaw, has been 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes the Lady from DuPage, Representative Cowlshaw on Floor Amendment #6."

Cowlshaw: "Thank you, Mr. Speaker. Floor Amendment #6 simply deletes the effective date so there no longer is an effective date in this proposal."

Speaker Wennlund: "And on Floor Amendment #6, is there any discussion? And on that, the Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Wennlund: "She indicates she will."

Lang: "Representative, I got the idea from Floor Amendment #5 that you thought this was a very, very serious thing that had to be done immediately. Why do you now want to delay this until July?"

Speaker Wennlund: "Representative Cowlshaw. Representative Cowlshaw, do you care to respond? Representative Cowlshaw, do you care to respond to the question?"

Cowlshaw: "I'm sorry, Mr. Speaker. I was engaged by someone else at the moment in a discussion I couldn't avoid. And I couldn't hear the question, of course."

Speaker Wennlund: "Ladies and Gentlemen of the House, please give

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your colleagues the courtesy of allowing them to hear each other's questions and to have dialogue and debate on the House Floor. So, please cut the chatter. Representative Lang, please proceed."

Lang: "Thank you, I'd be happy to repeat the question. The question is that, Representative, I understood that when you so emotionally and eloquently argued Floor Amendment #5, that this Bill, this Amendment, this idea of alternative certification was so important to you and so important to move along right away that it was a special idea and so I'm wondering if it's so important, why do you now want to wait until July to implement it?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Because I'm arbitrary."

Speaker Wennlund: "Representative Lang."

Lang: "Well, thank you for telling us that. I think we all knew, but what I'd like to know is why if July was the right time to make the effective date on this Bill, why didn't you deal with this initially? And the initial thought of this Legislation, why didn't it include a July effective date? Why are you now adding this at this moment?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "Principally because this proposal had not even been devised and completed by the Golden Apple Foundation and Northwestern University and the Chicago Board of Education until just a few weeks ago. And so this is not something which was available for us to look at during the Spring Session, we only have it here now."

Speaker Wennlund: "Representative Lang."

Lang: "Well, if this is a program that is so wonderful, and so well thought out, then maybe a couple weeks isn't enough for us to have studied this in the first place. If it's

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such a great program, don't you think we ought to just start it right away, Representative?"

Speaker Wennlund: "Representative Cowlshaw."

Cowlshaw: "The program, because of the way it is designed, is intended to begin in the summer. The last time I looked outside, it did not look very much like summer so I think that, probably, we can do very well if we just delete the effective date from this all together."

Speaker Wennlund: "Representative Lang."

Lang: "Well, I thank the Representative, arbitrary or not, for her answers. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to Floor Amendment #6. The Representative had made a real good argument, apparently, convinced enough of you to put the Amendment on originally that this is a really good proposal. We need to move toward alternative certification in the City of Chicago. We need to do it right away. So, if we need to do it right away, let's do it right away. Let's give the Representative a chance to start that pilot project immediately. So, I don't think this is a good Amendment. Let her move along with this project and let's find out if it's good enough for the City of Chicago. It's good enough for the entire State of Illinois and so I believe that we should let the Representative get this project started right away. Removing the immediate effective date would prohibit us from finding out how good this program is at the earliest possible date. So I would recommend strongly 'no' votes and, Mr. Speaker, I would ask for a Roll Call vote on this Amendment."

Speaker Wennlund: "Further discussion. The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I join my colleague in

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asking for a Roll Call vote. My question is, what is a Golden Apple Foundation lobbyist doing on the House Floor? My understanding was, Mr. Speaker, that lobbyists were not allowed on the Floor. What is so special about the Golden Apple people that he is allowed to come on this Floor and do what my Democratic staff is not allowed to do, be on the House Floor?"

Speaker Wennlund: "Representative Davis, in answer to your question, the gentleman is not a lobbyist, he is an expert on the subject matter and offering his advice to Representative Cowlshaw. Further discussion, Representative Davis?"

Davis, M.: "Yes, first of all, I think to pass the Legislation and then to delay its implementation perhaps while you attempt to find some parity for the Bill, shows all of us that this Bill really and truly is not good for any school district. And to say to the school district that you say is long-suffering and that needs so much help and support that all of a sudden the teachers and the people who will be in front of little children, sometimes little six-year-olds, seven-year-olds, are not people who have been educated on the needs and how to teach those kinds of children. The methods that should be used. Today we have a process in Illinois called inclusion in which Special Education children are placed in regular classrooms. That teacher should have some knowledge of the needs of those Special Education children, children with disabilities. But the people that have bachelor degrees that you want to place in those classrooms are in no way prepared to deal with these little people. It is so unfair to attempt to water down the standards, to water down the standards in a city that has been plagued with school problems. Not only

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should you delay this pilotless program, but you really should just abolish it. Take the Bill out of the record, Representative, and perhaps start a pilot like this in Naperville. In Naperville perhaps the children would do very well to have teachers who are not prepared or who have not met university standards to come in and teach. But to submit those who are powerless to such a power play is a bit unfair. We urge you, Representative, to rethink this very bad Bill. We urge you to think about the children of Chicago and the fact that they too one day will be adults. We want them as well prepared as those around the rest of the state. We want our eighth graders, we want our high school people to have had the very best instruction, not someone who decided to change jobs in the middle of the stream and may decide to change again before this process is complete. Many times student teaching is almost a six month process. Just to be in a classroom and practice often, a university requires that you do it for six months and here your Bill is saying within a year or less, much less, you're going to prepare quality teachers for, Chicago only. Take over the airport, Chicago only. Reform the system, Chicago only. Change the standards for teacher certification, Chicago only. I say it's a bad, bad Legislation. It's a bad idea and I urge a 'no' vote on this Amendment as well as on the Bill. Thank you."

Speaker Daniels: "Representative Cowlshaw to close. Speaker Daniels in the Chair."

Cowlshaw: "Thank you, Mr. Speaker. I would appreciate a 'yes' vote on Floor Amendment #6."

Speaker Daniels: "The Lady moves for the adoption of Amendment #6 to House Bill 996. All in favor, signify by voting 'aye', opposed by voting 'no'. The voting is open. The voting is

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open. Mr. Clerk. 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 67 'ayes', 44 'noes', and 0 voting 'present' and this Amendment having received a Majority is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. A Fiscal Note, a State Mandates Note have been requested on the Bills amended by 5 and 6 and both of them have been filed."

Speaker Daniels: "Third Reading. House Bill 996 on the Order of Third Reading. Mr. Clerk, call the Bill."

Clerk McLennand: "House Bill #996, a Bill for an Act that amends the School Code. Third Reading of this House Bill."

Speaker Daniels: "Representative Lang."

Lang: "Inquiry of the Chair. When were those Fiscal Note responses filed?"

Speaker Daniels: "Mr. Clerk, when were the responses to the Fiscal Notes filed?"

Clerk McLennand: "The Fiscal Note, as amended by House Amendments #5 and 6, was filed at 11:00 a.m. today. The State Mandates Note was filed at 11:00 a.m. today as well, as amended by Amendments #5 and 6."

Speaker Daniels: "Further Inquiry, Mr. Lang, Representative Lang?"

Lang: "Yeah, so am I to understand that the response to my Fiscal Note request was filed four hours before I made the request?"

Speaker Daniels: "Sounds like it was an anticipation of your usual move."

Lang: "That is very good work, Mr. Speaker, we appreciate it."

Speaker Daniels: "It took us two years to learn. Further questions? All right, Representative Cowlshaw on House Bill 996."

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Cowlshaw: "Thank you, Mr. Speaker. I think we all know what's contained in House Bill 996. I move for its adoption."

Speaker Daniels: "Any discussion? Being none, the Lady moves for the passage of House Bill 996. All those in favor, signify by voting 'aye'; opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 64 voting 'aye'; 47 voting 'no'. This Bill having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bill Third Reading, is Senate Bill 1643. Read the Bill, Mr. Clerk. Representative Cross to Representative Ciarlo. Okay, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1643, offered by Representative Ciarlo, a Bill for an Act that amends the Criminal Code of 1961. Second Reading of...it's on Third. Third reading of this Senate Bill."

Speaker Daniels: "Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker. This Bill was just discussed a few minutes earlier and basically at that time, I brought to this House Floor how important this piece of Legislation was for my community. I think at this time, in addition, I would like to share with the Members of the House, the fact that during the summer months while working on this Legislation we heard from people throughout the state. So the Representatives in other areas will be affected by this piece of Legislation. We heard from people from Rockford. We heard from people from downstate so the hit and run Legislation that we're addressing at this time is important to all of us and as I said, I would be happy to answer any questions and I do ask for a favorable vote on this."

Speaker Daniels: "Is there any discussion? Being none, the Lady

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moves for the passage of Senate Bill 1643. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 'ayes'; 0 voting 'no'; and 0 voting 'present' and this Bill having received a Constitutional Majority, is hereby declared passed. Committee Announcements."

Clerk McLennand: "The following Committees will meet this afternoon at 3:30. The Executive Committee will meet in Room 114. At 3:30 p.m. the Executive Committee will meet in Room 114. At 4:00 p.m. the Judiciary Committee for Criminal Law will meet in Room D-1. Judiciary Committee for Criminal Law will meet at D-1 at 4:00 p.m. Also at 4:00 p.m. will be the Revenue Committee in C-1 in the Stratton. At 4:00 p.m. the Revenue Committee in C-1 in the Stratton Building. Committee Announcements. Rules Committee will meet in the Speaker's Conference Room at 3:25 p.m. Rules Committee will meet at 3:25 p.m."

Speaker Daniels: "Representative Churchill now moves that the House stand adjourned until Thursday, December 5, 1996, at the hour of 10:00 a.m. All those in favor signify by saying 'aye'; opposed 'nay' and in the opinion of the Chair, the 'ayes' have it and allowing for Perfunctory time for the Clerk, the House now stands adjourned until Thursday, December 5, 1996, at the hour of 10:00 a.m. You want me to repeat it again? 10:00 tomorrow. All right everybody exercise tomorrow so, you know, do your exercises in the morning so you come here ready to work so that we can finish our work and so that you can go home. And be in a good mood when you get here. Okay, goodbye, the House is now adjourned."

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Clerk McLennand: "Committee Announcement. Tomorrow morning Registration and Regulation will meet in Room 114 at 9:00 a.m. Registration and Regulation will meet in Room 114 at 9:00 a.m. Registration and Regulation will meet in Room 114 at 9:00 a.m. The House Perfunctory Session will be in order. The House Perfunctory Session will stand in recess until the hour of 4:45 p.m."

Clerk McLennand: "The House Perfunctory Session will be in order. Committee Reports. Committee Report from Representative Maureen Murphy, Chairman for Committee on Revenue to which the following Joint Action Motion was referred. Action taken on December 4, 1996. Report the same back, 'do approve for consideration', Floor Amendment #9 to Senate Bill 729. Committee Report from Representative Stephens, Chairman from Committee on Executive, to which the following Joint Action Motions were referred. Action taken on December 4, 1996. Reported the same back, 'do approve for consideration', Conference Committee Report #1 to House Bill 1653. Committee Report from Representative Churchill, Chairman from Committee on Rules, to which the following Joint Action Motions were referred. Action taken on December 4, 1996. Reported the same back, 'do approve for consideration'. To the Order of Second Reading, Senate Bill 157, House Bill 1311, and to the Order of Non-concurrence Senate Bill 164. Committee Report from Representative Tom Johnson, Chairman on Committee on Judiciary for Criminal Law to which the following Joint Action Motions were referred. Action taken on December 4, 1996. Reported the same back, 'do approve for consideration' Conference Committee Report #1 to Senate Bill 1459."

Clerk McLennand: "Introduction of First Reading of House Bills.

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House Bill #3776, offered by Representative Persico, a Bill for an Act to amend the Public Utilities Act in relation to competitive services. Introduction of First Reading of this House Bill. This Bill is referred to the Rules Committee. There being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in full Session on Thursday, December 5, 1996 at the hour of 10:00 a.m."

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