

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

127th Legislative Day

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Speaker Granberg: "The hour of 10:00 having arrived, the Members shall be in their seats. All other persons not entitled to the House Floor, please remove themselves. We will be led in prayer today by Dr. Mike Davis with First Baptist Church of Harrisburg. Dr. Davis is the guest of Representative David Phelps. Guests in the gallery may wish to rise for the invocation."

Dr. Mike Davis: "Let me say thank you. My wife is over here and she made the statement, 'Can you imagine how difficult it must be for these folks to please and serve all their different constituents?' I think sometimes in pastoring a church, it's difficult to help all from all the churches' perspective, and I want to say thank you for being the people who represent us. Would you bow with me for prayer? Father, as I walked down Capitol Avenue, as I realized the specialness of being in this place, I think back to how glorious it is to be an American. Father, how glorious it is to be a part of a Nation that is just a wonderment on the face of this earth. I thank You for being a part of Illinois. I thank You for the way Illinois has been a part of my heritage, helping me to grow, and Father, I thank You for the people who have been in this room years ago, laying foundations for us. And, Father, this morning, my prayer is just that You would bless these who have this awesome responsibility of making, sometimes, decisions that seem to be unimportant and yet, manifest themselves, those decisions to be extremely important. Then help them as they make those decisions that are so controversial and, Father, help us, the people who lead this great state to remember that we must remember that there is a morality that affects us inside, and that we can't compromise that, because if we do, then we will lose our freedom and we will

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lose the right to be fair with all people. Father, bless these folks. We pray these things as ancestors of Your great children of Abraham, Isaac and Jacob. Father, we pray these things in the name of Your son, Jesus Christ. Amen."

Speaker Granberg: "Thank you, Doctor. Thank you, Reverend. We will be led in the Pledge of Allegiance today by Representative Maggie Crotty."

Crotty - 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 Granberg: "Roll Call for Attendance. Representative Cross."

Cross: "Thank you, Mr. Speaker. We have an excused absence. It's Representative Clayton."

Speaker Granberg: "There are no excused absences on the Democratic side of the aisle. Take the record. Hundred and seventeen Members being present, a quorum is established, the House is hereby convened. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative David Phelps, Chairperson from the Committee on Elementary and Secondary Education, to which the following measures were referred, action taken on May 18, 1998, reported the same back with the following recommendations: 'be adopted' House Joint Resolution 64; 'be approved for consideration' Floor Amendment #7 and 8 to Senate Bill 560; and Senate Amendment #1 to House Bill 2802. Representative Dan Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on May 18, 1998, reported the same back with the following recommendations: 'be approved for consideration'

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Conference Committee Report #2 to House Bill 18; Senate Amendments 1 and 2 to House Bill 3030; Senate Amendment #2 to House Bill 3254. Representative Mary Flowers, Chairperson from the Committee on Health Care Availability and Access, to which the following measures were referred, action taken on May 18, 1998, reported the same back with the following recommendations: 'be approved for consideration' Senate Amendment #1 to House Bill 705. Representative Saviano, Chairperson from the Committee on Registration and Regulation to which the following measures were referred, action taken on May 18, 1998, reported the same back with the following recommendation: 'be adopted' House Resolution 500; 'be approved for consideration' Floor Amendment #1 to Senate Bill 1585; and Senate Amendment #2 to House Bill 2700. A message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendment to a Bill of the following title: Senate Bill 1260, a Bill for an Act to amend the Criminal Code of 1961 by changing Sections 2-17 and 33-3; House Amendment #1 to Senate Bill 1260. Introduction of Resolutions: Senate Joint Resolution #42, offered by Representative Black; Senate Joint Resolution #53, offered by Representative Winkel; Senate Joint Resolution #64, offered by Representative Brady. These Resolutions are referred to the Rules Committee."

Speaker Granberg: "Ladies and Gentlemen, it is the intention of the Chair to go through the Order of Concurrence. We will go in numerical order for all of the Amendments that were approved out of Rules Committee yesterday. So, just to give you advance notice, we'll be going through the order... we'll be going through the order and... for all

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the Amendments that were approved. The Gentleman from Dupage, Representative Biggins, for what reason do you rise?"

Biggins: "Well, thank you, Mr. Speaker. I actually have a question of the Chair, inquiry of the Chair. I noticed that many of us have received bags, many of the Members have received bags on their desks today and there's a variety of items inside the bag. There have been things of nourishment, and I noticed that my bag doesn't have any pork in it but it says it's the End Session Survival Kit, and I think a lot of people down here would survive better if they had pork. I'm wondering if the Chair knows if everybody got the same amount of pork in their bag? I happened to get no pork and I might be able to survive without it, but if there's anybody that has pork in their bag or if they have different amounts of pork in their bag, if there's an audit or something that the Chair might feel is necessary to do for our End of Session Survival Kit, I'd truly appreciate having mine. Is there a chance we can get a pork count before the week is out, Mr. Speaker?"

Speaker Granberg: "I'm sorry, Mr. Biggins, I wasn't paying attention to you."

Biggins: "Well, that's very hard to believe but is there a chance that we can get a pork count of missing pork. Some of the bags don't have pork in them. I thought all the Members might like some pork before they adjourn."

Speaker Granberg: "You should ask Mr. Righter."

Biggins: "I will do that, Sir. Thank you."

Speaker Granberg: "Thank you, Mr. Biggins. House Bill 25, Mr. Durkin. Is Representative Durkin in the Chamber? Jim, do you want to move to concur? Mr. Clerk read the Bill. Representative Durkin on the Motion."

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Durkin: "Thank you, Mr. Speaker. I seek to concur with Senate Amendment #1 to House Bill 25. When the Bill was sent over to the Senate last year, it was... the language which would've allowed for the county boards and county government to allow them... it's permissive language to create a private notification system. That language was gutted out last year. Senate Amendment 1 reinstates the language which passed out of the House last year which, basically, as I said, it allows the county government to contract with a private agency to conduct victim notification services. Particularly, when an individual is released on bond. I'm willing to take any questions."

Speaker Granberg: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 25. On the Gentleman's Motion, is there any discussion? No one seeking recognition... I'm sorry, the Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Indicates he will. Proceed, Sir."

Black: "Representative, what is this creating a private...private victim/witness program in Cook County? Is that what the substance of the Amendment is?"

Durkin: "Well, actually, the language in the Amendment allows Cook County and also all other counties. If they choose to, it allows them to contract with a private victim notification service, and I'll specifically tell you what I'm referring to. Right now, in DuPage County, there's a group out of Kentucky, it's a fascinating group in which they computerize the jail cells in which they track the movement of inmates while they're in county jail and when they're released from custody, there is an automated phone call made to the individuals within five minutes of their

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release to the victims and also witnesses of the crime to give them at least a heads up that this person is coming back out on the street. This is permissive language. What it does, it puts these individuals in the same footing as a person who works also in the victim/witness programs of the local State's Attorneys Office and also probation department, if they choose."

Black: "So, there are counties already operating a private..."

Durkin: "There's one county that has brought this system in and this, actually, this language is going to... they've requested this language 'cause it gives them certain indemnification rights, as do the local authorities do with respect to the notification."

Black: "I thought in the criminal justice system, and maybe I'm confused because this is probably an office of the courts. I thought underlying Illinois law wouldn't allow us to privatize some of those functions?"

Durkin: "I'm unaware of that Section. I've read that Section and I do not see any prohibition against that within the Criminal Code. I don't believe there's any prohibition."

Black: "Okay. All right. Okay, thank you, Representative."

Speaker Granberg: "Any further discussion? There being none, the Gentleman moves to have the House concur with Senate Amendment #1 on House Bill 25. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 114 voting 'aye', 3 voting 'nay', 0 voting 'present'. The House does concur with Senate Amendment #1 to House Bill 25, and this Bill having received a Constitutional Majority, is hereby declared passed. House Bill 94, Representative Dart. Out of the record. House

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Bill 1318, Representative Bost. Mike, do you wish to call this Bill for concurrence, Senate Amendment #1? The Gentleman from Jackson, Representative Bost."

Bost: "Yes, I would move to concur with Senate Amendment #1. Just some substantive changes and adds a date. I appreciate your 'aye' vote."

Speaker Granberg: "On that question, the Lady from Kane, Representative Lindner. Representative Lindner. Representative Lindner. Representative Lindner, your light is on."

Lindner: "Thank you, Mr. Speaker. Mr. Cross, wanted me to rise on a Point of Personal Privilege. I'd like to welcome back a former State Legislator, a friend of all of ours, Ann Hughes."

Speaker Granberg: "The Gentleman from Kendall, Mr. Cross. Are you seeking recognition, Mr. Cross? Your speak light is on."

Cross: "I just want to thank Representative Lindner for introducing Representative Hughes."

Speaker Granberg: "No one seeking further recognition, Representative Bost, could you briefly explain your Motion again?"

Bost: "Yes, the Motion is to concur with Senate Amendment #1 to House Bill 1318. What it does is that it adds the effective date."

Speaker Granberg: "The Gentleman moves that the House concurs with Senate Amendment #1 to House Bill 1318. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does

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concur with Senate Amendment #1 to House Bill 1318, and House Bill 1318, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black. Mr. Black."

Black: "Inquiry of the Chair, Mr. Speaker. I notice that you have a tendency to put your left arm over the Republican side of the board when you're up there. That's fine, I know you should be comfortable. You may be there a long time today, but I had my light on on that Bill. You know, I'm very concerned about the Senate Amendments, that we often don't know what's in it. You know, the Senate is generally the place where House Bills seem to go to die, and so I would like to give fair and equitable treatment to any Senate Amendments that come back here. I did have my light on and wanted to ask what that Senate Amendment was and who sponsored it. You know, because I think we need to watch our colleagues in the Senate very, very closely. So, if you would, perhaps, just move that left arm a little further to the left, no pun intended..."

Speaker Granberg: "I usually don't go to the left, Mr. Black."

Black: "I understand that, but you know, just so our lights are clearly visible there, and I know your legal adviser, to your right, will be more than happy to help you take a look at that. All right? And, if it continues, you will force me to ask that the Democrat Chief of Staff come to the Floor and explain this obvious lack of respect that you're giving the Republican lights today. It's... I'm shocked and appalled that you're doing it so early in the day. So, I give you fair warning. Thank you."

Speaker Granberg: "Mr. Black, I always appreciate receiving a warning from you. Thank you very much. House Bill 2257. Representative O'Brien, do you wish to concur with Senate

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Amendment #1? Out of the record. House Bill 2370, Representative Gash. Representative Gash, do you wish... Out of the record. House Bill 2400, Representative Acevedo. Eddy, do you want to... You don't want to call it? Out of the record. House Bill 2424, Representative Holbrook. Tom, do you wish to concur? The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman (sic-Speaker). Senate Amendment 1 just further defines how to establish political party affiliation. It's just an elaboration to make it a little clearer if someone hasn't voted. This is a request of the Township Officials. I know of no opposition to this Bill. It flew out of here unanimously, before, I believe."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2424. On that question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Granberg: "He indicates he will. Proceed, Sir."

Black: "Yes, Representative, the noise level is such... Have you carefully explained the Senate Amendment?"

Holbrook: "Yes, it further says how an individual can establish his political party affiliation if he hasn't voted in a political primary by participating in a caucus, and it allows for identification of that party affiliation through that, so that they can fill some of these township positions that they only have 60 days to fill."

Black: "And the... I know this was an initiative of the township officials. Now, did the Senate Amendment change their support of the concept that was embodied in the House Bill?"

Holbrook: "They're in complete support of this Amendment."

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Black: "All right. What Senator added the Amendment?"

Holbrook: "I don't know."

Black: "Hmmm. I wonder if we could find out. Is it on our... is it on our electronic marvel here? Mr. Speaker, I have an inquiry of the Chair. Is there any way for us to find out what Senator filed the Amendment in the Senate? Oh, Senator Judy Myers from the 53rd district, my Senator? Well, it explains why it's obviously a good Amendment. Thank you very much."

Speaker Granberg: "Thank you, Mr. Black. The Gentleman from McHenry, Representative Skinner."

Skinner: "Is this substantially the Bill that left here?"

Speaker Granberg: "The Gentleman yields."

Holbrook: "I couldn't hear you, Cal."

Skinner: "Is this substantially the Bill that left here?"

Holbrook: "Yes."

Skinner: "Now, if I remember correctly, it says that if you have a party caucus, only those people that attended the caucus can get appointed to vacancies which occur during the terms of the people nominated. Is that correct?"

Holbrook: "It means that you have to establish your party, and that's one way of doing it. What this Amendment does... says... to give you a scenario, the reason for the Amendment, let's say in the year 2001, the township elections will be held, in some jurisdictions, municipal elections will be held. Township caucuses are held the second Tuesday in January. The municipal primaries, if they are held, occur the third week of February. Without this Amendment, an individual could say he's in one party, say a Democrat, in the township caucus in January and then vote in the Republican party if officials run under the statewide political party ticket, and they just wanted a

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further clarification."

Skinner: "All right, well this... What this does is take a first step toward a... overturning a 1977 U.S. Supreme Court decision which said that states like ours, you could be a Democrat one day and a Republican the next day. Is that correct?"

Holbrook: "Correct."

Skinner: "All right, let me... Let me ask about the no-name parties, the no-name township party that is formed just to put a slate on the ballot. If seven people gather in a room, or ten people gather in a room, and they slate however many township officials there are... what eight, something like that... and there are only two people who aren't township officials in the room, if one of those people that are subsequently elected to a township office resigns, that means the eligibility pool for replacements is down to two, is that correct?"

Holbrook: "If they control that party, that's the way I read it. If they control the party and have those positions, if they have those three or four people that actually got the entire slate elected, and they're filling that vacancy, this is only for filling the vacancies."

Skinner: "No, I understand. Now, if it were a Republican Party Caucus and the Republican Precinct Committeeman went to the caucus along with a handful of other people, would this mean only the Republican Precinct Committeeman and the handful of other people that went to the caucus would be eligible to be appointed to... as a replacement?"

Holbrook: "No, this would only... If they've already established their party, they wouldn't have to. But, let's say they've never voted in a General Ele... in a Primary Election before but had participated in the caucus, then the caucus

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would be... would identify them by party then. So, if they had voted in a primary before, there would be no need to identify them."

Skinner: "Okay, well, thank you very much, Mr. Sponsor. I would merely observe that this is a means to limit the number of people who can be selected to replace those people who resigned from township office, and it would seem to me that we should be broadening the number of people rather than limiting them. Thank you."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #1, no one else seeking recognition, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', 1 voting 'no', 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2424, and this Bill having received a Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Fantin."

Fantin: "Thank you, Mr. Speaker. I'd just like to explain my 'present' vote. I have a conflict of interest. Thank you."

Speaker Granberg: "Thank you. House Bill 2430, Representative Jones. John, do you wish to move to concur? The Gentleman from Jefferson, Representative Jones on the Motion."

Jones, J.: "Thank you, Mr. Speaker. I would simply move that House Bill 2430, that we concur with Senate Amendment #1, which merely just... it's kind of a cleanup. It's... we're replacing lines 6 through 10 with the following to keep an accurate record of all assessments collected, and I would just move that we concur with the Senate."

Speaker Granberg: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 2430. On that question,

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is there any discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, Representative Jones, what did the Bill do, originally?"

Speaker Granberg: "The Gentleman yields."

Jones, J.: "I'm sorry, Chuck, I couldn't hear you."

Hartke: "What was the underlying Bill?"

Jones, J.: "The underlying Bill is an education Bill that the Illinois Oil and Gas Association came to me with. It does collect one-tenth of one percent from each... from the gross revenues of the oil and gas produced in the State of Illinois to go into an education fund."

Hartke: "Who's going to invest this money now?"

Jones, J.: "I'm sorry, Chuck, the noise level is high. I can't understand what you're saying."

Hartke: "Well, is this a voluntary contribution or is this a check off?"

Jones, J.: "This is a check off."

Hartke: "One-tenth of one..."

Jones, J.: "Percent."

Hartke: "...on the price of crude?"

Jones, J.: "One-tenth of one percent of the gross revenues. Whatever the price of crude may be each month, you know, the gross revenue."

Hartke: "So, that's estimated at the... where? Of their income? One-tenth of one percent of a producer's income?"

Jones, J.: "Gross revenue income, yeah."

Hartke: "And now, this Amendment puts the responsibility of the investment of those funds into the State Treasurer... the hands of the State Treasurer, is that correct?"

Jones, J.: "Correct."

Hartke: "Is the Treasurer for this piece of legislation?"

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Jones, J.: "Yes."

Hartke: "Okay, thank you."

Speaker Granberg: "Any further discussion? No one seeking recognition... Mr. Black, are you going to be leaving the Floor?"

Black: "Briefly."

Speaker Granberg: "Briefly, okay, I just wanted to make sure we get back to you."

Black: "Thank you."

Speaker Granberg: "You're welcome. The Gentleman from Jefferson, Representative Jones now moves that the House concur in Senate Amendment #1 to House Bill 2430. On that question, all in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 117 voting 'yes', 0 voting 'nay', 0 voting 'present'. The House does concur with Senate Amendment #1 to House Bill 2430, and this Bill having received a Constitutional Majority, is hereby declared passed. The Lady from Lake, Representative Gash on House Bill 2370."

Gash: "Thank you, Mr. Speaker. I move to concur in Senate Amendment 1. Senate Amendment 1 makes the Illinois Religious Freedom Restoration Act effective on July 1, 1998. House Bill 2370, as amended, passed the Senate without any 'no' votes, as it had also passed the House when it went over there. I'd like to clarify some remarks during the Floor debate on House Bill 2370, which had been misinterpreted to mean that RFRA does not apply to civil rights laws, specifically, the Illinois Human Rights Act, and that these laws necessarily constitute a compelling government interest. It is true that RFRA is not intended

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to grant religious institutions or organizations an automatic exemption from any particular law or to restrict the power of governments to legislate in any given area of law. However, no area of law, including public health and safety, civil rights, zoning, education, employment, housing, public accommodations, and any others, is exempt from the standard which RFRA establishes. Again, no statute necessarily constitutes a compelling government interest. As Section 10(b)1 states, RFRA simply restores a standard of review to be applied to all, and I emphasize all, state and local laws and ordinances. In all cases in which the free exercise of religion is substantially burdened. Although the standard is astringent, it is not intended to be impossible to satisfy. The government will win RFRA cases whenever it has chosen the least restrictive means of furthering a compelling government interest. By way of example, courts in certain circumstances have found fire, public health and safety, civil rights, child welfare, and other laws as meeting a compelling government interest test. However, the existence of these cases does not foreclose successful RFRA claims in these areas, rather they simply demonstrate that it is open to the state to prove its case in any context where a claim is raised. The outcome of future cases will depend on an objective assessment of the specific facts of each case. This should correct any misunderstanding created by remarks that suggested certain laws stand wholly outside of RFRA or that such laws automatically constitute a compelling government interest. And, I would move to concur on Senate Amendment 1."

Speaker Granberg: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 2370. On that question, is

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there any discussion? The Gentleman from Cook, Representative Schoenberg."

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

Speaker Granberg: "She indicates she will. Proceed."

Schoenberg: "Thank you, Representative. I under... Representative Gash, I understand that you are clarifying some earlier remarks with respect to public accommodation. Could you... I did not catch the entirety of that. Could you summarize, please, how this impacts earlier remarks that were made with respect to public accommodation?"

Gash: "We want to point out that RFRA sets a standard, and although the standard is stringent, it is not impossible to satisfy and the government can win RFRA cases when it has chosen the least restrictive means of furthering a compelling government interest. Courts in certain circumstances have found fire, public health and safety, civil rights, child welfare and other laws as meeting the compelling government interest test."

Schoenberg: "So, for instance, a religious institution, would they be able to... a religious... take an example... if a religious institution happens to own real estate, would they be able to discriminate on the basis of their religious doctrine as to whether or not they could rent an apartment within that property to an individual or individuals?"

Gash: "No, RFRA does not determine outcomes. What it does, is set a standard of compelling government interest. Depending on the facts of various cases, courts may or may not conclude that there is a compelling state interest. Even in those cases in which a court finds a compelling state interest, the court may conclude that the method

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chosen by the state or local government is not the least restrictive means. Cases would depend on the specific facts."

Schoenberg: "I see. If a religious institution wished to use... If a religious institution wished to deny an individual constitutional rights on the grounds of the Religious Freedom Restoration Act, would that be justifiable?"

Gash: "Again, RFRA does not determine outcomes. It does not... it does not determine outcomes and it's not intended to grant religious institutions or organizations an automatic exemption from any particular law, or to restrict the power of governments for that matter to legislate in any given area of law. What it does, is require a two prong test, which is that the state must show a compelling government interest and do so in the least restrictive way possible."

Schoenberg: "Thank you."

Speaker Granberg: "Any further discussion? No one seeking recognition, the Lady now moves that the House concur in Senate Amendment #1 to House Bill 2370. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 117 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2370, and House Bill 2370 having received a Constitutional Majority, is hereby declared passed. The Gentleman from Kendall, Mr. Cross."

Cross: "Thank you, Mr. Speaker. I have just filed a Motion concerning House Bill 3615. I think the Clerk has it and pursuant to Rule 18(g), I move to discharge the Rules Committee from further consideration of House Bill 3615 and advance this measure... that measure for me to

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consideration of the Floor. I'd like a Roll Call vote on it, Mr. Speaker, pursuant to the rules. Mr. Speaker, I'm sure you're aware of House Bill 3615, 3615 deals with middle class property tax relief. We have a Bill... we have an idea, at least in concept of 3615 that will, as you may know, increase the credit we all have now on our property taxes on our Illinois income tax return from five to ten percent. We're talking about real savings under this Bill, up to two to three hundred dollars a year for taxpayers in the State of Illinois. Now, Mr. Speaker, I don't know about you, but everywhere I go in my district, whether it's to the grocery store, the coffee shop, to church, I have people in my district saying, 'When are we going to get some real property tax relief in this state?' Real property tax relief. Now, I know that your side of the aisle is talking about phasing in a personal exemption deduction over a five year period. While our plan calls for \$240 a year, your plan, I believe, calls for about 12 cents a week. It comes out to about six dollars a year. Now, we can do a plan that has real property tax relief or we can look at 12 cents a year, twelve cents a week. So, Mr. Speaker, I once again, renew my Motion to Discharge from Rules Committee, House Bill 3615 and ask for a Roll Call vote. Thank you, Mr. Speaker."

Speaker Granberg: "Thank you, Mr. Cross. The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you, Mr. Speaker. I object to the Motion."

Speaker Granberg: "Mr. Hartke, your point is well taken. The Motion is lost, there is an objection. Pursuant to our rules, one person can object to the Motion. Mr. Cross."

Cross: "Mr. Speaker, what a shock that we're going to ignore the House Rules and the Illinois Constitution for political

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expediency. I move now to override the Chair, and if I understand, if we're going to at least follow the rules with respect to that, I trust that you'll grant us some opportunity to debate the Motion to Override the Chair. I know I'm joined by a number of colleagues on my side of the aisle that believe in providing real, real honest to goodness property tax relief to the people of the State of Illinois. We've been here now since January, you won't give us an opportunity to debate this Bill so, I guess we'll do it with any opportunity we can, Mr. Speaker, and I hope that you'll grant us this opportunity to fully, fully debate House Bill 3615."

Speaker Granberg: "Thank you, Mr. Cross. The Gentleman moves to override the Chair. The question is, 'Shall the Chair be sustained?' All in... all in... all in favor sh... We're going to allow discussion. The question shall be... and on that question, the Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Motion to Discharge House Bill 3615. There is nothing that we talk about this spring that is more important than property tax relief. I come from a district that has one of the highest tax rates in the state. We, in fact, rank second or third highest taxing effort of any city in the entire nation, and yet, you refuse to let House Bill 3615 out of Rules. There is a possibility, of course, that you always hold up, that in your great magnificence that you will actually, in the last few hours of our Session on Friday, you will throw out a tidbit on property tax relief. But, we need the opportunity to actually debate this, find out which is the best way. House Bill 3615 would double the exemption

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allowed on the Illinois Income Tax on moderate and lower priced housing. It has a cut off so that the higher priced properties in the collar counties, unfortunately, we do not have many of those properties in my district but we restrict the right to accept those higher tax write-offs to the moderate and lower valued homes. We do not have an opportunity unless you release this from the Rules Committee to put this Bill out, to amend it, to discuss it, to take it back to our constituents and ask them, 'Is this the final product that you want us vote on?' Instead, you simply bottle it up in Rules Committee. Again, there can be nothing that we can talk about this spring, nothing that has more impact on the citizens of this state than some form of tax relief. We have a very healthy economy, the state is growing rapidly, and the money flowing into the State Treasury, in fact, has left us with significant... with significant balance at the end of the year. We are more than paying our bills on time. We actually are saving additional dollars and it's time that we considered some ways to give this... some of these moneies back to the taxpayer. Property tax relief in my district, is absolutely the highest priority that we can talk about and by bottling this up in the Rules Committee, it is absolute travesty of the Democratic process to not allow us to have some opportunity to put this out. Now, the plan that House Bill 3615 has would provide about \$235 million in tax savings every year. We have a \$750 million budget, and believe me, we can find, even if we didn't have this budget surplus, if we want to leave that 750 as a rainy day fund, that is more than fine with me because we can find in this \$37 billion state budget, there has got to be ways that we can root out. There's got to be programs that can be

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scaled back, it can be new initiatives that don't need to be put into place simply to expand the bloated state bureaucracy. Let us use this \$235 million, give some property tax relief through the income tax credit back to the homeowner so that he or she can decide, what is the proper way to spend that money. It's their money, we have the privilege of being stewards of that money but, in the case where we have an excess, let's give it back to the people who actually generate it. Let them decide whether it needs to go for additional textbooks for their kids, whether they need to expand a living room, a bedroom for their house, whether they want to go on a vacation. That should be the decision for the taxpayer and not a decision that we make down here for them, because we won't return their money to them. I stand in support of the Motion to Overrule the Chair, and would encourage the entire chamber to follow me in that example. Thank you."

Speaker Granberg: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. I do not think the Chair should be sustained. I think we should all vote 'no'. The issue is property tax relief and I want you to draw back to last spring when you brought us your education funding plan, and we refused to support you in trying to impose a 25 percent increase in this state's income taxes. And why do we do that? Because we were fearful that the property tax reduction you proposed would not be permanent. Mr. Speaker, I believe your plan last spring, was actually an attempt to raise our taxes without having to make a legitimate effort to grant permanent tax relief. Your lack of support for our property tax relief plan is further proof that you never intended to be meaning... to provide meaningful property tax relief to the citizens of this

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state. Our \$235 million middle class relief plan is not the only initiative that we're pushing this spring. We're also encouraging you... encouraging Speaker Madigan to bring savings to our taxpayers through single sales tax relief and senior relief measures. Our proposals include new drug assistance legislation that would bring \$50 million of tax relief to the senior citizens of Illinois, and in addition, the single sales factor tax relief proposal, will give another \$63 million back to Illinois taxpayers. Owning your own home is a dream in America... it's the American dream and in Illinois, we have many homeowners. They live in homes that are worth \$30,000 and some of them are worth \$3 million but it's still is the very backbone of this state. This kind of tax relief will be supported from people who are of moderate income and all over. Everyone that owns their own home will benefit from this and I think it's wonderful tax relief. We should at least be given the opportunity to debate this issue and vote on it. Vote 'no', do not sustain the Chair."

Speaker Granberg: "Thank you. Two Members having spoken in support... the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. As long as we're debating the merits of the Bill rather than the Motion, let me just weigh in on the opposite side. This Bill is not about property tax relief. On the basis of the language we've heard in debate, this is income tax relief. It is not property tax relief. Nobody would see a single cent lowered on their property tax bills were this measure debated and passed. So, stop the phony rhetoric. Remember, too, that 60 percent of the people who file income tax returns in the State of Illinois do not take this particular credit. So, you're talking about a narrow

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band group who would benefit from this proposal, this income tax relief program for wealthy Illinoisans. Let me remind the Members that you had an opportunity last year to provide real property tax relief, real property tax relief in the neighborhood of \$900 million, it would have made a difference to every home owner and to renters in the State of Illinois. You blew it and your rhetoric today is not going to make up for the error of your ways. On the merits of the Motion, the Chair's ruling was totally accurate, totally responsive and reflective of House Rules and I urge that we sustain the Chair."

Speaker Granberg: "Thank you. No one else rising in opposition to the Gentleman's Motion, pursuant to the Rules, two people were allowed to speak in favor of the Motion, two opponents were allowed to speak in opposition of the Motion. Mr. Parke, do you... Mr. Parke, do you wish to speak in opposition to the Motion?"

Parke: "Thank you, Mr. Speaker. I appreciate the courtesy. The previous speaker said that she doesn't like our Bill..."

Speaker Granberg: "Mr. Parke."

Parke: "... that our Bill doesn't get tax relief."

Speaker Granberg: "Mr. Parke, are you rising in opposition? We've acknowledged two speakers, two as proponents, two as opponents."

Parke: "I'm in opposition to the Bill. You're correct."

Speaker Granberg: "No, you're in opposition to Mr. Cross' Motion."

Parke: "No, you said am I in opposition when you recognized me, and I said, 'Yes, I'm in opposition to the Bill'."

Speaker Granberg: "Opposition to Mr. Cross' Motion."

Parke: "Well, Mr. Speaker, I just don't understand. If they don't like our Bill, where is your Bill? Where's your Bill

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to give taxpayers relief in this state? I am talking about the Bills that we have put out. Your only proposal is to give 50 cents a month relief to the taxpayers of this state. Now, if that's not embarrassing, I'd like to know what is. I mean, I know my colleagues on the other side do not want that kind of tax relief. They want meaningful tax relief. They've got campaigns to run, they're going to go back to their people and they're going to ask for it. This is bona fide tax relief. When you look at \$750 million in some kind of a fund and you're not willing to recognize that that is taxpayers money sitting there, then this is an embarrassment to all of the people of this state. Forty-two other states in this nation in the last three years have given some form of tax relief to their taxpayers. Forty-two states but, no, not Illinois, not Illinois. Your answer is, you're not going to get any tax relief. Now, this is unbelievable. We're going to have a billion, five hundred million dollars of new money in this state. This year, 750 million will sit in a fund, doing nothing, accumulating nothing for your taxpayers. How can you guys go back and run for re-election, telling your people that the only tax relief that you're talking about is a doubling of the personal income tax exemption that we'll grant over five years, over five years now, if you did it in one year, you got my support, but you're talking about five years. You're talking about 50 cents a month. Now, try telling your taxpayers that the tax relief that you voted for at the end of Session was 50 cents a month and see what kind of response you get from your taxpayers and your voters. Now, Speaker Daniels has a Bill, it's not a perfect Bill but it is a Bill that will bring tax relief to the over taxed people of this state. Now, Mr. Speaker,

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I really appreciate you giving me the opportunity to speak to this issue. I know you didn't have to, but you did. I don't... why don't you just tell us that by the time we adjourn, that you're going to work with us and give us... give the taxpayers some kind of tax relief. It will take some of the sting off of what we're doing here. I think if the... Speaker Madigan is listening, then I think that this is an opportunity to give direction, we only have three days left, to tell the people of this state, to tell the legislative bodies about what we can expect in the next three days, what can tax payers expect. So, all I can say is, if this is not property tax relief of which we are debating now, I'd like to know what is. I will tell you that it returns a portion the amount a taxpayer pays in property taxes. It will grow as the property taxes increase. In the northwest suburban areas and many of your areas, the biggest complaint from our taxpayers is the unbelievable pressure of property taxes forcing young couples not to be able to buy homes, senior citizens being forced out of their homes because of the high property taxes. This is not the answer. Representative Daniels' Bill will bring some relief and we're not talking about spending all of the \$750 million. We're only talking about spending half of it so that we will turn over to the next Governor, whoever that may be, over \$350 million. That is a huge surplus. That can be justified. Let's go back to our voters after this adjournment and say, 'We gave you some meaningful tax relief.' Ladies and Gentlemen, I would ask, let's not sustain the Chair. Let's move ahead. Let's give the people of Illinois meaningful tax relief. Let's do it now. We have a Bill we want discharged from committee. It helps solve the problem. Ladies and

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Gentlemen, vote 'no' on this Motion."

Speaker Granberg: "The question is, 'Shall the Chair be sustained?' All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, the Motion fails. The Chair is sustained, not having received the requisite number of votes. The Gentleman from Kendall, Mr. Cross."

Cross: "Well, Mr. Speaker, I'm a little puzzled. Every time you violated the rules before but let us do a Motion to override the Chair, you gave the mover of the motion the opportunity to close and that was, obviously, missing this time around. What's going to be the course of action the Chair's going to take in the future in terms of giving an opportunity to close on the person making the Motion? Are we going to follow the rules..."

Speaker Granberg: "I believe Mr. Parke... Mr. Parke took your time."

Cross: "No, if I understand correctly, you called him in opposition. So, is it our turn to close? Now, just... can we have some consistency, Mr. Speaker?"

Speaker Granberg: "Certainly."

Cross: "Well, just so... Mr. Speaker, can we get that guaran... Mr. Speaker, can we get that guarantee that we'll at least have an opportunity to close? I mean, property tax relief, your plan is 12 cents a week. It'll take me six weeks to get a cup of coffee downstairs. If I wanted cappuccino, it'd take me the whole year."

Speaker Granberg: "Mr. Cross, we will follow the House Rules."

Cross: "Now, when are we going to know if we get an opportunity to speak? Are you going to let us know that?"

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Speaker Granberg: "We will follow the House Rules, Mr. Cross."

Cross: "All right, thank you."

Speaker Granberg: "House Bill 2580, Representative Moffitt. Representative Moffitt, do you wish to move to concur with Senate Amendment #1? We may not get back to this Motion, Mr. Moffitt. We may not get back to it, Sir."

Moffitt: "All right. I would like to move it at the appropriate time."

Speaker Granberg: "The Gentleman from Knox, Mr. Moffitt on the Motion to Concur on Senate Amendment #1 to House Bill 2580. Mr. Moffitt."

Moffitt: "Mr. Speaker."

Speaker Granberg: "Proceed Mr. Moffitt."

Moffitt: "This... the main Motion was an initiative of the Township Officials and it spelled out how excess or surplus real property would be disposed of. The new Amendment deals with collection of refuse and currently, the township may provide refuse collection and disposal to township residents in unincorporated territory if first approved at a referendum, and ability to tax is part of that question. This Amendment changes that and provides an alternative to the referendum and no tax being implemented and it says that it may be provided to the residents in a similar fashion but they pay directly. It simply removes the need for referendum and the need for a tax."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2580. On that question, the Gentleman from Cook, Representative Lang."

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

Speaker Granberg: "He indicates he will. Proceed, Sir."

Lang: "Thank you. Mr. Moffitt, because of the noise level in here, Sir... Mr. Moffitt... Mr. Moffitt, because of the

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noise level in here, I was unable to hear much of what you said. Can you tell us what this Bill looked like when it left the House and what they added to it in the Senate?"

Moffitt: "Yes, Representative. When it left the House, it dealt only with the procedure to dispose of surplus real property. That was the only thing that was in it at that time. Since then, has been added the provision dealing with programs that for refuse collection or recycling, which now, can only be implemented by the township through a referendum, and it also provides in an unincorporated area, and currently the law says that there can be the ability to create a taxing district. The additional provision says you do not have to have that taxing district that this can be approved by the electors, but as an alternative where there would be no tax and the users would pay directly for the service they receive."

Lang: "Representative, there's some changes in this Bill regarding the kinds of contracts the townships could have relative to waste disposal. Can you give us a thumbnail of what those changes are?"

Moffitt: "Representative, it's dealing with... the changes are what I just identified. Current law is that by referendum, the unincorporated area can have the ability to tax if approved by referendum for the collection of refuse and a recycling program. This Amendment will provide an alternative to that so that so that no referendum is needed and no tax may be implemented, but instead, the services shall be provided to those residents and the service paid for directly. It's similar to services here in Springfield."

Lang: "The Amendment gives townships the option of creating a special district or allowing the users to pay directly to

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service providers. Under what given set of circumstances would townships want to do one or the other?"

Moffitt: "That would be up for them to decide. That's the good part of it. It's very much a local decision and I think it takes the township out of being involved and lets the contract be directly between the people providing the service and those receiving the service, no new special tax area created, so it really reduces the size and scope of government, lets it be a direct contract between the people and those providing the service."

Lang: "Is this decision made by the township board at any regular meeting or do they have to make it at some special time?"

Moffitt: "Under the current law, it had to be by the electors, I believe, at an annual meeting. Under this, it could be... where it says it's not creating a taxing body, under this new provision, I believe it could be at any regular meeting."

Lang: "But it could also be done at the annual town meeting?"

Moffitt: "I would certainly think it could be."

Lang: "And so, this could be done either by the board or by the electors who sign in at an annual town meeting?"

Moffitt: "That's my understanding, Representative, because now we're giving them an option or an alternative to creating a special tax district. This is an alterna... They already have that option at an annual meeting of the electors. Now we're saying, but you don't have to create that special tax district. You can just have it... approve a direct contract between the people and the service providers."

Lang: "Well, if the electors at the annual town meeting chose to do this, let's say the board had already reviewed this issue and decided not to, the electors at an annual town meeting said by way of their vote to do this, would the

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board be bound to do this?"

Moffitt: "Representative, I have not been posed with that question before. It would be my understanding at the annual meeting, they could, I would think that their ruling would overturn some other action. If it was an annual meeting of the electors of the township."

Lang: "Do you know if there were any witness slips in opposition to this Amendment in the Senate?"

Moffitt: "I'm not aware of any opponents and the township officials are a proponent, but I'm not aware of any opponents."

Lang: "Thank you, Representative."

Speaker Granberg: "Mr. Moffitt, do you wish to close on your Motion, Sir?"

Moffitt: "Just urge an 'aye' vote..."

Speaker Granberg: "Excuse me, Mr. Moffitt. For what reason does Representative Stephens rise?"

Stephens: "Mr. Speaker, an inquiry of the Chair."

Speaker Granberg: "State your inquiry."

Stephens: "On a previous Motion to Override the Chair, you limited the debate. We had asked for unlimited debate and on all future requests for an override of the Chair, we hereby request unlimited debate and I'm joined by the requisite number of Members on our side of the aisle and I would like to know the basis of your ignoring that rule."

Speaker Granberg: "Thank you, Mr. Stephens. We will do the debate pursuant to the House Rules when that time and that occasion comes up where the Chair will be overruled."

Stephens: "I'm asking, Mr. Speaker..."

Speaker Granberg: "At that time, it's not a..."

Stephens: "... about your previous ruling to limit the debate. What was the basis of that decision?"

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Speaker Granberg: "According to the House Rules, Mr. Stephens, if and when..."

Stephens: "No, Mr. Speaker, the House Rules clearly indicate that an unlimited debate, which we had requested..."

Speaker Granberg: "If and when..."

Stephens: "House Rule 52... 4..."

Speaker Granberg: "House Rule 54, Mr. Stephens."

Stephens: "'Debate shall consist of a 10 minute presentation by the principal Sponsor or a Member designated by the Sponsor..."

Speaker Granberg: "Subsection..."

Stephens: "... and debate for each proponent and Member of the response who seeks recognition, and five minutes for the principal Sponsor to close.' We did not get a chance to close. We did not get a... Several Members on our side aisle were seeking recognition... You wrote the rules, Mr. Speaker. You're the one that passed them. Why don't you abide by them? I'll bet you that if there was a billion and a half dollar tax increase like there was earlier in the spring, you'd be glad to recognize Members on your side of the aisle so they could brag about the fact that they wanted to raise taxes by a billion and a half dollars when the economy has never been better. The economy is up by a billion and a half dollars without your big tax increase. We're talking about real property tax relief and that's a matter of our proposal before you. You want to limit debate, shut off debate on our side of the aisle, and we'll not have it, Sir."

Speaker Granberg: "Thank you, Mr. Stephens. Mr. Moffitt, do you wish to close on your Motion, Sir?"

Moffitt: "I just urge an 'aye' vote."

Speaker Granberg: "The Gentleman moves that the House concur in

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Senate Amendment #1 to House Bill 2580. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2580, and House Bill 2580 having received the Constitutional Majority is hereby declared passed. House Bill 2671, Representative Krause. Representative Krause... Carolyn, do you wish to concur in the Amendment? The Lady from Cook, Representative Krause."

Krause: "Yes, thank you, Mr..."

Speaker Granberg: "Ladies and Gentlemen, we will be proceeding in numerical order on these Motions, to give you advance notice."

Krause: "Yes, thank you, Mr... thank you, Mr. Speaker. This is on a Motion to Concur with Senate Amendment #1. Very briefly, the underlining Bill provided that the director of revenue may publish the names and addresses of tax information of those taxpayers whose debt to the state is more than 10 thousand in arrears, and at least for six months. Prior to the publication, the director is to mail a notice to the taxpayer by certified mail and then, if it has not been paid within 60 days, the director may proceed to disclose the name. The Amendment merely provides that the 60 days notice does not run until after the notice was delivered or that the department has been notified that the delivery was refused. That is the change in the Amendment and I ask for concurrence of Senate Amendment #1."

Speaker Granberg: "The Lady from Cook moves that the House concur in Senate Amendment #1 to House Bill 2671. On that question, the Gentleman from Winnebago, Representative

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Scott."

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

Speaker Granberg: "She indicates she will. Proceed, Sir."

Scott: "Representative Krause, is this permissive or is it a requirement of the Department of..."

Krause: "Permissive."

Scott: "I'm sorry, I didn't..."

Krause: "It is permissive. It is not a mandate, the director 'may'."

Scott: "Do you have a copy of the original Bill, the underlying Bill in front of you?"

Krause: "In Revenue, we did an Amendment that changed 'shall' to 'may'."

Scott: "Okay. So, that's still part of the Bill? So, it's still part of the Bill, then? That's still part of the Bill and the Senate Amendment just added to it, it didn't change that?"

Krause: "That's correct. That's correct. I see what you're... that is correct."

Scott: "Can they... can the department decide in certain cases to do it and in other cases not to, or do they have to develop a plan that if you meet certain... certain criteria, then they have to release all the names?"

Krause: "I believe that the department must develop a consistent plan as to when they would do it and when they would not. There's a number of things laid out in the legislation as far as the amount, the time period, as to whether or not they've gone through the taxpayers certain number of steps. All that is..."

Scott: "Okay, because I suppose the thing that... I suppose the thing we'd all want to avoid is a situation where you and I both meet the same criteria, yours gets released and mine

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doesn't because of somebody's decision."

Krause: "Yeah. I think that is legitimate concern that was expressed to the department in committee, that in fact, they take a great deal of care, that everything has been done, not only to be accurate but to give ample notice and an opportunity to pay any delinquency."

Scott: "So, it'd be your intent then for, and purposes of legislative intent then, that people who meet the same sets of criteria then, would be treated the same within the department?"

Krause: "That is correct."

Scott: "Okay, thank you very much."

Krause: "Thank you."

Speaker Granberg: "Anything further on the Lady's Motion? No one seeking recognition, the Lady from Cook to close. Representative Krause."

Krause: "I would ask for concurrence in Senate Amendment #1 to House Bill 2671."

Speaker Granberg: "The Lady moves for concurrence. All in favor of the Lady's Motion shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2671, and House Bill 2671 having received a Constitutional Majority, is hereby declared passed. House Bill 2700, Representative Hoffman. Do you wish to make your Motion? Representative Hoffman on House Bill 2746, not 2700. The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in House Bill 2746, Senate

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Amendment #1. What this would do, it would amend the Illinois Highway Code regarding written contractual agreements between the Illinois Department of Transportation and another highway authority. Senate Amendment #1 extends the sunset clause of the Capital City Railroad Relocation Authority to June 30, 1999. It's currently June 30, 1998. The authority is requesting the extension to acquire certain tracks for proposed bicycle paths, I believe that's here in Sangamon County. I have no problem with that and I ask that we concur. And also, Mr. Speaker, I did want to call 2700. Maybe we got the wrong signal, so if we could go back to that after this."

Speaker Granberg: "We'll come back to that later, Mr. Hoffman, allow some other Members first. The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2746. On that question, the Gentleman from Logan, Representative Turner."

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

Speaker Granberg: "He indicates he will. Proceed, Sir."

Turner, J.: "Representative, I couldn't hear what you said. Would you mind, I know it was very short, so would you mind repeating it?"

Hoffman: "With regard to the underlying Bill or with regard to the Amendment?"

Turner, J.: "Well, let's start off with the Senate Amendment. Exactly what does it do?"

Hoffman: "The Amendment extends the sunset clause for the Capital City Railroad Relocation Authority to June 30, 1999. It's currently June 30, 1998. I believe that that is a initiative from the City of Springfield. The authority is requesting this extension to require certain tracks for a proposed bicycle path. Although I don't see Representative

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Klingler here, I believe that it's in her interest and she would be for this."

Turner, J.: "Well, that's what I thought you said. Now, what is the Capital City Railroad Relocation Authority?"

Hoffman: "Well, what is does is it has to do with, you know, the Capital City of Springfield. Okay? And it has to do with relocating railroad and it's an authority that does that."

Turner, J.: "Well, it's hard to argue with that definition..."

Hoffman: "You knew that the Capital City was Springfield, didn't you, Representative?"

Turner, J.: "Actually, you lost me after that. I was with you on that point but..."

Hoffman: "Now, years ago, when the Capital was in Salem and the Capital City Railroad Relocation Authority, then it would have been, actually, the Salem Railroad Relocation Authority, but now the Capital is in Springfield, Representative."

Turner, J.: "Oh, so that's why we're here. Okay, well, what in the world does Senate Amendment #1 have to do with the rest of the Bill? I don't see the connection."

Hoffman: "Well, it's germane because it all has to do with transportation. Are you concerned about the potential for constitutionality and the attack on the germaneness issue? If that's it, they both have to do with transportation."

Turner, J.: "So, you think that suffices then, if they both have to do with transportation, that we don't have to worry about any constitutional challenge?"

Hoffman: "Well, it's my understanding of the case law, in the State of Illinois as well as the relevant statutes and the constitution of this fine state that it would be fine, yes."

Turner, J.: "Okay, Representative, I appreciate you taking the

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time to explain the Amendment and the underlying Bill and if you're sure that Representative Klingler is in support of this, it sounds like something that I can support as well."

Speaker Granberg: "Thank you, Mr. Turner. No one else... the Lady from Sangamon, Representative Klingler."

Klingler: "Yes, thank you. I would like the Members to know that this is an issue that I support, it is supported by the City of Springfield, regarding changing the date on the property concerning the railroad relocation."

Hoffman: "Mr. Speaker, if I could have Representative Klingler added as a cosponsor, I would be delighted if she was..."

Speaker Granberg: "Mr. Clerk, can we add Representative Klingler as a cosponsor to the Bill before it's voted upon? Representative Klingler, do you wish to be added? It's up... whatever you agree upon. Mr. Clerk. The question is, 'Shall the... The Gentleman to close, Representative Hoffman."

Hoffman: "I just ask for a favorable roll call."

Speaker Granberg: "Mr. Black."

Black: "Mr. Speaker, I'd like you to acknowledge that my speak light was on and I have a question of the Sponsor before we run this Bill through here."

Speaker Granberg: "Oh, certainly."

Black: "He was out looking for a hundred cosponsors and I don't think I like the Bill. Will the Gentleman yield?"

Speaker Granberg: "The Gentleman indicates he will. Proceed, Mr. Black."

Black: "Representative, what's in the Bill? I was upstairs in my office meeting with some constituents. What's... I heard you say something about the Railroad Relocation Act and the City of Springfield would be extended. What is that?"

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Hoffman: "What it will do is, it would allow the authority... it's the Capital City Railroad Relocation Authority, and what it does, currently, that was set to sunset on June 30, 1998. The City... it's my understanding and Representative Klingler indicated, that the authority is requesting the extension to acquire certain tracks of land for proposed bicycle path, I guess, in the capital city."

Black: "You mean it doesn't have anything to do with relocating railroad tracks that run through the city?"

Hoffman: "Well, I think... I don't... I'm not sure. Maybe Representative Klingler could tell, but it's my understanding that it's to acquire land for the proposed bicycle paths but initially, it does have to do, I think maybe they're doing it, although I'm not sure, Representative, maybe they're doing it on abandoned railroad track areas."

Black: "Well, you know, I'm not too excited about a bicycle path because I don't drive my bicycle to Springfield."

Hoffman: "I'm more of a moped type of guy myself."

Black: "The reason I asked the question, in my district, assuming that the Federal Surface Transportation Board approves the buyout of Conrail by a Norfolk and Southern and CSX, my hometown is going to see about 25 additional trains a day run through, and I just want to know if the Capital City Railroad Relocation Commission is in business to relocate railroad tracks, or to build underpasses or overpasses. Well, I know a lot of cities that would like that and one of them is my hometown and I don't want to vote for something that we're extending a railroad Relocation Commission for Springfield if it may siphon off money that could help my city with it. It has 30 more trains a day expected here, shortly. I don't know what this relocation

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thing does. Is this another silly Senate Amendment?"

Hoffman: "Well, I think that... I would hate to characterize it as silly because Representative Klingler..."

Black: "Well, half of what the Senate does is silly."

Hoffman: "Well, I have a couple of Bills over there. I don't want to characterize any..."

Black: "Well, I can guarantee you, if you've got any Bills over there, they're dead."

Hoffman: "That's probably true."

Black: "That's the graveyard, not only of the Titanic, but 90 percent of the House Bills that go over there. Mr. Speaker, to the Bill."

Speaker Granberg: "Proceed."

Black: "I rise in abject opposition. I don't know what the Capital City Relocation Commission is, but if it goes out of business on June the 30 of '98, let it go out of business. And I just tell you, anybody in here who has a railroad problem like my hometown, when you can't get an underpass, you can't get money to build an overpass, you've got 30 more trains a day going through your city, I'm not going to sit here on the floor and vote to give Springfield something that I don't even know what it is. If there's going to be a railroad relocation, I want some for my district and my city, so I'm going to vote 'no'. And if you don't know what it is, I suggest you vote 'no' too."

Speaker Granberg: "Thank you, Mr. Black. No one further seeking recognition, the Gentleman from St. Clair to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding and Representative Klingler indicated, all they want to do is, apparently, they would like... or are requesting the extension to acquire certain tracks for a proposed bicycle path. The underlying Bill is

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something that unanimously passed out of here. This is an Amendment that is going to help Representative Klingler. It's not going to do one thing to anybody else's district. It's my understanding there's no money involved in this... in this Bill, and I would ask for an 'aye' vote."

Speaker Granberg: "Thank you, Mr. Hoffman. The Gentleman now moves that the House concur in Senate Amendment #1 to House Bill 2746. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 113 voting 'yes', 3 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2746, and House Bill 2746 having received a Constitutional Majority, is hereby declared passed. House Bill 2400, Representative Acevedo, you wanted that Motion called, Sir. The Gentleman from Cook, Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1."

Speaker Granberg: "Mr. Acevedo, could you provide a brief description of what is contained in the Amendment?"

Acevedo: "This Amendment was drafted in response to some concerns from the other side of the aisle, and basically, what this Amendment does is it helps identify who a community policing person is, and it describes that a community policing volunteer means a person who is summoned or directed by a peace officer or any person actively participating in a community policing program and who is engaged in lawful conduct intended to assist any unit of government enforcing any criminal or civil law. For the purpose of this Section, community policing program means

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any plan, system or strategy established by or conducted under auspices of a law environment agency in which citizens participate with or are guided by the law enforcement agency and work with members of that agency to reduce or prevent crime within the defined geographic area."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #1. On that question, the Gentleman from Vermillion, Representative Black."

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

Speaker Granberg: "He indicates he will. Proceed, Sir."

Black: "Representative, you were kind enough to come over and discuss this and I just want to make sure I have a clear understanding. There was some concern when the Bill left the House that it actually would enhance penalties, make it a more serious crime to do bodily injury or death to a community policing person than it would be a sworn police officer. Is that fear unfounded?"

Acevedo: "Yes, and it... Pardon?"

Black: "Is that fear unfounded? I mean, I don't want to put a community policing individual in a position that would be above a sworn police officer as far as prosecution."

Acevedo: "No, Representative, what this does, this Amendment just does, and I have promised that when it went to the Senate that I would add this Amendment in there. Basically, it's helped to identify who a community policing person is."

Black: "Okay, all right. And you were kind enough to come over and explain that to us, and we appreciate it. Thank you. Thank you very much, Mr. Speaker."

Speaker Granberg: "Thank you, Mr. Black. The Gentleman from Cook, Mr. Fritchey."

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Fritchey: "Thank you, Mr. Speaker. I'd just like the record to reflect on House Bill 2370, I intended to vote 'present'. Thank you."

Speaker Granberg: "Thank you, Mr. Fritchey. The Gentleman from Cook, Representative Acevedo, to close on the Motion."

Acevedo: "I just ask for a favorable vote."

Speaker Granberg: "Thank you. The Gentleman now moves that the House concur in Senate Amendment #1 to House Bill 2400. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 114 voting 'yes', 0 voting 'no', 2 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2400. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2700. Mr. Clerk, has that Amendment been approved for consideration? The Gentleman from St. Clair, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2700 is a Bill that essentially indicates that you cannot... requires carriers/transporters who deliver alcohol within the state, to obtain a signature of someone 21 years or older before leaving their deliveries. Essentially, what it does is it assures that individuals who are companies or manufacturers who send alcohol by mail, that actually it is delivered to an individual who is 21 years of age or older. It also does a few things in assuring that we collect the taxes with regard to alcohol that may or may not be shipped in, in Illinois and may be sold over the Internet or through the mail. The Senate Amendment... and by the way, that overwhelmingly passed the House, but Senate Amendment #2

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essentially keeps the provisions that already overwhelmingly passed the House but also does a couple of things. First of all, it states that with regard to common carriers, individuals who would be delivering the alcohol, that... it provides them an affirmative defense that they demanded or shown written evidence that the recipient of the alcoholic liquor was 21 years of age or older. In addition, the second major thing that it does, it indicates that if an individual who is a retailer within the State of Illinois is found to have violated the laws in another state and the entire process in the other state has been completed, that the commission, meaning the Illinois Liquor Control Commission can then sanction them here in Illinois. I think that the Senate Amendment makes this Bill better and I would ask for an 'aye' vote."

Speaker Granberg: "The Gentleman moves for the concurrence to Senate Amendment #2. On that question, the Lady from Cook, Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Granberg: "He indicates he will, proceed."

Wojcik: "Representative, I understand that this legislation is strictly for the Beer Across America concept, is that correct?"

Hoffman: "Mr. Speaker, I apologize. Mr. Speaker, I couldn't hear the Lady."

Speaker Granberg: "I'm sorry. Ladies and Gentlemen, could you give the Lady your attention, please?"

Wojcik: "Representative, this is strictly for the Beer Across America e-mail purchasing, is that correct?"

Hoffman: "Well, not only... I mean, it's my understanding, I'm not that familiar with Beer Across America, I guess that's a company, but that's the whole concept of selling through

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the Internet or selling through the mail, that's what this is designed to affect, yes."

Wojcik: "You're aware that there's a Reciprocal Wine Purchase Act in Illinois, of course, that's my legislation..."

Hoffman: "Yes, this in no way is intended to have anything to do with or affect the Reciprocal Wine Agreement in Illinois."

Wojcik: "So, you're saying that the wineries of Illinois, ten of them, would not be affected by this legislation?"

Hoffman: "Not by the provisions concerning the sale of wine, no."

Wojcik: "All right, so they, in all intents and purposes would be free of all harm incurred through this legislation?"

Hoffman: "The intent of the legislation is not to in any way, affect at all, the reciprocal wine agreement."

Wojcik: "Okay, thank you."

Speaker Granberg: "Anything further? The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. For legislative intent only, I have two questions I'd like to ask Representative Hoffman."

Speaker Granberg: "Proceed."

Capparelli: "Does House Bill 2700, in any way, adversely affect the Interstate wine Reciprocal Shipment Section or Liquor Control Act?"

Hoffman: "No, Representative Capparelli, for the purpose of legislative intent, all wine shipments authorized by Section 6-29 of this Act, have been exempted under House Bill 2700."

Capparelli: "Thank you, and does the Bill require sting operations on the wine shipped into the state under the Reciprocal Act?"

Hoffman: "House Bill 2700, in no way, requires sting operations on wine shipment into the state under the Wine Reciprocal

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Act, no."

Capparelli: "Thank you very much."

Speaker Granberg: "The Gentleman from Madison, Representative Hoffman to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I indicated before, this Bill passed overwhelmingly. It addresses a concern that I think that we need to address in this state and that is the shipment of alcohol to individuals in this state who are under the age of 21. In addition, it insures that we're going to collect the taxes that are due on alcoholic sales that take place over the Internet or by mail and the Senate Amendment only makes it better. I ask for an 'aye' vote and a concurrence."

Speaker Granberg: "The Gentleman moves that the House concur in Senate Amendment #2 to House Bill 2700. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. On this question, 116 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur in Senate Amendment #2 to House Bill 2700. This Bill having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. In accordance with the House Rules, I have filed a Motion with the Clerk, and pursuant to Rule 18(g) and Rule 49, I move to discharge the Rules Committee from further consideration of House Bill 3184, and to advance that measure for immediate consideration by the House. Mr. Speaker, this is the Circuit Breaker Bill, expanding that program to all senior citizen households with income under \$25,000. It's currently \$14,000, and it

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also adds Parkinson's and Alzheimer's diseases and cancer drugs to those covered. Mr. Speaker, this is a Bill that should not be involved in partisan politics. My father is 80 years old and my mother-in-law is 86 years old, I just read in the paper today where Congressman Lane Evans has been diagnosed with Parkinson's disease. This is a Bill that we should pop from Rules and debate and let's vote on it. I'm joined by all Republicans on my side of the aisle asking for a record vote on a Motion to Discharge and should you fail to abide by the common sense rules of the House, then I will seek to overrule the Chair, Mr. Speaker."

Speaker Granberg: "Thank you, Mr. Black. Pursuant to the Rules, the Speaker has the latitude to refer that Motion to the Rules Committee, Sir, and the Speaker is doing so now as is the presiding officer. Mr. Black, you may want to speak to that ruling."

Black: "Well, Mr. Speaker, that is just an absurd ruling. There shouldn't be anything partisan about senior citizens. To paraphrase a popular book of a few years, Elvis is dead and I don't feel so good myself. You know, I've been a member of AARP for six years. I don't understand this. We're here debating things like to extend the Capital City Railroad Relocation Commission, when we should be here discussing those.. the kind of legislation that is emergency in nature. There's no emergency in that. To do something for senior citizens is an emergency. We haven't raised the income limit in some time. My father turned 80 years old in April, my mother-in-law just turned 86. We are driving our parents and our grandparents out of their homes. Now what good does that do the State of Illinois? What money does that save the State of Illinois? All we're

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asking is that we give them some consideration, Mr. Speaker. The circuit breaker has been around a long time. I don't recall that it was partisan in nature when it passed. For crying out loud. To move that to the Rules and to let us sit here and debate the Capital City Railroad Relocation Commission, is absolutely a travesty of what this emergency Session is suppose to be about. Mr. Speaker, if you persist in this, I will ask that we... I'm joined by my Republican colleagues, I would move to overrule the Chair, and once again, I would reach out to the colleagues on the other side of the aisle. When are we going to decide that we run this House? Not somebody who's hold up back in the back room somewhere. Now are you going to stand up for your parents, are you going to stand up for your grandparents, are you going to do what is right in the 72 hours that's left in the Session? It's time to send a message to leadership. Let's debate items of substance. The heck with the Railroad Capital Commission. Vote for your grandparents, vote for your parents. All senior citizens want the circuit breaker out on the floor now for full debate. A vote 'no' is a vote against seniors and against the very people who send you here to represent them. It's time to stand up and vote with us to overrule the Chair. The Chair should not be sustained on a constant attempt to stifle the democracy and the ability to vote on objects that are important to each and everyone of us. If you want to give the Chair full power, full authority, then why don't we just all go home. I rule to overrule the Chair."

Speaker Granberg: "Thank you, Mr. Black. The Gentleman moves to overrule the Chair. The question is, 'Shall the Chair be sustained?' On the Motion, on the Motion, two proponents,

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two opponents. Mr. Stephens, the Gentleman from Madison County."

Stephens: "Well, first of all, an inquiry of the Chair. On what basis... we have requested unlimited debate on this Motion. On what basis do you deny that?"

Speaker Granberg: "The Chairperson of the Rules Committee, assigns what type of debate according to House Rule 54(2). If not, it is standard debate which provides for five minutes for proponents and opponents."

Stephens: "That doesn't deal with the issue of our request for unlimited debate. Mr. Speaker, I request unlimited debate on this Motion."

Speaker Granberg: "The debate, according to the rules, is set by the Chairperson of the Rules Committee."

Stephens: "Well, Mr. Speaker, obviously you're just going to ignore our request. The... as I understand the Gentleman's Motion is to override your decision to send the original Motion to discharge from committee, to the Rules Committee. How ironic that we would send it back to the same Rules Committee that you keep bottled up, other issues including this most important issue to seniors in the State of Illinois. The circuit breaker program has been successfully providing property tax relief and pharmaceutical assistance to seniors for 13 years. But unfortunately, the qualifying income threshold hasn't changed in those years. It remains \$14,000. The Bill we want discharged from committee..."

Speaker Granberg: "Mr. Stephens."

Stephens: "...that you're ruling..."

Speaker Granberg: "Mr. Stephens, just to advise you, I'm going to turn on the timer, pursuant to the rules."

Stephens: "Pardon me?"

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Speaker Granberg: "I'm going to turn on the time pursuant to the rules, so I wanted to notify you that you have the five minutes."

Stephens: "Thank you very much for the extended courtesy. Now if we can just extend the debate to unlimited debate so that all of us can have our say on this side of the aisle so that we can deal with issues like property tax relief, like real tax dollars returning to the taxpayers, like bringing down the balance of this all time record high that the state holds the taxpayers' money hostage while taxpayers do without in their homes and villages around the state. Issues like cost of living include increases for health care workers, issues like trimming the budget so that we don't build into the base, an increase of historic proportions that will punish taxpayers for years and years to come, simply because we don't show the willpower here in this General Assembly to limit our spending. But this issue before us has to do with the circuit breaker. It is absolutely absurd, that the Members of this Body are not allowed to debate this most serious issue. All we want to do is increase the level of income from \$14,000 where it has been stuck for 13 years, up to \$25,000. I'm not even sure that even keeps up with the 13 years of inflation that have taken place since we instituted this circuit breaker program. Mr. Speaker, our parents and grandparents have worked hard to provide us with the possibility of a quality of life, and it's our turn to do the same for them in their retirement. Mr. Speaker, I just don't understand how you and those on your side of the aisle can deny the people of the State of Illinois, an opportunity to have this program expanded the way it should be. I think I have the answer. I think if we could somehow find a way to tack on, like you

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did last spring, a proposal for the largest income tax increase in the history of the State of Illinois, something in the area of almost \$2 billion dollars, then maybe you would help us and discharge this Motion from the committee... this Bill from committee. Since we choose to live within our budget and not raise taxes in good times, as a matter of fact, propose to pass on benefits and give real tax relief in good times, you decide not to join with us. Mr. Speaker, your rules and the way you're operating the Chair today, are very inconsistent. Whether you decide to take the Motion and send it back to Rules Committee or have the Majority Leader, if she happens to be on the floor, stand up and object to the Motion to Discharge the Rules Committee from further consideration. It seems which way the wind is blowing, determines how you are going to decide. I wish Mr. Speaker, that you would show some consistency in your manner of running this House, so that those of us that wish to debate the issues could do so in an orderly fashion, and deal with the real six or seven issues that we've go to deal with before this week is out. Because, Mr. Speaker, if we don't, it'll be you and your party that are held accountable. You are holding the people and the taxpayers of this state hostage. You know it, we know it. Let's get the business of the state done, let's bring circuit breaker relief where it should be to those 140,000 seniors who deserve it, those who make up to \$25,000 in income on an annual basis deserve to participate in this all important program. Mr. Speaker, you are denying them that benefit."

Speaker Granberg: "Thank you, Mr. Stephens. The Gentleman from DuPage, Representative Biggins on the Motion. Five minutes, Sir."

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Biggins: "Thank you, Mr. Speaker. I think that this Bill accomplishes what a lot of us are concerned about. One, is providing middle class property tax relief, and the other is helping seniors with their medical bills, which as we all know are advancing in cost as they advance in age. The history of the circuit breaker program which started in the mid 1970's, is to adopt a program where just as when you overload a circuit, there's a problem, well, when you have less income and more medical expenses, this creates a problem for the users of this program. And since the last threshold was raised to \$14,000 in 1985, much has changed in our economy. As you know, anybody that's been successful in the stock market the last couple of years, would have an opportunity to have more income, and this would deprive them from qualifying for a program that would pay for their medical bills under the existing program. Now, I know there's a concern that this program is limited to only property owners, but I want to relay that concern, because that's not true. This program applies to renters as well. I know that there are some on the other side of the aisle that were concerned that this program would only grant relief to those that owned real estate. However, the beauty of the circuit breaker program, established in the mid '70s is, that it applies to renters who receive a sliding rebate based on the amount that they pay, and allocated to their property that they rent in property taxes. It's a very good program, it's been very successful over the years, but it's behind the times. The expenses haven't kept up with the times, but the ability for the seniors to pay their bills, has not. And this Bill combines an opportunity now for them to get a special card that will enable them to find relief in cost of

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cardiovascular, diabetes, and arthritis medications. Also, it applies to Alzheimer's medications and other illnesses that were not as prevalent at the time the circuit breaker was created. These treatments for these diseases are very expensive, and they're also very, very necessary. The senior should not have to choose between paying for their medications and paying for some of the food that they must have for their daily substances. So, this is an opportunity for this Body to pass a Bill that provides relief for medical bills based on taxes paid, and also we should expand that to at least \$25,000 of annual income. It'll expand the number available, it will help renters. This is the first program that's been introduced that will help renters this year as well as property owners. It's all based on their property taxes and the ability to pay. It's not based on those of extreme wealth and other areas that may give them an opportunity to pay their bills more than other people would be able to, based on their existing incomes. So, I would urge the Chair to call House Bill 3184 for a vote. Provide the seniors with this assistance to help them with their increasing health care costs."

Speaker Granberg: "Thank you, Mr. Biggins. The Gentleman from Vermilion, Representative Black, to close on the Motion, Sir."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Let me just ask each and every one of you to look into your hearts... I don't know if you're lucky enough to have both of your parents alive. I lost my mother 30 years ago June. My father turned 80 in April. And my wife lost her father several years ago, and her mother just turned 86. I'm not going to rant and rave and yell at you, I'm just going to ask you to stop and think

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about this. Our senior citizens, the current senior generation, is one of the most remarkable generations this country has ever produced. Stop and think what they went through. They were tempered during the world depression of the '30s, then World War II broke out, and people like my uncle and my father were drafted. It wasn't a one year tour of duty then folks, they left and they were told they'd be back home if they were lucky when the war was over, and many of them spent four or five years in the military. And they came home and they didn't ask for a great deal, and they built this country. They rebuilt it after the war. They gave you and I the opportunity to serve in this Body. Without their sacrifice, without their hard work, there wouldn't be a Representative democracy in this country. We could have lost it all. So, now, as they... as they get into the twilight years of their life, why in the world won't you stand with me to overrule the Chair, and just simply say, 'We need to debate and vote on the expansion of the circuit breaker to take care of our senior citizens.' Our parents, our grandparents who sacrificed many years, paid their taxes, suffered through the depression, fought for years overseas during the war. Some of the men recalled during Korean in the 1950's. I fail to understand how we can make this a partisan issue. All I'm asking you to do... whether you vote for the Bill or not, that's up to you and your conscience and how you view the circuit breaker program. But if you will not stand up and represent your districts and tell the Chair that we have a right to debate certain Bills and vote 'yes' or 'no', so that our constituents know what we're going to do, then we're here under false pretenses. What in the world did our parents and grandparents sacrifice for? So

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that we can come over here and let one or two people decide what we, in fact, are going to vote on. To let one or two people decide on what issues would come to this chamber and what issues would not. I'm not under false pretenses, but I'd like to think that at least some of us, whether it be a Republican in the Chair or a Democrat in the Chair, I'd like to think that at least some of us would once stand up and tell the Chair, 'We think you're wrong on this interpretation. We think you're wrong.' A vote 'no', so that you can overturn the Chair and let's debate the issue of circuit breakers. It's for my 80 year old father, my 86 year old mother-in-law, your parents, your grandparents, and the fastest increasing population in the State of Illinois, senior citizens who need our help. I'm not asking you to vote for the Bill on Third Reading, I'm just asking you to give a chance to seniors to at least have their issues brought to the floor, discussed thoroughly and voted on. Is that too much to ask? I don't think it's partisan in nature. I'm disappointed that I have to even get up and ask you to do that. Just once, let's try to do the right thing in the last two or three days of Session. I don't see this as a partisan issue, I don't want it to be a partisan issue. Vote 'no', overrule the Chair, and let's debate issues that are of critical importance to senior citizens throughout the State of Illinois. Thank you."

Speaker Granberg: "Thank you, Mr. Black. The Gentleman from Vermilion now moves to override the Chair. The question is, 'Shall the Chair be sustained?' All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, having failed to receive the required 71

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votes, the Motion is lost. Ladies and Gentlemen, the House will stand at ease a few moments. We have a very distinguished guest with us who is going to perform, so a few moments please. She is in the back warming up for her presentation, so the House will stand at ease. The Lady from Cook... I'm sorry, the Gentleman from Cook, Representative McCarthy, for purposes of an introduction."

McCarthy: "Thank you, Mr. Speaker. During this moment at ease, I'd like to take the time to introduce my seatmate's son, on the occasion of his recent engagement, so it's Mark Crotty and his new fiance Angie, are here with us today in the chamber. So please welcome them and congratulate them."

Speaker Granberg: "Best wishes. You can ask Representative Novak what that martial bliss is like. Ladies and Gentlemen, we are honored today to have Rachel Barton here with us. The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker, Members of the House. It is really a pleasure today for me to be able to introduce to you, a constituent who I feel very fortunate to have living in my district. One of America's really most celebrated violinist, Rachel Barton. We are also fortunate that Rachel was willing to take time out from a very busy schedule to inspire us in the final days as we work here in Springfield, and also fortunate that one of our colleagues, Representative Doug Hoeft, happens to be the announcer for the Elgin Symphony, and had the opportunity to meet with Rachel several weeks ago when she was performing in Elgin and thanks to Doug's good efforts as well, she was kind enough to come down and I know, to inspire us and lift our hearts up, and then with that, I think the Chair will recognize Representative Hoeft."

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Speaker Granberg: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Far too many times we spend our efforts down here on all the problems of the state, the prisons, the school funding, the juvenile justice, all of the problems we focus on and we don't spend time to stop and celebrate the excellence. Rachel is a classic example of what is positive and good in the youth of this state, and I thought it would be a beautiful time to stop the process and have her play to demonstrate the strength of our Illinois youth and also this is the budget week. And we are dedicating major funds to the arts, and these funds are used productively to support and to develop talent such as Rachel shows, so, I would like to shut up, because the more I speak, the less she can play. And I would love to have Rachel show the talent of Illinois youth. Rachel Barton."

Rachel Barton: "Can you hear me? Okay, well, I just wanted to say very briefly that I was born, raised and educated, including my music education, in the State of Illinois. Ah, there we go. I had all of my music education here in the State of Illinois, so what you see before you is a product of our great state. And of course living in Chicago, one often forgets that one actually is an Illinoisan and not just a Chicagoan, so it's great to be down here, and I'm going to start off with the piece that I played last week as an encore for my concerts with the Elgin Symphony. It's by the 19th Century Violin Virtuoso and Composer Hinrich Wilhelm Ernest who was known as Paganini's successor, and it is his concert variations on the old Irish era, the last Rose of Summer. (Played a song.) Thank you very much. Thank you very much. I'm going to play one more quick number for you and then as a

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taxpayer, I should let you get back to work. I asked if Illinois had an official song of some sorts, and apparently it doesn't and neither does Elgin, so I guess I'll play you a little arrangement I put together of the favorite tunes from my hometown. (Played another song.)"

Speaker Granberg: "Thank you, Miss Barton, an inspiration to us all. On the Order of Second Reading, appears Senate Bill 560. Representative Giglio. Mr. Clerk. Representative Phelps. I'm sorry."

Clerk Rossi: "Senate Bill 560 has been read a second time, previously. Amendment #3 was adopted in committee. No Motions have been filed. Floor Amendment #7, offered by Representative Woolard, has been approved for consideration."

Speaker Granberg: "The Gentleman from Williamson, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think everyone's familiar with this issue. It's something that's been before us for some time. This is not only a fairness in special education funding that we're talking about, but positively, this is giving every kid in the classroom, throughout the State of Illinois, the opportunity to access those dollars that were intended to educate them. If, in fact, we meet the obligation that we have had for some time and give 100% funding to those reimbursements that are there and should be taken care of on a regular basis for special education. It's an important issue. It's something that the time has come that we should address. I think that we had unanimous support in the committee and I feel that there will be unanimous support here as well."

Speaker Granberg: "On the Gentleman's Motion, the Gentleman from

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Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of this Amendment. Most of you are familiar with the fact that we prorate the money to all of our local districts in the area of special education. The mandates that are sent down from the Federal Government have to be administered, have to be funded. Our local folks have no choice. It has to be done, and so in order to do that, we take money out of the regular budget to supplement what happens in special education. That's as it must be and as it should be. However, since we do not fund the requests of our districts at a 100%, we either lose money in the regular ed program as well as short changing some of our special education programs. It's not fair, it's not right and this would mean more money for every single school district across the State of Illinois. It's fair. It would be equitable and I urge an 'aye' vote. Thank you."

Speaker Granberg: "Any discussion? There being no further discussion... moves for the adoption of Amendment #7 to Senate Bill 560. All in favor shall say 'aye'; all opposed shall say 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #8, offered by Representative Giglio."

Speaker Granberg: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #8 provides that the school district, previously, that was certified to be in financial difficulty and requests to be recertified as a result of continuing financial problems over the district previously, has been certified as financially distressed district under Section

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19.1.5. I'd be happy to answer any questions."

Speaker Granberg: "The Gentleman moves for the adoption of Floor Amendment #8. On that, is there any discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker."

Speaker Granberg: "Excuse me. Representative Lang in the Chair."

Cowlshaw: "I beg your pardon? Oh, I see, I'm sorry."

Speaker Lang: "Please proceed."

Cowlshaw: "Thank you, Sir. Mr. Speaker, before I begin, may I please request that there be a recorded roll call vote on this Amendment?"

Speaker Lang: "Your reque... Your request is acknowledged."

Cowlshaw: "Thank you, Sir. Does that mean it's granted?"

Speaker Lang: "And granted."

Cowlshaw: "Thank you. This Amendment is intended to benefit Bloom Township High School, which claims that it does not have sufficient funds to do the work that needs to be done for its students. Well, it's probably a claim that nearly all school districts in the state could indeed, put forward. But, let me just explain specifically, what happens here. The Bloom Township High School District currently spends nearly \$10,000 per student, per year. The City of Chicago schools spend approximately \$7,000 per student, per year. School districts where I live spend between 5500 and \$6,000 per student, per year. The purpose of asking for this so-called financial oversight board is that it enables Bloom Township High School District to get more grants and more funds on a per pupil basis from the State of Illinois. If every district that could be covered, by what Representative Giglio is suggesting, actually took advantage of this, the total cost to the state would be \$56 million. All I am suggesting to you is

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this, this in my opinion, is an attempt to achieve more state money for Bloom Township High School from taxpayers who live in districts where the amount per pustu... per student, per year that is spent is far less than it is at Bloom Township High School. Now, I agree they probably have a lot of problems, probably it's a matter of financial management as well as a good many other wasteful and inefficient kinds of things, but the fact is, if your school district is not spending at least \$10,000 per student, per year, you ought not to be voting to spend... send more state money to a district that spends that much money per year, per student. Let them use the funds they already have, apparently in great excess, to better means and leave the rest of this money for the school districts that truly are poor. I think that if you... Unless you have a school district that spends 10,000 or more per year, you ought not to be voting 'yes' to send more money to one that does. Thank you, Mr. Speaker."

Speaker Lang: "The Chair recognizes Representative John Jones."

Jones, J.: "Thank you, Mr. Speaker. I rise for a Point of Personal Privilege."

Speaker Lang: "Please, state you point."

Jones, J.: "I would like the General Assembly to welcome the seventh grade class from the West Salem Grade School in Edwards County. Give them a big hand for being here in Springfield today."

Speaker Lang: "Welcome to Springfield. Thank you Representative. The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. A couple question... inquiries of the Chair. First of all, in the event this Bill does get the resq... or Amendment gets the requisite number of votes, we request a verification."

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Speaker Lang: "That request is acknowledged, Sir."

Cross: "All right. Inquiry of the Chair. It's my understanding that this Bill passed out of the Standing Committee Elementary Education, I believe, well after the deadline established by the Speaker. If so, how did that happen? If we could get an answer?"

Speaker Lang: "The... The Third Reading deadline on this Bill is extended to May 22nd, Sir."

Cross: "We're talking about the committee deadline, Mr. Speaker. With all due respect, it passed out after the committee deadline, so, rather go two separate deadlines, you have the committee deadline and the Bill deadline and we're in conflict with the committee deadline that, I believe you guys, you as the Speaker set."

Speaker Lang: "Mr. Cross, we'll get back to you on this after we have a chance to look into it. Did you have questions of the Sponsor?"

Cross: "Thank you, Mr. Speaker."

Speaker Lang: "Please, proceed."

Cross: "Representative, my understanding is there is no additional appropriation for this money? Is that correct?"

Giglio: "As of yet, that's my understanding that the funds for Amendment #8, as well as House Bill 1599 that went out of here last week with a 117 votes for 23 other school districts, appropriations for those have not been made as of yet, either."

Cross: "So, isn't it conceivable under your Bill if it passes, or under your Amendment that other districts will lose money if they take money out the... the budget?"

Giglio: "Not without the appropriations."

Cross: "Well, what if they go to the general revenue fund? So, isn't it possible that Representative Scully's districts

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may lose money? Conceivably, if your Amendment passes?"

Giglio: "Well, Representative Scully and I share that district, also, and conceivably if the whole program is funded at 100% and the schools apply for the full 100%, no, none should be coming away from them."

Cross: "Well, what are you going to do if someone decides from the state board, that this should be granted? Or how are we going... How are we going to fund it?"

Giglio: "Well, this... the state board admittedly looked at Bloom as an oversight. They had intended to include them under the original 1599 legislation."

Cross: "I'm sorry, Representative, I missed that answer."

Giglio: "I said that the State Board of Ed overlooked Bloom. They had assumed that Bloom 206 would have met the criteria for 1599."

Cross: "But what does it do with respect to the question of whether or not other districts are going to lose money?"

Giglio: "It depends on the amount appropriated."

Cross: "Well, do you think that's fair to other Members' districts if they're going to lose money? Think that's fair to Representative..."

Giglio: "There's no reason to see that that should happen. We're anticipating full funding."

Cross: "What do you spend per student, now, in Bloom Township?"

Giglio: "Approximate spending is just over \$9,000 per year, per student including death."

Cross: "Now, I'm confused, Representative. We just passed a foundation level last year, of a little over 4,000. You're now over 9,000. You want more, and you want us to pass this Amendment?"

Giglio: "What we're looking... What we're looking for, Representative Cross, are for the provisions that were made

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available to Crete and 24 other school districts to be made available to Bloom."

Cross: "Weren't those districts that you alluded to, Crete and others, on the financial watch list?"

Giglio: "Some of them were on the watch, some were in fact, on the certified list."

Cross: "So, why should we be... why should anyone in this chamber vote when their districts downstate that aren't even close to your figure, vote to give you more money?"

Giglio: "One of the key aspects of the... this Bill would provide the state oversight over Bloom's spending. As of yet, the school board, up until now, the local school board has been opposed to the state oversight coming to them. That would be a major benefit to the district and the students, as well as the taxpayers."

Cross: "What are the teacher aver... what's the average teacher's salary in this district?"

Giglio: "That I do not know. I apologize."

Cross: "What's the average... what's the superintendent's salary in this district?"

Giglio: "Again, that too, I'm not sure of Representative."

Cross: "Well, Representative, you're at \$9200, you want more, and we're trying on this side of the aisle at least, to get 2.2 called. You want to take this back to committee and try to attach that to this Bill?"

Giglio: "No. I spoke with Speaker Madigan on that and he recommended that I didn't."

Cross: "'The' Speaker Madigan? Are you saying that Speaker Madigan controls what you do?"

Giglio: "Absolutely not."

Cross: "Well, why don't you take it back if you support 2.2?"

Giglio: "He assured me that that would come up at another time."

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Do you have questions relevant to this Amendment?"

Cross: "Did he tell you it's going to come up in the next couple of days? Do you want to join with us on our Motion to get that kicked out of the Rules Committee?"

Giglio: "Not... Well, let's see how this Amendment goes and we'll talk."

Cross: "So, are you not for 2.2? Sounds like you're not..."

Giglio: "Let's see how this Amendment goes and we'll talk."

Cross: "...sounds like you're not. Okay. Thank you, Mr. Speaker. I don't have any other questions."

Giglio: "Thank you Representative."

Speaker Lang: "Representative Schoenberg."

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

Speaker Lang: "The Gentleman yields."

Schoenberg: "Representative Giglio, in light of the uni... unique circumstances for this particular school district, did not former Senator DeAngelis pass special remedial legislation to deal with the needs of this district?"

Giglio: "That is correct."

Schoenberg: "He did. And what was this special legislation, which I believe Senator DeAngelis, at last check, formerly served in the Senate with great distinction as a Republican Member of the Senate, what did that legislation that the former Republican Senator of that area, what did that legislation feature?"

Giglio: "It allowed the district to increase their debt limit."

Schoenberg: "I see. And how did the district respond as a result of this legislation?"

Giglio: "It responded by doing just that, increasing its debt to even deeper."

Schoenberg: "And has that... And, what has been the consequence

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or result of that action?"

Giglio: "The result of that is... has increased the per student spending. It has put them trem... in tremendous debt, and the accountability that the district would receive by obtaining the financial oversight would go a tremendous long way for the students, and again, the taxpayers also."

Schoenberg: "So, what you say, in your professional opinion, that Senator DeAngelis' special legislation for this particular district that it was favorable to the district or unfavorable?"

Giglio: "At the time, it was presumed to be favorable in hindsight, I would say that it had a negative impact."

Schoenberg: "I see. Thank you very much, Sir. I'd like to address a couple other points that were raised earlier. With all due respect to the Lady from DuPage, whose judgement I respect on many occasions, I believe it's a bit disingenuous to single out Mr. Giglio's district which has its own unique circumstances. I seem to recall that during the tenure of Republican Majority, that we in fact, the budget featured a capital grant that is going to build a brand new school district for that... within the City of Naperville. A brand new school district, which I believe is also going to feature the name of the aforementioned individual. Moreover, for those of you who think that this is a purely parochial and regional issue and that's how you want to talk about school funding, I think we've all recognized by now, that these issues are larger issues. That we all have an obligation to all the students in this state, because they're all part of the Illinois economy, going to be contributing to that economy. And I think it's wrong. I think it's shortsighted, I think it's disingenuous. I think it's inappropriate and I think it's

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insulting to single out Mr. Giglio's area as some have previously, all because they wish to give him a bit of undue attention at this time. So I encourage my friends and colleagues to support Floor Amendment #8."

Speaker Lang: "Representative Crotty."

Crotty: "It's going to be... Thank you, Speaker. It's going to be hard to follow the previous Speaker..."

Speaker Lang: "Give it a shot."

Crotty: "...on those comments. Thanks. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Crotty: "Thank you. If I'm not mistaken, out of the two school funding proposals that came before this House, Bloom Township, for some reason, received zero? No new monies at all in those..."

Giglio: "That is correct."

Crotty: "To the Bill."

Speaker Lang: "To the Bill."

Crotty: "We talked today about per student spending, but when we're looking at what we give to each student in the State of Illinois, you need... you also need to look at the neighborhood and the area that that student comes from. We're looking at an area that has no economic growth. We're looking at an area and a school district that has cut all extracurricular programs. If I'm not mistaken, shortened their schedule, decreased teachers, increased student classes. We have special ed costs that are far more than many of the districts that surround them. As we voted not to long ago, out of the Education Elementary and Secondary Ed Committee for more dollars to go to the richer districts in this state, so, not more dollars, but an opportunity for them to apply for more dollars for the construction bonds, I'm asking that you remember that we

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have students across the state and definitely in this district that are going to go through Bloom Township in only four short years. When we decide to do something for Bloom Township, we can't ask 21 and 22 year olds, to now come back to high school and we'll try to make up what we didn't do for you while you were at the high school age. I ask that everybody give this Amendment a favorable vote. Thank you."

Speaker Lang: "Mr. Cross, an answer to your inquiry. The Bill was not in a committee at the time of the deadline, it was in the Rules Committee. And under rul... House Rule 18(f) the Rules Committee may at any time refer or re-refer a legislative measure from a committee to a committee of the whole or to any other committee. So, under the powers of the Rules Committee, this was assigned to a Substantive Committee for hearing. Mr. Cross."

Cross: "Mr. Speaker. What's the point of the deadline? I mean if, we're, we're citing House Bill (sic-Rule) 9(b)8, I'm sure you're familiar with that, which we... we've established deadlines and now, we're ignoring them. That's our only point... it went straight out of here."

Speaker Lang: "Mr. Cross, the Rules Committee has the power under the same rule that you cite, under the same House Rules to assign a Bill to a Standing Committee at any time and that's what they've done. The Chair..."

Cross: "Mr. Speaker."

Speaker Lang: "...recognizes Representative Morrow. Mr. Cross, for what reason do you rise, now?"

Cross: "Why do we even establish deadlines? We're ignoring them. And you might as well just do away with deadlines, I mean you've done away with most of the House Rules over the last couple weeks when we've tried to get Bills debated. And

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you might as well let everybody know that whatever deadline you set is going to be ignored, so, I'm going to move to override the Chair on the question of your parliamentary proceeding."

Speaker Lang: "The question is, 'Shall the Chair be sustained?' Those in favor of the Motion shall vote 'aye'..."

Cross: "Mr. Spea... I'm not mistaken."

Speaker Lang: "Well I saw no lights on, on that question."

Cross: "Well, Mr. Speaker, if... you went through it pretty quick. Now, we've... you at least got to give us some respect on the ability to debate. You've shut off all debate on other opportunities or other issues today. I hope you're going to allow people on this side to debate this Motion. Are you going to?"

Speaker Lang: "Do you wish... Of course, Sir. Do you wish..."

Cross: "I made the Motion. I believe you can let two people on our side to argue that, is that correct?"

Speaker Lang: "That would be fine, Sir."

Cross: "Okay."

Speaker Lang: "Who on the Republican side of the aisle? Mr. Stephens."

Stephens: "Well, Mr. Speaker, first of all, I'm surprised that you said that you didn't see any lights on, on our side of the aisle. Indeed, my light has been on to debate the original Bill that was before us. So, I don't know if you got too much paperwork up there or what the problem is. But, for those of us in the back of the chamber, we are just a little confused. We would like the Chair to explain what your... what your ruling is that Representative Cross is asking to be overturned."

Speaker Lang: "Mr. Cross asked the question earlier, Mr. Stephens, how after a deadline a Substantive Committee can

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pass a Bill out and send it to the floor. I indicated that under Rule Hous... under House Rule 18(f) the Rules Committee has the power to send any Bill, in its jurisdiction, to a Substantive Committee at any time. That's what the Rules Committee did. Mr. Cross has indicated he doesn't like that ruling and has moved to appeal."

Stephens: "Well, no doubt, Representative Cross has good reason. It sounds to me as if the Chair of the Rules Committee can supersede the rulings of the Speaker of the House and his original book of rules. And the manner in which these rules are applied to various Members of the House, Mr. Speaker, is at best political and at worst an agenda of the Democratic Party. It just... It just amazes me that the chamb... the leaders of the chamber have decided to set the rules aside with only three days to go in the Session. The rule book is out the window. Ladies and Gentlemen of the public, you just don't know what's going to happen next. There's just absolutely no way to predict with the lack of standards by which this chamber has been run under this Speaker. There is no way to predict what's going to happen today or tomorrow. We don't know what deadlines are going to be extended, what rules are going to be broken next. what violation of a Member's rights is going to be the next violation of that Member's rights..."

Speaker Lang: "Representative Cross, excuse me Representative. Representative Cross has thoughtfully decided to overrule the Chair."

Stephens: "I would ask that, if he didn't already, that we have a Roll Call vote on that and a verification should it receive the requisite number and fail. So, Mr. Speaker, I would... I would ask that all Members be in their seats on this next

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vote and we have a verified roll call."

Speaker Lang: "Your request is acknowledged. The Chair recognizes Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. I stand in support of the Motion to overrule the Chair. Obviously through procedural means, the Speaker did extend the deadline in which this Bill could be brought to the chambers and to that we respect his authority to do that, but the part that's in question here is whether the committee deadlines have the authority to be extended. And if I could, Representative Lang, it's my understanding that your interpretation is that the Rules Committee had the authority to do that. Am I... Am I clear in my assumption?"

Speaker Lang: "That is not my interpretation, Sir. That is the clear language of House Rule 18(f)."

Rutherford: "Okay. So, your interpretation then being then that Representative Currie being the omnipotent authority over the Rules Committee, then has superseded power over that of the Speaker and recognizing complete respect for Representative Currie as the Chairperson of the Rules Committee though, this Body's leader has been duly elected to be the Speaker and with the authority now being taken away from the Speaker and given to the Chairman of the Rules Committee, I think is wrong, and I think the fact that, what we're in the process of trying to do here, is to suggest that the Chair is wrong in their interpretation to give Representative Currie this much authority and taking it away from the Speaker and moving it on to the Rules Committee is inappropriate. And for that reason, I do stand in support of the Motion to overrule the Chair."

Speaker Lang: "Chair recognizes Representative Crotty."

Crotty: "If I'm not mistaken, yesterday, I think it was, when we

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had Elementary and Secondary Ed, we extended a deadline, if I'm not mistaken, for Representative Stephen's Bill. Am I right or wrong? I might be...."

Speaker Lang: "Mr. Stephens."

Stephens: "Representative, I am glad that you've brought me back into this debate. Whether the Rules Committee extended, I suppose you're referring to 2802, which is originally a Holbrook/Stephens Bill, that is now a Stephens-Holbrook-Hoffman Bill. If you're saying that the Rules Committee acted inappropriately, we would welcome your vote to overrule the Chair and we will deal with that issue separately."

Speaker Lang: "Representative Crotty, please."

Crotty: "Representative Stephens, please don't misunderstand. The reason why I question this, I'm most certainly am more than happy to help with your Bill, Holbrook Bill, the other person's Bill. Probably now, Representative Holbrook will want to speak, but I think what I'm trying to say is, I think we're trying to be fair here and that... and consistent on both sides of the aisle..."

Stephens: "Well, with all due respect, Representative..."

Crotty: "... and I welcome helping your district as well as anyone else's school district in this entire Body."

Stephens: "Representative... Mr. Speaker, if I may. With all due respect, the Motion on 2802 was a Motion that was timely in order and a Motion to concur with a Senate Amendment, fully within the established Rules of the House. The Gentleman's Motion that is in question here today and the Motion... the ruling of the Rules Committee and your reaction to it, is totally separate, both in theory and in fact."

Crotty: "And... and I believe that Representative Giglio's Bill is exactly the same. It's timely and it's necessary."

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Stephens: "Mr. Speaker, this is an example of the sort of misunderstanding that you in the Chair have caused by your own Members. Now, everyone is confused. The Lady is making her point and she's well intentioned, but it's absolutely absurd to compare the two Motions. My Senate Amendment... Senate Amendment 1 and my Motion to Concur was filed last week in a timely matter. It was issued out of Rules Committee and this absurdity on... on the Bill before us and your ruling there in is absolutely not connected or related in any manner and your own Members are confused about that, Sir, and they're confused because of the way you have run this House."

Crotty: "If I'm not mistaken, yesterday, I think it was, when we had an Elementary and Secondary Ed, we extended the deadline, if I'm not mistaken, for Representative Stephens' Bill. Am I right or wrong? I might be..."

Stephens: "Mr. Speaker, this is an example of the sort of misunderstanding that you, in the Chair, have caused by your own Members. Now everyone is confused. The Lady is making her point, and she's well intentioned, but it's absolutely absurd to compare the two Motions. My Senate Amendment, Senate Amendment 1 and my Motion to Concur was filed last week in a timely manner. It was issued out of Rules Committee and this absurdity on the Bill before us, and you're ruling, therein, is absolutely not connected or related in any manner, and your own Members are confused about that, Sir, and they're confused because of the way you have run this House. You have run it with a little handbook in your hand. Today we'll do it this way, tomorrow we'll do it that way, this way next hour, later in the day we'll use a different ruling. There is no consistency in the Chair, there's no consistency in your

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party except that you want to raise taxes and punish the people of the State of Illinois. That's the only thing I know you stand for."

Speaker Lang: "Representative Crotty."

Crotty: "Alright, all the politics set aside. This Representative..."

Speaker Lang: "Representative Crotty."

Crotty: "... and many of us didn't have to be here long enough to understand the political game. I think a lot of us are starting to catch on, as much as a lot of us dislike it, immensely, but as I stand here for another week of having people come down to this House to watch things get done, I don't think I need to be told by someone who doesn't know me that well, that I'm confused. I am not confused, and everyone that is sitting in this gallery that has taken a lot of time to come down and maybe even with children, show them the process. I want them to see a true process and not just political games, and I ask again, for a favorable vote for Mr. Giglio's Amendment to be fair to all the kids in the State of Illinois as we did with 24 other districts. Thank you."

Speaker Lang: "Mr. Cross to close on his Motion."

Cross: "Well, Mr. Speaker, I don't think there's any confusion in this Body. There's some of us that want good Bills to be called. Two point two for instance, middle class tax relief, but no, we're spending the afternoon debating a Legislator's special piece of legislation to give his district an additional amount of money, over and above \$9200 and we can't get 2.2 called? Is there any confusion about that?"

Speaker Lang: "Mr. Cross, Mr. Cross...."

Cross: "Mr. Speaker... Mr. Speaker...."

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Speaker Lang: "You've made a Motion, please confine your remarks to your Motion."

Cross: "... and the absurdness of this... Mr. Speaker, to turn my light off is not a confusing issue, either."

Speaker Lang: "I didn't turn your light off."

Cross: "Are you going to let me close?"

Speaker Lang: "The timer expired, I forgot to reset it..."

Cross: "Why don't you let... okay, if you'd let me close."

Speaker Lang: "You have five minutes, Sir."

Cross: "The absurdness of this as Representative Black, this morning, makes a Motion to Discharge a Bill out of Rules and you send it back to Rules. Now, if that's not crazy, I don't know what is, and now, you extend the deadline and you didn't on this Bill and you still called it. That's wrong, Mr. Speaker. I hope the people understand, throughout this state, all of the people who... yelling right now, I hope you'll all vote with us to override the Chair because this is a mockery of the system, Mr. Speaker. You ought to be ashamed."

Speaker Lang: "The question is, 'Shall the Chair be sustained?' Those in favor will vote 'aye'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 60 voting 'yes', 56 voting 'no', and the Motion... the Motion carries. Back on the Bill, Mr. Clerk. Senate Bill 560, the Chair recognizes Representative Morrow. Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I was going to rise on a... on Floor Amendment #8, but let's... I'm tired of this debate. Let's move the previous question."

Speaker Lang: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' Those

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in favor will vote 'aye'; those opposed will vote... vote 'no'. The voting is open. The question is, 'Shall the main question be put?' Those in favor shall say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Giglio to close."

Giglio: "Thank you, Mr. Speaker and Members of the House. I would simply ask for your favorable support."

Speaker Lang: "A roll call vote has been requested on this Motion and a verification. Those in favor of the Gentleman's Motion shall signify by voting 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? This takes a majority. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 60 voting 'yes' and 56 voting 'no'. Do you persist, Representative Cowlshaw, in your request for a verification? This takes a majority. Representative Cowlshaw is the one that made the request for the verification. Alright, I stand corrected. Mr. Cross, do you persist?"

Cross: "Yes."

Speaker Lang: "Mr. Clerk, please call the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative. Representatives Acevedo. Boland. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Currie. Curry. Dart. Davis, Monique. Davis, Steve. Erwin. Fantin. Feigenholtz. Flowers. Fritchey. Gash. Giglio. Giles. Granberg. Hannig. Hartke. Hoffman. Holbrook. Howard. Jones, Lou. Jones, Shirley. Kenner. Lang. Lopez. Lyons, Joseph. Mautino. McCarthy. McGuire. McKeon. Moore, Eugene. Morrow. Murphy, Harold. Novak. O'Brien. Phelps. Pugh. Reitz. Rodriguez. Ronen.

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Schakowsky. Schoenberg. Scott. Scully. Silva. Slone. Smith. Stroger. Turner, Arthur. Woolard. Younge, and Mr. Speaker."

Speaker Lang: "Representative Currie asks leave to be verified, Mr. Cross. Representative Morrow asks leave to be verified. Representative Art Turner asks leave to be verified. Representative Mike Smith asks leave to be verified."

Cross: "Alright, that's fine."

Speaker Lang: "And Representative Hartke asks leave to be verified. Please proceed, Mr. Cross. Mr. Fritchey asks leave to be verified. He's in the center aisle, Mr. Cross."

Cross: "Alright, that... alright... that's... can we proceed now?"

Speaker Lang: "One more. Representative Eugene Moore."

Cross: "Alright."

Speaker Lang: "Thank you very much, Mr. Cross. Please proceed."

Cross: "Mr. Speaker, I want to make sure this is the verification on the Bill that sends money from downstate up to the suburbs?"

Speaker Lang: "This is a verification on a..."

Cross: "I just want to make sure..."

Speaker Lang: "... Affirmative Roll Call on Floor Amendment #8."

Cross: "I just wanted to make sure... Representative Reitz. Representative Reitz."

Speaker Lang: "Representative Reitz is in his chair."

Cross: "Representative O'Brien."

Speaker Lang: "Representative O'Brien is in her chair and now she's waving at you, Sir."

Cross: "Representative Mary Flowers."

Speaker Lang: "Representative Flowers is in the center aisle."

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Cross: "Representative Phelps."

Speaker Lang: "Representative Phelps is sitting against the window."

Cross: "Representative Brunsvold."

Speaker Lang: "Representative Brunsvold. Representative Brunsvold is standing in the rear of the chamber on your side, Sir."

Cross: "Representative Acevedo."

Speaker Lang: "Representative Acevedo is in his chair."

Cross: "Representative McKeon."

Speaker Lang: "Representative McKeon. Representative Larry McKeon is in the rear of the chamber on your side of the aisle, Sir."

Cross: "Representative Granberg."

Speaker Lang: "Representative Granberg. Representative Kurt Granberg. He's not in the chamber. Please remove him, Mr. Clerk."

Cross: "Representative Bugielski."

Speaker Lang: "Representative Bugielski. Representative Robert Bugielski is not in the chamber. Please remove him, Mr. Clerk. Representative... and Representative Bugielski has returned. Please restore him. Representative Granberg is in the center aisle. Please restore him. Representative Slone asks leave to be verified. Granted."

Cross: "Representative Novak."

Speaker Lang: "Representative Novak is in his chair. As a reminder, Mr. Cross, you need to get this to 55. This is an Amendment."

Cross: "So, we're going to... you're going to intend to follow the rules with respect to that issue? I appreciate that. Representative Erwin."

Speaker Lang: "Representative Erwin is in her chair."

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Cross: "Representative Dart."

Speaker Lang: "Representative Dart. Representative Dart is in the center aisle, Sir. Mr. Stephens, we're in the middle of a verification, Sir. Can we get to you when we finish this verification? Do you have a point of order, Sir? Mr. Stephens on a point of order, interrupting Mr. Cross..."

Stephens: "In the middle of that verification..."

Speaker Lang: "... during his verification."

Stephens: "... you instructed Representative Cross that he would have to bring this down to 55 because it was an Amendment, but it seems to me that 56 to 56, the Amendment would fail."

Speaker Lang: "You are correct, Sir."

Stephens: "Thank you."

Cross: "Sounded like Ed McMahon. That's very good, 'You, Sir.' Alright, Representative Giles."

Speaker Lang: "Representative Giles is in his chair."

Cross: "Alright, thank you, Mr. Speaker."

Speaker Lang: "On this question, there are 60 voting 'yes', 56 voting 'no' and the Amendment is adopted. Mr. Clerk."

Clerk Rossi: "No further Amendments."

Speaker Lang: "Third Reading. Mr. Clerk, Senate Bill 560. Please read the Bill."

Clerk Rossi: "Senate Bill 560, a Bill for an Act amending the School Code in relation to state goals for education. Third Reading of this Senate Bill."

Speaker Lang: "The Chair recognizes Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, as it now stands, has Representative Novak's St. Anne's legislative consideration on, special education, 100% funding, and the... just previous Amendment that just passed, Representative Giglio, and we would need

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to send this over to the Senate. Appreciate all your support."

Speaker Lang: "Mr. Biggins. Mr. Biggins."

Biggins: "Hello, hello. Thank you, Mr. Speaker. I rise on a Point of Personal Privilege."

Speaker Lang: "Please state your point."

Biggins: "Actually, it's a point of personal lack of respect. I had my light on for about 20 minutes during the debate on Amendment #8. I had a number of questions I wanted to ask the Sponsor, but when the Motion was asked to overrule the Chair, I took my light, left it off during that time so you would not be confused, although I can't imagine anybody not being confused with the way that last operation went. So, I had a number of questions I wanted to ask about Amendment #8, didn't get a chance to ask them. There are only two people that spoke on our side about the Amendment. I would ask the Chair to give due respect and consideration for the Members of this side of the aisle, when they ask to speak on germane issues regarding an important matter for the taxpayers of this state and the citizens and the school children in the district that the... prior Representative represents."

Speaker Lang: "Mr. Biggins, Mr. Morrow made a Motion for the previous question. We would not have gotten to you in any event. The Chair recognizes Representative Mulligan."

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

Speaker Lang: "The Gentleman will yield."

Mulligan: "Representative Phelps, could you please just outline what now is in this Bill, what's left in this Bill?"

Phelps: "I did briefly, but maybe you didn't hear. The St. Anne's proposal that Representative Novak had, the census count that was inaccurate to take care of their extra

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funding, measures that are in St. Anne's School District. The 100% special education reimbursement that Representative Woolard got on the Bill, just previously, and of course, Mike Giglio's Amendment that just passed."

Mulligan: "Could you tell me approximately what the cost is for the total amount now, in the Bill?"

Phelps: "The special ed reimbursement could mean 150 million or so... St. Anne's is somewhere, four or \$500,000 for that and... you know for about that much for Mike Giglio's legislation, also, five hundred or 600,000."

Mulligan: "I didn't get to write that all down. I was just wondering, approximately, what the total is, but I'm curious, under Amendment 8 of this Bill that was added, the way it's written, how many school districts besides Representative Giglio's do you think would be eligible under that Amendment in the State of Illinois?"

Phelps: "The legislation that passed over to the Senate that Representative Giglio mentioned, accommodated 20 some odd districts, this one amends the original Amendment to include this district. So, there's where the confusion, I think..."

Mulligan: "Are they the only district that has previously been on financial watch and not been able to manage, or are there other districts that could apply under that? And how much is a student, per student eligible?"

Phelps: "Well, I believe, anyone can apply that would meet certain criteria. I'm not sure if this district stands alone with the criteria that we're... that's in the legislation. I probably think it doesn't."

Mulligan: "It... my staff is telling me that it's approximately \$250 per student. I have a school district that got nothing in the school finance reform package, and because

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they incorporated... a part of unincorporated Cook County and because of the lack of a comprehensive zoning plan for unincorporated Cook County, they're getting a really dense development put in and they're not going to have the money to cover it. So, I suppose, if they're going to have a financial problem, I could apply under something that we could pass here to give additional money to that school because they're being penalized for Cook County not having proper zoning ordinances for unincorporated area and I certainly would like to see that school get something. I could not understand how it was my poorest school district and it got nothing and the board can't explain that to me, but I think that it's really hard if you're not in a swing district in this state, to get that kind of legislation passed. If I had known I could do this, I certainly would go back and try again to do something like that for my school district. It seems to me that there's quite a bit of money being passed out here that could be divided up amongst a lot of areas and to combine it with special education, which is really important, is unfortunate for some of us that would like to see a more straightforward Bill, but if \$250 a student in one district, and how many students that encompasses and I can't believe that there aren't other districts that would qualify under this particular option, I mean, it would be interesting to know that before we actually put our votes on this Bill."

Phelps: "Well, Representative, that's why we're here every year to try to generate support for our district and what might be individual needs there. And I would suggest that if any school districts in your legislative district, like mine, that I have applied before that falls in the Emergency Financial Assistance category you know that they can't

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exceed the 250 per pupil cost anyway, so, the fact that Representative Giglio is saying that they would be recognized to be able to apply, is all this does. That doesn't mean they're even going to have a request for financial help but right now they're not even eligible. So, that's what we're here every year for and I would suggest that you follow up and do something similar if you have the same kind of needs."

Mulligan: "I don't... I don't understand that though. Doesn't this Amendment specifically make them eligible, where they wouldn't have been eligible before?"

Phelps: "It allows them to be recertified which puts them in the status to apply for this particular Emergency Grant Assistance."

Mulligan: "So, how long can you be certified to be on that list? I mean did they expire or did they... weren't they..."

Phelps: "It's three years I believe."

Mulligan: "And so in three years, particularly in a good economy, they weren't able to get a handle on this, and so now we're going to add this provision which would allow every other school district that can't get a handle on it to be recertified also."

Phelps: "This standard that we're talking about, that \$250 limit, that is not part of this Bill. I was just saying that's part of legislation that's already passed that made the interest of Representative Giglio's, come about. So..."

Speaker Lang: "Please complete your remarks, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. I believe with this... Bill has been debated, it's in committee and on the Floor sufficient enough..."

Speaker Lang: "We have another... I just meant on that question."

Phelps: "I'm sorry."

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Speaker Lang: "We have another speaker."

Phelps: "I thought I answered the question, maybe I didn't."

Mulligan: "Well..."

Speaker Lang: "Representative Mulligan, thank you."

Mulligan: "...to the Bill. I'm sure everyone is going to vote for this because of the special education part of it. It seems unfortunate that, particularly for those of us that don't serve on Education Committees, we don't find out about these little additional perks that are happening, particularly for districts where we have a great deal of property tax burden. No hope of property tax relief it appears from what's going on here, but actually school districts that are put in similar positions who are trying to be physically responsible, not one that's asking to be recertified. But I'm sure we'll all vote for it because the special education part of this Bill is really good."

Speaker Lang: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Because of the provision within this Bill now that calls for full funding for special education, I believe everyone of us should vote for this Bill. The fact is, Mr. Speaker, many of us remember for the full time that we have served here, hearing repeatedly about our failure to adequately compensate school districts for their special education costs. We all understand those costs must be incurred and we all understand that we have a responsibility as the State of Illinois to help our local school districts with those costs to serve children with special needs. There are two other portions of this Bill, which many of us object to, both on constitutional grounds, on special legislation grounds, on money grabs that are not necessary or justified. But my friends, if you are

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concerned about that, don't worry, vote 'yes' on this Bill for the sake of the special education full funding, and just remember one thing, about those two things you find objectionable, the Senate Sponsor of this Bill is Senator O'Malley, enough said."

Speaker Lang: "Representative Black."

Black: "Mr. Speaker, I apologize. I have an inquiry of the Chair."

Speaker Lang: "Please, state your inquiry."

Black: "I've been off the floor for a few minutes and trying to follow the debate and I want to make certain that I understand what the Chair did because it would have... it has some bearing on the last hours of Session. Since the committee deadline was not extended on the Bill, it's my understanding that it has been ruled that the Rules Committee has the ability to take a Bill out of Rules to the floor in abject ignorance of the committee deadline, which means that the Rules Committee has the power to bring anything to the floor at anytime. Is that the ruling of the Chair?"

Speaker Lang: "Mr. Black, page 4 of the Calendar indicates that Third Reading deadline on this Bill had been extended to May 22nd."

Black: "Oh, that's true."

Speaker Lang: "Rule... Well, you..."

Black: "But the committee... the committee deadline if you forgot. I'm not blaming anybody, it was just a simple error..."

Speaker Lang: "Mr. Black."

Black: "... that your side of the aisle has made repeatedly this Session. You forgot to extend the committee deadline."

Speaker Lang: "Mr. Black, Rule 18(f) permits the Rules Committee

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to refer any matter to any standing committee at anytime."

Black: "In other words, the Rules Committee is the final arbiter, not the Speaker, the Rules Committee is now the final arbiter of when deadlines are to be observed. That's what you're saying now, is that really what you want to say on the record? The Rules Committee, alone, determines deadline dates, not the Speaker."

Speaker Lang: "Mr. Black, this House is conducted under the Rules that were passed by this Body, Rule 18(f) is in the Rules. That's the rule of the House of Representatives."

Black: "Well, that's... that's fine because as soon as I can get a word processor to file my Discharge Motions I don't need... I don't need the approval of the Speaker and I'll plead my case with the Rules Committee. I think in trying to cover yourselves on just a simple human error of extending the committee deadline, which is all you had to do, that's all you had to do, you have now publicly on the record stated that the Rules Committee will and can set all deadlines no matter what the Speaker says. That's very interesting to know and I thank you very much for that enlightenment of the rules."

Speaker Lang: "Mr. Phelps to close."

Phelps: "Thank you, Mr. Speaker. This Bill has had sufficient debate. I believe we all would agree. And as far as the accusations, shenanigans, the parliamentary procedure of how this came about, we all know that that's hogwash. Everybody tries to justify. It's special legislation when it comes to your district and when it concerns your constituents, but then if it's someone else's it's like, oh my this is a violation. Come on let's deal with the special education reimbursement like we should have years ago. Vote for this Bill, send it to the Senate."

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Speaker Lang: "The question is, 'Shall this Bill pass?' This is final action. Those in favor shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'yes' and 0 voting 'no' and 0 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker, for giving me the opportunity to invoke the rules of parliamentary procedure. I have filed a written Motion with the Clerk. I move to discharge the Rules Committee from further consideration of Representative Black's Motion to discharge the Rules Committee from further consideration of House Bill 3184, and then advance that measure for immediate consideration. Since the Rules Committee sets all the deadline dates, and I find nothing in the rules that allows you to move... to put my Motion to Discharge in the Rules Committee, then I am asking that you move... I move to discharge the Rules Committee from any further consideration of my Motion to discharge the Rules Committee from further consideration of House Bill 3184. So, discharge my Motion to Discharge Rules from the Rules Committee, and I'll argue the underlying Bill."

Speaker Lang: "The Chair recognizes Representative Hartke."

Hartke: "Mr. Speaker, I object to the Motion."

Speaker Lang: "The Chair recognizes Mr. Black."

Black: "Mr. Speaker, what's he objecting to? My Motion to Discharge the Rules Committee of my Motion to discharge a Bill? Show me in the rules where he can object to that. Show me in the rules where he can object to that. And

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don't quote 18(f), even the most creative parliamentarian won't stand on that. You've gotten yourself in a bind. Now discharge my Motion from Rules to discharge Rules from a Bill. You've put yourself in this quandary, now let's see you get out of it."

Speaker Lang: "Mr. Black, the Rules require unanimous consent..."

Black: "No, no they don't..."

Speaker Lang: "... to discharge..."

Black: "No, no, no..."

Speaker Lang: "... the Rules Committee..."

Black: "No they don't. No they don't."

Speaker Lang: "Your recourse is to move to overrule the Chair, Sir."

Black: "What... I want what rule? I want what rule that you are quoting that says that I can't file a Motion to Discharge my Motion to discharge a Bill? Where's it say that? I want the Parliamentarian to so reflect. This is going to be very interesting. You have just given the Rules Committee absolute power in this chamber. Now, I want the Rules Committee to act. They are more powerful than the Speaker. You just said so. Get the Parliamentarian out here. Get him out here."

Speaker Lang: "Mr. Black..."

Black: "You have no power to dis... you can't do this. It's in writing, show me where you can derail my Motion to discharge my Motion to discharge my Motion on the Bill."

Speaker Lang: "Mr. Black, the rules state that any Motion to discharge..."

Black: "What rule?"

Speaker Lang: "... the Rules Committee..."

Black: "What rule?"

Speaker Lang: "... requires unanimous consent."

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Black: "Quote me the rule. Quote me the rule."

Speaker Lang: "We'll find the rule for you, Mr. Black."

Black: "Then I will..."

Speaker Lang: "Mr. Black. The House will be in order."

Black: "Well, that would be different."

Speaker Lang: "Mr. Black, in answer to your inquiry. House Rule 18(g) req... says that 'Legislative measures may be discharged from the Rules Committee only by unanimous consent of the House.' Under Rule..."

Black: "This isn't a legislative matter."

Speaker Lang: "... exc... I'm not finished yet, Sir."

Black: "Oh."

Speaker Lang: "Under Rule 102, subsection 10, it defines the term 'legislative measures'. When you read that Sir, you'll find that it includes all Motions. Therefore, this is a legislative measure, therefore, it requires unanimous consent. Mr. Hartke has objected, you do not have unanimous consent, therefore, you cannot discharge your Motion in this manner. Do you wish to overrule the Chair, Sir?"

Black: "Yes, I will make that Motion at the appropriate time and will debate that. In other words, you've extended these rules out to a tyranny of one. In other words, the best government is the least government, and the least government is a dictatorship where one person decides what will be heard and what will not be heard. I'm just here to tell you, as soon as we get 'um typed up, I'm going to move to discharge my Motion and discharge my Motion from the Rules to discharge that Motion from Rules to discharge that Motion from Rules, if I have to stand on this floor until 3 o'clock in the morning. You are wrong in your interpretation of the rules, you now it, the

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Parliamentarian knows it, your legal advisor knows it, because you've already said publicly, that the Rules Committee is more powerful than the Speaker. So, I don't think we even need to bother with the Speaker, we'll just ask that the Rules Committee convene and we'll take our arguments directly to the Rules Committee. But in light of your outrageous interpretation of the rules, and in my joy of seeing Mr. Kasper come to the floor, for which I apologize, I know he had to run down here, he couldn't even remember to get his jacket. What we're going to do Mr. Speaker, and it's fully debatable, we will simply make a Motion to overrule the ruling of the Chair, and I would remind all of the Members in this chamber, I know you're not going to pay any attention, we might as well get the duckling mugs out again, because the ducklings are back, but what goes around, comes around. And if one person, if a tyranny of one can decide what Motion can be heard, what Bill can be advanced, when you've violated every precept of the rules on Senate Bill 560, and I acquiesced. I could have stopped that from coming out of Rules. I acquiesced to a request by your Majority Leader to let that happen, and then we get it shoved right into our left ear. Well, I'll tell you something. That's the last time, the last time, I acquiesce to anything because you're not people of your word over there. Now, you've just made a mockery of the whole process today. I make a Motion we overrule the ruling of the Chair, and maybe somebody on your side of the aisle will wake up and decide they don't want a one person rule, they don't want tyranny anymore than I do."

Speaker Lang: "Mr. Stephens on the Motion."

Stephens: "A point of order, Mr Speaker. Under the... House Rule 102 that you cited, subsection 22, defines a presiding

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officer, and it means the Representative serving as the presiding officer of the House whether that Representative is the Speaker or another Representative. Is that to indicate that furthermore, for the immediate future, that we're to refer to you as presiding officer and not Speaker? Because in that same subsection of the rule, it defines Speaker, means the Speaker of the House, elected as provided in Rule 1. So, should we refer to you as presiding officer?"

Speaker Lang: "No Sir, you can refer to the Chair anyway you wish."

Stephens: "Outstanding."

Speaker Lang: "Have you completed your remarks on the Motion, Sir?"

Stephens: "I was not directing my remarks to the Motion, I was making a point of order."

Speaker Lang: "Mr. Cross."

Cross: "Inquiry of the Chair. A point of order, Mr. Speaker."

Speaker Lang: "Proceed."

Cross: "As long as the Parliamentari... yeah, just with respect to... I'm puzzled by the rules. If you could explain to us or have the Parliamentarian explain to us, House Rule 49, where it reads, 'Any vote of the House shall be by record vote whenever five Representatives shall so request or whenever the presiding officer shall so order'. What does that mean? In lieu of how you've just ruled. I'm puzzled. I don't know what to call you now, Sir?"

Speaker Lang: "Mr. Cross, the answer to your question is that this says that, 'Any vote of the House', and it presumes that any vote of the House that is an appropriate matter to be voted on. Where something requires unanimous consent and there's an objection, there is no need to have a roll

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call, Sir."

Cross: "Well, how do we know that? Just because someone questions... Mr. Speaker, everyday we question Bills here and we end up voting for them, sometimes against them, that's why we have roll call votes. Why is that language in here then? Could you explain that, have the Parliamentarian explain that to us? It specifically says, 'Any vote of the House shall be by record vote'. Why do we have that in here?"

Speaker Lang: "Well, Sir, we don't need to vote on this issue because there's a... there's not unanimous consent, and then, therefore, there is no vote necessary."

Cross: "How...how, with all due respect to the Chair, isn't that a bit presumptuous? How do you know that someone is going to vote 'no' just because they've questioned an issue? You questioned Bills on our side of the aisle everyday, and vote for them."

Speaker Lang: "Sir, there's an objection on the record by Mr. Hartke. That means there is not unanimous consent."

Cross: "How do you know how he is going to vote?"

Speaker Lang: "Can we proceed, Sir?"

Cross: "How do you know how Mr. Hartke's going to vote?"

Speaker Lang: "Well, Mr. Black has already addressed this issue in his Motion. So, do you wish to speak to Mr. Black's Motion?"

Cross: "No, I'm through, Mr. Speaker."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker. This is just a point of parliamentary procedure. An earlier speaker questioned what'll we call the presiding officer since the presiding officer may be other than the Speaker, and I would just like to refer Representative Stephens and all the other

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Members to Rule 51. And it says, 'When any Member is about to speak to the House, he or she shall rise and address the presiding officer as Speaker'. So, Representative Lang, the current Speaker, it was kind of you to say they could call you anything, but they can't, they've got to call you Speaker."

Speaker Lang: "Thank you Representative Currie. The question is, 'Shall the Chair be sustained?' Those in favor shall signify by voting 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 60 voting 'yes' and 56 voting 'no', and the Motion is carried. Mr. Black, for what reason do you rise?"

Black: "Mr. Speaker, I'd appreciate it if you'd dump that roll call. I didn't get a chance to close on the Motion. That's an abject violation of the rules. I had my light on. You know that. I was seeking recognition to close on my Motion. For whatever the reason, perhaps it was the eloquence of the Majority Leader, and I'm still trying to figure out what it is she said, but perhaps the eloquence of the Majority Leader got you confused. I would appreciate it if you'd dump the roll call. I didn't have a chance to close."

Speaker Lang: "Mr. Black, I believe your light went on as I was speaking, but in deference to you, we'll dump that roll call, give you the opportunity to close, Sir, and then we'll proceed to a new roll call. Please proceed."

Black: "Thank you. Mr. Speaker, and I will refer to you as Mr. Speaker in deference to the esteemed Majority Leader, you are the Speaker, you're in the Chair, you're omnipotent, you're all seeing, you are a big winner on Jeopardy."

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Speaker Lang: "A small winner."

Black: "Mr. Speaker, and I mean no disrespect by this at all, but the lights are on over the Speaker's platform and when you put your head down, I don't have anti-reflective lenses and I can't see. Could you maybe turn the lights off up there? If you'd have Mr. Kasper help you."

Speaker Lang: "Please proceed, Mr. Black."

Black: "Oh, alright, well, certainly you're not going to count that time against me?"

Speaker Lang: "Oh, I certainly am. Please proceed."

Black: "Well, Mr. Speaker, I appreciate the fact that you've dumped the roll call, because I know, I know deep in my heart that there are 30 Members on your side of the aisle who are finally going to rise up as one, and do the right thing and challenge, challenge the Chair. They're going to say, 'No, the Chair was wrong and we want to debate some of these issues.' Now, they wouldn't do that if the real Speaker was in the Chair, but Mr. Speaker, you're so highly regarded on both sides of the aisle, that I think we can win this one. Because I think there are enough people who remembered your attempts, feeble as they were, to filibuster for two years and drive everybody in this chamber, literally to the verge of tears, if not a mental breakdown, you'll recall that. We even had a... you'll recall the statewide, we were joined statewide in a campaign, signs all over the chamber on both sides of the aisle that said, 'Dump Lou, it's time'. Well, unfortunately the media, as they often do, got it wrong and so they got rid of Lou Hensen. That was not what we were after. We were clearly after the Speaker, Representative Lou Lang, and I say that in all due respect. Dozens of people joined us from your side of the aisle and said,

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'We're with you, we're with you', but the media got it wrong and then of course Lou Hensen ends up in New Mexico. Which I think is punishment enough, but I digress. Mr. Speaker, you're an inherently fair man. I know you outside this chamber and I know you to be an inherently fair individual, an intelligent individual, I think the fact that you were able to earn a law degree through correspondence courses, speaks highly of you, and, Mr. Speaker, the fact that you were able to pass the bar, which is not easy. There are some Members of your side of the aisle that have never passed a bar, but I digress again. Since you were able to pass the bar, how many chances do you get in Illinois? I can't remember. Do you get three?"

Speaker Lang: "Mr. Black, when did this become a roast?"

Black: "There's a point here somewhere, Mr. Speaker. There is a point here somewhere."

Speaker Lang: "Please proceed, Sir."

Black: "How many times... perhaps Mr. Kasper could hold up some fingers if somebody would help him, how many times do you get... how many chances do you get to pass the bar in Illinois? If you can't hold up fingers, paw the ground, do something."

Speaker Lang: "I think you'll have to check with a higher authority on this, Mr. Black."

Black: "Alright, well, Mr. Speaker, I know, I know that you were given a special dispensation, and on the 67th time, you passed the bar. And who sent you a congratulatory card as you recall? I did. I did, Mr. Speaker. You represent me in all of my legal affairs, which is why I stand before you today, broke, sick, cannot afford alimony, now even the legality of my divorce is being questioned. I want to thank you for that too, Mr. Speaker."

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Speaker Lang: "Excuse me, Mr. Black."

Black: "Yes."

Speaker Lang: "Representative Mulligan, for what reason do you rise?"

Black: "She wants..."

Mulligan: "I thought that there were some campaign finance reform Bills going on here and that we weren't allowed to have any kind of fund raisers in Springfield, and if I had known that Representative Black was going to do a roast for you, aside from that Bill, I suppose we all could have contributed to it, it would've been great. I'm just surprised that he's going on to such great length."

Speaker Lang: "Well, I'm all for it Representative. Mr. Black."

Black: "In all due respect, she wasn't going to contribute one thing to you and I want my 55 seconds back. She wasn't going to do anything..."

Speaker Lang: "She stole that from you, Mr. Black"

Black: "She stole 55 seconds of my time."

Speaker Lang: "Please proceed. She stole that from you."

Black: "What? Yes she did."

Speaker Lang: "You'll have to see her later about that."

Black: "Well, I intend to. Mr. Speaker, I'm appealing to the last vestige of inherent fairness that I know you have. And if you are the kind of man that I think you are, you will recuse yourself from the Chair, and join with me in voting to overrule the Chair. It's time that the Members stand up for what's right. We're not duck... I'll bring my remarks to a close. I was dead serious when I said this about the senior citizen issue and I feel strongly about that, and at some point, all Members of this chair... this chamber have to get together and decide the important issues in the last few days of the Session that we want to

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vote on. And, I think the Bill that I have asked you to discharge from Rules, is extremely important to Democrats, Republicans, Moderates, Liberals, Conservatives, downstaters, upstaters, mid-staters. Mr. Speaker, recuse yourself and vote with me. Vote 'no'. It is time we overruled the Chair. You'll feel better for it. You'll sleep more soundly tonight, and the esteem that I hold you in, will go up, Sir, even higher than the Dow Jones. Vote 'no', overrule the Chair."

Speaker Lang: "Mr. Black, let me just get one thing straight. You want me come down there and vote to overrule myself? The question is, 'Shall the Chair be sustained?' Those in favor shall signify by voting 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 59 voting 'yes' and 56 voting 'no', and the Motion carries. Mr. Clerk, what is the status of Senate Bill 1784?"

Clerk Rossi: "Senate Bill 1784, is on the Order of Senate Bills, Third Reading."

Speaker Lang: "Please read the Bill."

Clerk Rossi: "Senate Bill 1784, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. As we try to wind up our business this week, the last... one of the last items we traditionally deal with is the budget. For those of us who have been working on that process, we need to have a Bill in conference. This is a shell Bill we'd like to... that we've amended and we'd like to send it back over to the Senate so they can put it in conference. I've discussed it with Representative Ryder

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and I'd ask for your 'yes' vote."

Speaker Lang: "Mr. Ryder."

Ryder: "The Gentleman is correct, it was discussed with me. I am happy to participate in a bipartisan manner. It is a shell Bill and we hope that we'll be able to continue to working on the budget in order to accomplish a goal."

Speaker Lang: "The question is, 'Shall this Bill pass?' Those in favor shall signify by voting 'aye'; those opposed will vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 26 voting 'no', and this Bill having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1273?"

Clerk Rossi: "Senate Bill 1273, is on the Order of Consideration Postponed."

Speaker Lang: "The Chair recognizes Representative McGuire."

McGuire: "We debated this Bill, excuse me, we've discussed this Bill and debated this Bill once before, and I would ask for your favorable vote on it. If there are any questions, I'll sure try to answer them. Thank you."

Speaker Lang: "Mr. Biggins."

Biggins: "Yeah, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "The Gentleman will yield."

Biggins: "Representative, won't this Bill expand gambling in Illinois?"

McGuire: "I'm sorry, I couldn't hear you Mr. Biggins."

Biggins: "Okay. Thank you, Sir. Won't this Bill expand gambling in Illinois?"

McGuire: "No."

Biggins: "Well, isn't this bingo conducted in our park district

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buildings?"

McGuire: "What this does Mr. Biggins, it allows park districts to have bingo on their premises without obtaining a license, the same as municipalities do. That's all that it does."

Biggins: "But isn't it true at most bingo games that there are raffles tickets that are also sold during the bingo games or in between the games?"

McGuire: "This has nothing to do with raffle tickets. There may be, I don't know. But this has nothing to do with selling raffle tickets. This merely allows park districts that have the same ability to have bingo without obtaining a license that municipalities now have and it is permissive, it's not mandatory."

Biggins: "But why should they be granted this... what's a license cost for instance?"

McGuire: "Two hundred dollars a year."

Biggins: "And how many events can they have for that \$200?"

McGuire: "How many what, Sir?"

Biggins: "How many events can they have at a park district site for the \$200 per year license?"

McGuire: "Well, with the \$200 a year license, I don't know how many they can have, but we're talking about once a year for this park district and fire department that we're speaking of."

Biggins: "I'm sorry, did you say they have them once a year? I didn't quite hear you."

McGuire: "One day a year, yes. One day a year they have a bingo at the homecoming and it's on park district property and they have to pay \$200 a year for a license and I think particularly the people who are in rural areas that have volunteer fire departments should take a look at this."

Biggins: "Well, is there anything in here about fire departments?"

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I thought this was park districts."

McGuire: "No, I'm telling you what the park district does in my area, and I'm telling you it's for a volunteer fire department. And I'm telling you that I'm sure there are volunteer fire departments in other parts of Illinois that might be in the same predicament. That's what I'm saying."

Biggins: "Alright, well, isn't it true though that if we have the bingo in the park districts, the children walking through the park district building would see the bingo being conducted which is a form of gambling?"

McGuire: "I'm sorry, I didn't hear the last part of that."

Biggins: "Well, bingo being a form of gambling, wouldn't it be true that children walking through the park district building during the event, would witness gambling going on in their park district building?"

McGuire: "That's very possible. It could be on the grounds. It doesn't have to be in a building. It's very possible. But that's beside the point."

Biggins: "So, this Bill now expands it to indoor and outdoor gambling on park district lands?"

McGuire: "They're already playing bingo there, Mr. Biggins. What we're trying to do is allow the park district to grant the exemption from the license which the municipalities already have. So, we're not initiating new bingo games, we're just allowing these people to have bingo without providing the \$200 fee, which the municipalities now grant, the park districts cannot. Until this Bill is passed, park districts will not be able to do that, and as I said, it's permissive not mandatory."

Biggins: "Doesn't the park... doesn't the Department of Revenue monitor the bingo activities that occur wherever they may be?"

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McGuire: "I'm sorry, I can't quite hear you too good."

Biggins: "Doesn't the Department of Revenue monitor bingo activities wherever they may be?"

McGuire: "I have no idea if the department monitors. I'm not sure what you mean by monitor bingo, but I can't answer for the department."

Biggins: "Well, do you want to put the Bill back on Second and then..."

McGuire: "No."

Biggins: "...and do a little more research on..."

McGuire: "No, no..."

Biggins: "...what the role is that the department..."

McGuire: "No, I don't think that's irrelevant at all."

Biggins: "Well, let's just ask, what is the position of the Department of Revenue?"

McGuire: "They're opposed to the Bill, you know that, because of the loss of \$2000 a year total revenue."

Biggins: "But if they have no role in the operation of the bingo game which you just expressed a lack of knowledge on..."

McGuire: "They don't have any..."

Biggins: "... what difference does it make to the department? I'm sorry, I didn't mean to interrupt you when I was asking a question, but..."

McGuire: "Go ahead."

Biggins: "...but they have no role in the operation of the bingo game, what difference does it make if they get a \$200 fee or not? You said they didn't have a role that you're familiar with in the operation or the monitoring of the bingo games."

McGuire: "Their opposition is only predicated on the loss of \$2000 a year. As I said, I don't know if they have any role in monitoring bingo games, I don't know that the

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department has that, but whether they have or not, these games are played anyhow. All this does is grant an exemption so that the park district doesn't have to pay \$200 a year for a license. That's exactly what the Bill is all about."

Biggins: "And again, if I may ask you to repeat this answer, but it means... for \$200 a year, a park district, whether it's in a building or on the grounds outside, can have as many bingo games there as they want?"

McGuire: "Well, I'm not sure the number of bingos you can have, Mr. Biggins. The license is to allow you to have bingo games. I don't know that there is any limit to the number of games."

Biggins: "I would think it would be \$200 per game or per evening of bingo, not just \$200 for an entire year. That..."

McGuire: "No, the bingo license is \$200 a year."

Biggins: "And that is per park district?"

McGuire: "That's per license."

Biggins: "Alright, that's for the park district. What if the park district... can they have two games going on at once? One inside and one outside."

McGuire: "There's a statutory limit on the number of games that you can have, but I don't know the statutory limit. We're talking about the ability to exempt the \$200 fee, that's what the Bill is about."

Biggins: "Okay, well..."

McGuire: "You're talking more of the mechanic."

Biggins: "...I guess to the Bill, Mr...thank you, Sir. To the Bill, Mr. Speaker. I urge a 'no' vote. I voted for this in the Revenue Committee but I didn't know it was expanding bingo like it is right now. And in fact, when children walk through park districts or they walk outside, I don't

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think they should be watching bingo being played by adults.

I think they should be more interested in..."

Speaker Lang: "Mr. Biggins, please complete your remarks."

Biggins: "Thank you, Mr. Speaker. As I said, I'm going to vote 'no' because this is an expansion of gambling. They ordinarily include raffles with bingo games, and I don't think that children walking through our parks should see bingo being played inside or bingo being played outside. They should be more interested in playing bingo bango bongo on the baseball field, so I'm going to urge a 'no' vote."

Speaker Lang: "The Chair recognizes Representative Black. Representative Hartke in the Chair."

Black: "I'm sorry Speaker, who's in the Chair?"

Speaker Hartke: "Representative Hartke's in the Chair."

Black: "Oh, I see. Alright. Mr. Speaker, if I may try to get serious for a second. I... to this Bill, Senate Bill 1273, and Ladies and Gentlemen of the House. Mr. Speaker, I know I can get a very little bit of order in here, but I'd like to have what little I could. Could we have a little order in the House, Mr. Speaker? As little as possible. Thank you. Thank you. Ladies and Gentlemen of the House, if you'll take a look at this Bill, nothing has changed since it was defeated a few days ago. Now ask yourselves some simple questions on this Bill. We already exempt municipal property from the \$200 license fee, now we want to exempt park district bingo games from the \$200 license fee. Next year it'll be the forest preserve district. Next year it'll be township property. The year after that, it'll be county property. Who knows. Now, ask yourself, what organizations have been in the bingo business since this state decided to legalize it and let cash prizes be given out. It's primarily your veterans groups and

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various civic groups that are in each and everyone of your communities. They have to pay the license fee. They have to abide by all the rules of the Department of Revenue. So if you vote for this Bill that says, 'Well, if you want to have a bingo game on municipal property or part district property, you don't have to pay the fee.' So, an organization, right from the beginning, an organization has a \$200 advantage over the American Legion, over the United Auto Workers, over the Teamsters, over AFSCME, over a senior citizen agency. So right away, you put all of these entities who have been in the bingo business since we decided to legalize it, at a \$200 disadvantage. Now, ask yourself, are they going to be happy with your vote on this if you say, 'Well, if you'd move your bingo game to park district property, you don't have to pay the fee.' They've already invested money in the equipment and in the hall. And I would say to you, particularly my downstate colleagues, the only thing keeping some American Legion Posts, Disabled American Veterans Posts, American Veterans Posts, and many other of the civic, fraternal, and military service organizations going today, is their weekly bingo. I don't think you really want to do this. Because you're going to hear from those people who have been in the bingo business, that you're treating them unfairly and saying that anybody who wants to go to park district property, municipal property, and next year it'll be something else, they don't have to pay the fee, but your veterans groups, your labor union groups pay the fee. And they have been paying the fee from day one. Not to mention the fact, that a portion of the bingo license fee, now I don't like this, I don't like it and I wish we could change it, but a portion of the bingo license fee, goes to the school fund.

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So, if you vote for this Bill, you're not only telling your veterans groups, 'Sorry, we're going to treat you differently, if you have... you know, if you want to have it in park district property, nobody has to pay a license fee.' You're not only going to have veterans groups and labor union groups and senior groups upset with you, but you're taking money away from the bingo license pool that now goes to the Common School Fund. Now, I think that's a silly way to finance education, and I stood up for another way a year ago, but that's the way the law is in Illinois. So, vote for this, alienate your veterans groups, and take away however little money it might be, take away a little more money from the education pool. That's not a very good idea. It's not a very good vote. I think you really should vote 'no'."

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

Scott: "Thank you, Mr. Speaker. I rise in support of the Bill. The fiscal note that was filed on this, simply says the Department of Revenue issues approximately ten bingo providers licenses to park districts per year. Each license costs \$200, so the state could realize a loss of approximately \$2000 per year. For those of us that have been around for even for a short period of time, we realize that the department takes a stand that if there's going to be any loss of revenue involved at all, that they oppose the Bill. I think that's the reason why they oppose this particular Bill. And to act like it's a giant leap to allow an exemption for a governmental body, is really strange. We do that all the time. Governmental bodies don't pay fees for building permits, governmental bodies don't pay a lot of different fees that are paid by other

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private or not-for-profit entities. This is not a huge stretch. It's something that is done all the time between governments, not trading one taxpayer dollar for a different taxpayer dollar, and it's something that will go to help out one particular district that we know. It'll go to help out a lot of other ones. It's not a huge deal, and I think it's something that merits our support, and we should vote for it. Thank you."

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

Cross: "Thank you, Mr. Speaker. In the event this gets the requisite number of votes, we request a verification."

Speaker Hartke: "Your request is recognized. The Chair recognizes the Lady from Cook, Representative Fantin."

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

McGuire: "Yes."

Speaker Hartke: "Indicates he will."

Fantin: "Representative, the organizations that are using the park, are these organizations that are already licensed that have licenses for bingo games?"

McGuire: "Yes. Yes they are."

Fantin: "So then, any of these organizations are already paying a fee for their bingo games?"

McGuire: "That's correct."

Fantin: "Alright. So, if they're playing their bingo games in their hall, they've already paid their fee and it would not cost anymore than that fee?"

McGuire: "That's correct."

Fantin: "If they're playing in the park, if they choose to play their bingo game at a doings in the park, then they would pay a double fee without this Bill?"

McGuire: "That's correct."

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Fantin: "Is that correct?"

McGuire: "Yes."

Fantin: "So, what we're doing then, is charging these same organizations that are already paying a fee, we would be charging them double because they choose to play in the park for a group picnic or whatever, rather than playing in their own hall?"

McGuire: "That's correct."

Fantin: "Correct?"

McGuire: "That's correct."

Fantin: "Are there any groups going to be using the park that do not currently? Are they allowed to use the park if they currently do not have a license that are not paying a fee?"

McGuire: "No, they have to have a license. You're correct. It would be double payment."

Fantin: "Thank you."

McGuire: "Thank you."

Fantin: "To the Bill. I do not see where this is taking away money from any school or organization by not charging a fee through the park. These organizations are already paying a fee. By charging them again in the park, now they are paying a double fee. So, your veterans, whatever organizations, they're going to pay twice without this Bill, and I believe the intent of this would be so they do not pay a double fee. So, I would encourage a 'yes' vote. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative McGuire to close."

McGuire: "Thank you very much. There's been much discussion on this Bill. It's a simple Bill. We're trying to equalize the license exemption for people who have not-for-profit organizations have their bingos on park district property."

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That's simply what it is. The park district is not mandated, but may exempt the license. So, that's all there is to the Bill, and I would appreciate your 'aye' vote."

Speaker Hartke: "The question is, 'Shall Senate Bill 1273 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 Members voting 'yes', 53 Members voting 'no', and 1 Member voting 'present', and there has been a request for a verification. Mr. Clerk, read the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative. Representatives Acevedo. Boland. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Currie. Curry. Dart. Davis, Monique. Davis, Steve. Erwin. Fantin. Feigenholtz. Flowers. Fritchey. Gash. Giglio. Giles. Granberg. Hannig. Hartke. Hoffman. Holbrook. Howard. Jones, Lou. Jones, Shirley. Kenner. Lang. Lopez. Lyons, Joseph. Mautino. McCarthy. McGuire. McKeon. Moore, Andrea. Moore, Eugene. Morrow. Murphy, Harold. Novak. O'Brien. Pankau. Pugh. Reitz. Rodriguez. Ronen. Schakowsky. Schoenberg. Scott. Scully. Silva. Slone. Smith. Stroger. Turner, Arthur. Woolard. Younge, and Mr. Speaker."

Speaker Hartke: "Representative Cross, questions of the affirmative? Representative Cross. Representative Silva is seeking verification. She verified?"

Cross: "Yeah, she... we're still on this Bill taking money out of the school fund, right? Just want to make sure. Representative Kenner."

Speaker Hartke: "Representative Kenner. State Representative Howard Kenner. Representative Cross, may Jan Schakowsky be

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verified? Representative Kenner. Mr. Clerk, remove Representative Kenner from the affirmative roll. Further questions?"

Cross: "Representative... is it Reitz? Reitz."

Speaker Hartke: "Representative Dan Reitz, is in the rear of the chamber. Mr. Cross, Representative Fantin seeks leave."

Cross: "Representative who?"

Speaker Hartke: "Arlene Fantin."

Cross: "Sure."

Speaker Hartke: "Leave."

Cross: "Representative O'Brien."

Speaker Hartke: "Representative Mary Kay O'Brien is in the rear of the chamber."

Cross: "Representative Scully."

Speaker Hartke: "Representative George Scully. Representative George Scully in the chamber? Representative Scully is in back of you."

Cross: "Representative Brosnahan."

Speaker Hartke: "Representative Brosnahan is in his seat."

Cross: "Representative Art Turner."

Speaker Hartke: "Representative Art Turner. Representative Turner. Representative Art Turner. Representative Art Turner, is he in the chamber?"

Cross: "I'm sure if you keep asking long enough Chuck, he'll come back."

Speaker Hartke: "We're hoping."

Cross: "Imagine that."

Speaker Hartke: "Mr. Cross, will you verify Mr. Capparelli? You may leave."

Cross: "As long as he's not going to look for Representative Art Turner."

Speaker Hartke: "Representative Younge is seeking verification."

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Leave. Representative Steve Davis is seeking verification.

Leave. Representative Feigenholtz seeks to be verified.

Leave. Representative Monique Davis..."

Cross: "Are you going to take off Art... can we slow down a minute, we're not that quick?"

Speaker Hartke: "Monique Davis seeks..."

Cross: "Alright."

Speaker Hartke: "...to be verified."

Cross: "Alright, are you taking off Representative Art Turner?"

Speaker Hartke: "Mr. Turner is in the rear of the chamber."

Cross: "Alright Arthur, I see you back there."

Speaker Hartke: "Anything further?"

Cross: "Oh, yeah, yeah. Representative Lou Jones."

Speaker Hartke: "Representative Lou Jones. She's right here in the Republican aisle talking with Mr. Johnson."

Cross: "Our 'bad', sorry about that."

Speaker Hartke: "Mr. McCarthy, would seek verification? Leave."

Cross: "Representative Bugielski."

Speaker Hartke: "Representative Bugielski is in his chair."

Cross: "You were hiding Bugs. Alright, Representative McKeon."

Speaker Hartke: "Representative Moore is seeking leave, request to leave, verification."

Cross: "Alright. Representative McKeon."

Speaker Hartke: "Representative McKeon. He's in the rear of the chamber."

Cross: "Alright. Representative Fritchey."

Speaker Hartke: "Representative Fritchey. Representative Moore is seeking verification. Representative Fritchey's in the rear of the chamber."

Cross: "What's going back there's... what's going on back there in the rear of the chamber? Is Representative Gash here?"

Speaker Hartke: "Representative Gash. Lauren Beth Gash. She's

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sitting in Mary Kay O'Brien's seat at this time.
Representative Silva, you may leave. You've been verified.
Anything further?"

Cross: "Yeah, we're gettin right almost down to the end of our
list. Hold on. Representative Burke."

Speaker Hartke: "Representative Dan Burke. He's over here
conversing with Representative Bugielski."

Cross: "Representative Mike Smith. It's very confusing for us
when they're not in their chairs, Mr. Speaker. I don't
know."

Speaker Hartke: "Well, Mr. Cross..."

Cross: "It's real tricky."

Speaker Hartke: "If we verified everyone who is here and seeks to
leave, you would have a complete list, I'm sure."

Cross: "Well, we just... we... you know, you got us confused."

Speaker Hartke: "Representative Lou Lang seeks to be verified."

Cross: "Oh, why, by all means, of course."

Speaker Hartke: "Leave. Please."

Cross: "Representative Phil Novak."

Speaker Hartke: "Representative Phil Novak. In his chair."

Cross: "It's tough when you guys are here. Let's... give us a
couple of seconds here."

Speaker Hartke: "We're always here."

Cross: "What?"

Speaker Hartke: "We're always here."

Cross: "I wouldn't go that far. Well, Mr. Speaker, you got us.
It's all over."

Speaker Hartke: "Thank you."

Cross: "Thank you."

Speaker Hartke: "On Senate Bill 1273, there are 60 Members voting
'yes', 53 Members voting 'no' and 1 Member voting
'present', and this Bill having received a Constitutional

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Majority, is hereby declared passed. Senate Bill 1585, Representative Ronen. Representative Saviano, for what purpose do you rise?"

Saviano: "I rise on this Bill."

Speaker Hartke: "Representative Mulligan, for what purpose do you rise?"

Mulligan: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Mulligan: "Pursuant to Rule 18(g), I respectfully move to discharge the Rules Committee from further consideration of the Motion to Concur in Senate Amendments 1 and 2 to House Bill 868, and to advance that measure for immediate consideration by the House. We have tried previously and I personally have tried previously going back to the Veto Session to have the supplemental to the COLA Bill called repeatedly. I've tried in committee, I've tried on this House Floor. We adjourned in the Veto Session, and I respectfully request that this happens now. This Bill should be removed from the Rules Committee and put out to the House Floor for an immediate vote. The Members of this Body all purp... have realized that human service providers, the private human service providers need this money. Many of them are letting employees go because they have not gotten a COLA. These people are moving to other jobs because they can get better money and yet we've made them wait since last November. We could have voted on this last November..."

Speaker Hartke: "Excuse me, excuse me."

Mulligan: "Give them this money."

Speaker Hartke: "Representative Mulligan. We're not on that Order of Motions right now. We are on Second Reading, but we'll come back to your Motion. But we'll get to your

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Motion. Representative Saviano."

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

Speaker Hartke: "Excuse me, Mr. Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1585. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. If we could have a little order in the House. Thank you. Senate Bill 1585, Floor Amendment #1, is the Amendment which, it's an agreed Amendment, which addresses various cleanup aspects of the Bill that the Senate sent over to us, but most importantly, it addresses the concern regarding the CRNs, the nurse anesthetists. As most of our Members know, we have negotiated over the last three or four months with the nurse anesthetists trying to come to an agreement on their licensure. We've come very close and for time purposes, we decided in Floor Amendment #1, to create a legislative task force to be appointed to address this last component of the APRN Licensure Act. This is an agreed Amendment. I would ask that it be adopted. Thank you."

Speaker Hartke: "Discussion on the Amendment? Representative McAuliffe is recognized."

McAuliffe: "Thank you, Mr. Speaker. I rise in point of personal privilege. I'd like to..."

Speaker Hartke: "State your point."

McAuliffe: "... let the House know that my great alderman from the 41st Ward, Brian Dougherty is here. There he is on the Democratic side because in the city council he's the lone Republican so he feels comfortable on the Democratic side,

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which at sometimes is not a bad side to be with. Thank you."

Speaker Hartke: "Welcome to the Illinois House of Representatives. Further discussion? The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Rutherford: "Representative Saviano, again, this would set up a... I'm sorry, a task force or a group to try to come to some concurred language, and what, you anticipate them doing this over the summer, perhaps coming back in the Veto or next spring?"

Saviano: "The task force is to report back April 1, 1999. The makeup of the task force is the Chairman of the Registration and Regulation Committee in the House, the Chairman of the Licensing Committee in the Senate. Each of the minority spokespersons from each of those committees and each legislative leader will initially appoint one member each to the task force."

Rutherford: "Would this then be addressed through this new study group that are... all other components of this Bill now concurred to by all parties involved?"

McAuliffe: "Yeah this..."

Rutherford: "Taking this one contentious issue out."

Saviano: "This is the last, the last outstanding component of the Bill. All the other different APRNs have been addressed, they're agreed on. It's all agreed language."

Rutherford: "Great. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the Gentleman asks for the passage of Floor Amendment #1 to Senate Bill 1585. All those in favor signify by saying 'aye'; those opposed 'no'. In the

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opinion of the Chair the 'ayes' have it and the Amendment is adopted. Mr. Clerk, are there further Amendments?"

Clerk Bolin: "No further Amendments. All notes that have been requested on the Bill have been filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1585, a Bill for an Act concerning medicine. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. I want to briefly describe the Bill, and then I would yield to my colleague, Representative Ronen, to... to add her insight into this legislation. Senate Bill 1585 is a Bill that will change, drastically, the way health care is delivered in the State of Illinois. This Bill licenses Advanced Practice Registered Nurses. During the course of negotiating this Bill, it was a tedious process where we had to balance access to care, and at the same time, provide quality of care. We're very proud of the work that was done on this Bill by all parties. I think we also appreciate the fact that our colleagues constantly monitored the process along with myself and Representative Ronen throughout the process. For the purposes of legislative intent, I'd like to read into the record some language. As you all know, this is the long awaited Bill to license advanced practice nurses. The Senate sent the Bill to the House with two issues unresolved. The licensure of Certified Registered Nurse Anesthetists and prohibiting the corporate practice of advanced practice nursing. The House and Senate, working with nurses and doctors, have been able to resolve most of the issues and craft language to implement this new licensure category for the protection of the citizens of the State of Illinois. This has been a long and difficult

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two years. I wish to commend both the nurses and the doctors for working out their differences and always putting the welfare of patients first. Senate Bill 1585 proposes to establish a licensure system requiring nurse practitioners, nurse specialists, and nurse midwives to have a collaborative agreement with the physician. The advanced practice nurse is limited to providing the same type of services the physician generally provides to her or his patients in a normal course of his or her clinical practice. This collaborative agreement describes the services to be provided by the nurse, but not... need not describe the exact steps that a nurse must take with respect to each specific disease. Limited prescriptive authority may also be delegated in a collaborative agreement. In the context of negotiations on resolving the licensure of CRNAs, the nurses rejected the requirement of a collaborative agreement. No agreement on appropriate licensure system for CRNAs has been reached. Therefore, this Bill creates a legislative committee to hold hearings and make recommendations for proper license requirements for CRNAs. I applaud this legislation as a step forward for explicit recognition of the valuable contributions that nurse practitioners, nurse midwives, and clinical nurse specialists provide to the citizens of Illinois. Nurse anesthetists, who are also valuable providers of health care in Illinois, are not mentioned in this Bill. If this Bill is enacted into law, however, it is important to note that these nurses will still be allowed to legally practice professional nursing in the State of Illinois. This Bill is not intended to change or contract the practice of professional nurses administering anesthesia as it exists today. While nurse practitioners, nurse midwives, and

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clinical nurse specialists will have an explicit statutory license to practice advanced practice nursing, if this Bill is enacted, the absence of a statutory license for nurse anesthetists in no way is meant to imply a change in their legal authority to administer anesthesia in the practice of professional nursing, and there is a commitment by both medicine and nursing to continue to work on this issue and return to General Assembly with appropriate licensure requirements."

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

Saviano: "One... last..."

Speaker Hartke: "Excuse me."

Saviano: "... element."

Speaker Hartke: "Proceed."

Saviano: "Also, for the purposes of legislative intent, I would like to read for the purpose of legislative intent, I want to clarify that the Illinois Abortion Law of 1975 must still be complied with under Senate Bill 1585. Under Illinois law, only a physician licensed to practice medicine in all its branches, may perform an abortion, which is defined in the law to mean, the use of any instrument, medicine, drug, or any other substance or device to terminate the pregnancy of a woman known to be pregnant. Senate Bill 1585 neither expands nor contracts Illinois law designating who has authority to perform an abortion. Thank you very much and I will yield to my colleague."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Dart for an introduction."

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

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Speaker Hartke: "State your point."

Dart: "I wanted to have the Body welcome the Plat Academy from my district, who is here for the day to visit the General Assembly."

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

Ronen: "Thank you, Mr. Speaker. Thank you very much for calling this Bill. We appreciate it. Representative Saviano did a great job in describing the Bill and the process. I wish to commend him for the fine work that he's done on this and the fine work that all of his committee, especially Representative Coulson, has put in in regards to this Bill. The Illinois Nurses Association has worked vigorously on this issue for the past two years, really more years than that. This is a very important first step that we take. Recognition of advanced practice nurses in Illinois means that we can, very quickly and very efficiently, expand access to quality health care. It's a very important, very important step. I'm pleased to be part of this process. I am pleased to be working in the future on making sure that we recognize appropriately CRNAs in law. I want to commend the nurses and the doctors for working together toward such a great resolution of this issue, and I look forward to continued good relations so that we can, in fact, be a state that, as all other states do, more effectively utilize advanced practice nurses to deliver quality health care. I urge all of my colleagues to support this Bill. It represents language that is approved and recommended by all of the nursing groups. As the Representative said, the only thing we're leaving out here is the issue of the CRNAs, and we've established a legislative task force to deal with that issue, and we will have recommendations back

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in time for our Spring Session next year. So, again, thank you very much. I urge all of my colleagues to support vigorously this Bill and improve the health care of Illinois citizens at the same time. Thank you."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want to congratulate the principal Sponsors, Representatives Ronen and Saviano, for achieving what has been an ongoing issue for the last two decades in Illinois, and making Illinois finally join with the rest of the states in our great nation in recognizing the important role of advanced practice nurses. With me today to witness this historic vote is Diana Hackbarth from the... who is Professor of Community Health Nursing from Loyola University, and like thousands and thousands of other nurses in our state who want their ability to provide good health care to the patients in our state to be acknowledged... I would urge on her behalf and on all of their behalf, a vote in favor of this legislation. Thank you."

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

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

Speaker Hartke: "Indicates he will."

Bost: "Representative, I have tried to listen awhile ago and the noise was kind of high in the chamber here, and I'm particularly concerned whenever we start talking about the nurse anesthetists. When we're dealing with this issue in the deep south, where it's important to have as many people doing these jobs as possible, is this going to remove any of their ability to practice their profession the way

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they're practicing it now?"

Saviano: "This Bill, as I stated in the legislative intent, will have no affect on nurse anesthetists or how they practice currently. They are not included in this Bill. That was the purpose of the legislative task force which will address those issues. I could tell you by some of the negotiations we had, the downstate nurse anesthetists will probably be fine."

Bost: "Thank you. I do appreciate your work, the work of everybody that's been working very hard on this Bill, and I know it's very difficult when we're dealing with upstate and downstate to try to work on these issues because unique situations in both parts of the state, and we want to thank you for doing that, and I appreciate this Bill very much. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker, Members of the House. I have to say it was a real pleasure to work on this issue. It was a variety of different people sitting at a table working things out. I think this was the epitome of the way the process should work here. The nurses, the doctors, all of the Members, everybody had input in the process. I want to personally thank them, and I'm very proud of the piece of legislation that we have before us, and I would ask for your favorable vote. Thank you."

Speaker Hartke: "The question is, 'Shall Senate Bill 1585 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1585, there are 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present',

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and this Bill, having received a Constitutional Majority, is hereby declared passed. On page five of the Calendar, appears Senate Bill 1307. Representative Skinner. Representative Mulligan, for what purpose do you rise?"

Mulligan: "Speaker, you told me that after that last Bill you would come back to my Motion."

Speaker Hartke: "I told you I'd get back to your Motion."

Mulligan: "Are we going to use some antics here to get around to actually recognizing me since I had had my light on for the last three Bills?"

Speaker Hartke: "Representative Mulligan, right now we're on the Order of Senate Bills, Second Reading."

Mulligan: "Speaker, you told me in no uncertain terms, that you would get back to me after the last Bill. I sat down and was quiet. I was very respectful in presenting my Motion to you."

Speaker Hartke: "Representative, I said I would get back to you."

Mulligan: "I think that we have passed all kinds of Bills today and we still have not addressed... we've sent out a shell Bill that should be addressing appropriations. We have not addressed this Bill that has been hanging out there since before the Veto Session."

Speaker Hartke: "Representative, I said I would get back to you today and we will."

Mulligan: "Mr. Speaker, I..."

Speaker Hartke: "Right now, we're on Second..."

Mulligan: "... think that's very unfair not to move along. I think this is not debatable."

Speaker Hartke: "Would you just rather not hear Representative Skinner's Bill?"

Mulligan: "No, I would like to give Representative Skinner his opportunity to have his Bills heard, but I think we can do

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that after we discuss this Motion."

Speaker Hartke: "That's the Order we're on. We're on Senate Bills, Second Reading, and we recognized Representative Skinner. Representative Skinner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1307, has been read a second time previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments have been approved for consideration."

Speaker Hartke: "Third Reading. Representative Skinner, would you like to hear this Bill on Third Reading?"

Skinner: "I'd like it on Third Reading, yes."

Speaker Hartke: "Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1307, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Skinner."

Skinner: "Well, actually we've changed the title. Doesn't that... isn't that reflected?"

Speaker Hartke: "Mr. Clerk, you've had a request."

Skinner: "It's an Act concerning sanitation now."

Speaker Hartke: "Mr. Clerk, you've had a request from the Sponsor. Could you repeat the request?"

Skinner: "Well, I thought the title was now, after Amendment 1, an Act concerning sanitation."

Speaker Hartke: "We never changed the title."

Skinner: "Senate Bill 1307, has three parts. The first part is the original Bill. It's a request from the Village of South Barrington, to expand the Metropolitan Sanitary District. The second part, is Amendment 1. It's an Amendment which requires the Department of Public Health to prove there is an unreasonable and ongoing threat to human

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health or safety posed by the physical, bacteriological or chemical conditions of a private bathing beach or a beach operated by a municipality with a population of under 10,000 before the Department of Public Health imposes any restrictions, such as the requirement to put port-a-potties. The third part of the Bill, is Amendment #2. It is from the Metropolitan Sanitary District, and it would allow the... excuse me. It would allow the Metropolitan Sanitary District, by two-thirds vote, to spend the interest earned by any fund in any other fund. Now, I believe this is similar to what the power that school districts now have. There is a second part of that Amendment which allows the Assistant Director of Information Technology to be... it appears exempt from civil service. If there're questions, I would be happy to answer them."

Speaker Hartke: "Discussion on Senate Bill 1307? The Chair recognizes the Gentleman from Kendall, Representative Cross."

Cross: "Mr. Speaker, point of order."

Speaker Hartke: "State your point."

Cross: "My understanding... my understanding is Representative Mulligan had her light on for about the last half hour. She's trying to get her Motion heard. You've put her off twice now. Now I don't...I don't appreciate earlier, you know, shooting down our Motions by the one vote objection by the Majority Leader, but to not even recognize Representative Mulligan to pursue her Motion, is even worse. Now when can we expect Representative Mulligan's Motion to be considered?"

Speaker Hartke: "Mr. Cross, I did recognize Representative Mulligan, but her point was not well taken."

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Cross: "Well, she has had her light on in a continuous manner.

When can we expect that her Motion to be entertained?"

Speaker Hartke: "I disagree. Her light was not on when I called Representative Skinner's Bill."

Cross: "Alright. Well, let me ask it this way. When can we expect that she will be called on for a vote on her Motion? Will it be immediately after this Bill?"

Speaker Hartke: "I informed Representative Mulligan that we would get to her today."

Cross: "Will it be after this Bill or when can we expect that her Motion will be considered?"

Speaker Hartke: "I'm not sure how long this Bill is going to take."

Cross: "Let's assume it takes five minutes, maybe ten. Will it be after the Bill? It doesn't matter how long it takes, Mr. Speaker. Now, you know, you've called on the men here, it seems like you ought to be calling on the women to do their Bills."

Speaker Hartke: "We will go back to Representative Mulligan's Motion."

Cross: "Right after this Bill?"

Speaker Hartke: "Do you have a question on this Bill? I'll recognize..."

Cross: "I'd like to know when... I have a point of order, and I'm asking an inquiry of the Chair."

Speaker Hartke: "I thought I'd made my point."

Cross: "When can we expect Representative Mulligan's Bill to... Motion to be heard?"

Speaker Hartke: "Representative Cross, I think I made my point."

Cross: "Well, you haven't answered by question, Mr. Speaker."

Speaker Hartke: "We will get back to Representative Mulligan. Do you have any questions on this piece of legislation?"

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Cross: "Is it going to be right after this? Is that a yes, Mr. Speaker?"

Speaker Hartke: "At some point, we will get back to Representative Mulligan."

Cross: "Then, should we have the men on our side file the Motions?"

Speaker Hartke: "Representative Mulligan, for what purpose do you rise?"

Mulligan: "I don't think Representative Cross needs to defend me because I'm a woman, but I'm part of the short people caucus here too, so, I think that that could be a problem also. So, I really do think that, you know, at some point... I've had my light on, you definitely should be able to recognize us to discuss this very important Motion."

Speaker Hartke: "At some point, we will get back to you today with your Motion."

Mulligan: "I think today is a time uncertain, and I don't think that's fair. I think you need to give me a time certain as to when this will be called."

Speaker Hartke: "Representative Mulligan, I would like to cite a... from the transcript, February 8, 1995, when Representative Lang made a Motion. It says, 'I was running the Chair, that I have previously filed a Motion, pursuant to Rule 7-9a. I move to discharge the Committee on Rules from further consideration'. At that time, Representative Black, Speaker Black, was in the Chair and his response was, 'We're not on that Order of business at the present time'. And I would appreciate at some point in time of the process, we will certainly go back to that Order of Motion. And that's my answer. And based on that precedent, we will be back to that Order of Motion."

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Mulligan: "Mr. Speaker, I don't think going back to a different time when I was not in the Chair, allows you to take away my rights. I was not a Leader at that point, and besides, we're suppose to be having open government here. You can't have it both ways."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Now, you've recognized other people, I would think that you would be able to recognize me on this very important Motion, unless a COLA for the human service providers is not..."

Speaker Hartke: "Representative Mulligan."

Mulligan: "... as important to you..."

Speaker Hartke: "Representative Mulligan, I have addressed..."

Mulligan: "...as it is to the Members on this side of the aisle."

Speaker Hartke: "...your Motion, and that was we will get back to you at sometime today. Representative Ryder, for what purpose do you rise?"

Ryder: "I rise for a point of parliamentary inquiry. Mr. Speaker, you know..."

Speaker Hartke: "State your point."

Ryder: "... you know Mr. Speaker, we've established a nice little procedure here. We make a Motion to make a point. That's what the Minority does. You recognize us for that point, we stand up, we make that point, you say we're out of order, we say you're out of order, and we want to overrule the Chair. When it's done, that's the way you've been setting it up for the last six or eight weeks. We haven't accomplished anything else, but we've established a nice little procedure. Now, you won't let Representative Mulligan play that game. I want to know why the rules are different for her than they are for everything that else we've been doing? We've asked. She has proposed a Motion,

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she has a right, let her have it. If your Members aren't here to sustain the Chair, that's not our fault."

Speaker Hartke: "Representative Ryder."

Ryder: "Let her have her Motion."

Speaker Hartke: "I might remind you that we're on the Order of Third Reading."

Ryder: "And I, Sir..."

Speaker Hartke: "And the Motion is out of order."

Ryder: "...remind you that I stood up for a point of parliamentary inquiry, and the inquiry Sir, is, why are the rules not the same for Representative Mulligan as they've been for everybody else? That's my inquiry."

Speaker Hartke: "But they are the same. I just read you a transcript..."

Ryder: "If they are the same, if they are the same, Mr. Speaker, we would be dealing with her Motion before we came to this Bill. That's all we're asking."

Speaker Hartke: "Is anyone seeking recognition..."

Ryder: "She's made the Motion..."

Speaker Hartke: "...on this piece of legislation?"

Ryder: "She's made the Motion, we wish to deal with it. You've established a procedure..."

Speaker Hartke: "Is anyone seeking recognition on the Gentleman's Motion? On the Bill, Senate Bill 1307. Representative Scott, for what reason do you seek recognition?"

Scott: "Believe it or not, to actually to ask questions about this Bill."

Speaker Hartke: "Proceed."

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

Speaker Hartke: "Indicates he will."

Scott: "What's the distinction Representative, between a municipality of under 10,000 and one over 10,000? I mean,

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I realize it's the number of people who live there, but I mean, in terms of whether or not they have to comply with these health benefits. I mean, I don't think the E. coli knows the difference between population size."

Skinner: "Well, so far, nobody's found E. coli in any of these under 10,000 person municipality lakes. But, my reasoning is, that smaller municipalities are less able to withstand unfunded mandates from the Department of Public Health than larger municipalities are."

Scott: "Okay, I can appreciate that, but you're not making a differentiation based on the number of people that go to the beach, because isn't it possible for a municipal beach of a town of less than 10,000 to attract far more people? Suppose it's the only beach around that's a public beach."

Skinner: "Maybe if I read you the towns, you'd be able to tell whether there is a major beach there that has a regional attraction. Gillespie, Olney, Round Lake Park, Highland Lake, Lake Villa, and in Lake Villa, it's Lake Midmore. Lake in the Hills there's one beach. Lake Moon, I don't even know where Lake Moon is. Oakwood Hills and McCollum Lake."

Scott: "Well, for example, let's take Round Lake and somebody may be from there."

Skinner: "Actually it's Round Lake Park."

Scott: "Round Lake Park, right."

Skinner: "There's four villages I believe, around Round Lake."

Scott: "Okay, but all I'm saying is, that there's nothing based on the size of the municipality that prohibits other people from going there. I mean, as you from McHenry or me from Rockford, could go to Round Lake Park and swim if we chose to, right? It's a public beach."

Skinner: "Actually I don't know. I know, Crystal Lake has two

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public beaches and you can go if you pay."

Scott: "Okay. So that's... so again, there isn't any restriction as to the number of people that could go to that beach provided they all had the four dollars or whatever the charge is to get into the beach? So, I guess what my question is, if we're making a distinction based on the number of people that could go to the beach, thereby lessening the potential for a health problem versus the size of the municipality, I guess I might understand it. I'm not sure I understand the distinction between 10,000 and 11,000 in terms of them being able to handle the unfunded mandate."

Skinner: "Well Representative, maybe I should raise it to 11,000."

Scott: "Well, I'm just asking, was there some reason why that number was reached, or is that just as good as any other figure? Well, I don't want to say arbitrary, but to say it's as good as any other figure."

Skinner: "Ten thousand seemed like a round number."

Scott: "Okay, now, the Department of Public Health's position on this particular part of the Bill, did they take a position on it in committee?"

Skinner: "No, they're opposed to it."

Scott: "They're opposed to it? Did they say why? Did they testify or slip it or just skip it?"

Skinner: "I'm sure they did testify, yes. It was a long time ago."

Scott: "Do you have any recollection of what they said or why they were opposed?"

Skinner: "Basically, that they wanted to prevent problems at beaches. They haven't proven there were any problems there, but they want to prevent them."

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Scott: "Okay. So, the rationale if I... and I don't want... I certainly don't want to mis-paraphrase what you're saying, but you're saying the rationale for the 10,000 population cutoff is a financial one. So, you don't want to place a financial burden on those particular municipalities?"

Skinner: "Well, we're willing to place a financial burden on them if the Department of Public Health can prove a health risk, which is defined as an unreasonable and ongoing threat to human health or safety posed by the physical, bacteriological, or chemical conditions of the bathing beach. So, if there is a..."

Scott: "Yeah, I read that definition. Doesn't that mean that it has to exist already? There already has to be a problem before they can slap that condition on?"

Skinner: "Well, yes, there would have to be a problem before the expenditure of public monies would be mandated without any state funding."

Scott: "So, the goal of the Department of Public Health, and I would assume the municipalities in trying to prevent these problems before they occur, if that is their goal, then it's fairly well thwarted by a definition that makes the problem have already occurred before they can take any preventive action. It's kind of like fixing your brakes after you've already hit the wall, isn't it?"

Skinner: "Well, Representative, using your logic, we wouldn't allow anybody to drive a car in the United States, because they might have an accident."

Scott: "Oh, no, but we make people do other things like wear seat belts. We make them have a driver's license which proves they can drive and take all kinds of other preventive steps, and make sure the cars in certain states with certain emissions standards. There's all kinds of

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different things that have to happen."

Skinner: "Yes, in each one of those cases, there has been a proven problem in more than one place in the state."

Scott: "Okay."

Skinner: "In this case, we have one problem that has popped up in your hometown which was at a state park, not at a municipal park, not at a Property Owners Association Park, and what we're dealing with here, are municipal beaches in small communities, and Property Owners Association beaches. I see no parallel between what the department cites as the reason for the imposition of these draconian rules and this Bill."

Scott: "Yeah, except that we already established that there isn't any real difference between the amount of people who can go to Rock Cut State Park and the amount of people who can go to Round Lake Park, was it?"

Skinner: "Actually, we have not established that."

Scott: "Well, what's the difference. How many people can go to each?"

Skinner: "Well, if you would pick a park I knew, I'd have a chance in answering your questions. How about if you picked the park on the north side of Lake in the Hills. The... There's a very steep slope. There's no parking. I mean, there may be parking for ten cars and you have to walk down steps to get to the beach. It's not a magnet for people wanting to go swimming in Lake in the Hills. The magnet is on the other side of the lake where the... there's plenty of parking and the beach is at, you might want to say, ground level. At least road level."

Scott: "Let me ask one more question, then, in conjunction with that and I want to be as delicate as I can cause I know there's people eating on the floor, but... The contaminant

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that's necessary to make this happen, to make a dangerous condition or demonstrable problem happen under the definition here. How much of a contaminated substance is necessary for that to happen?"

Skinner: "Well, not much at all."

Scott: "So it doesn't matter if there's one person, five people or ten people there, the problem, or a thousand, the problem can still occur?"

Skinner: "Well, we have a Representative Body here. I would ask anybody on the House floor, do they know anybody that's ever had a bowel movement in a lake? At a beach?"

Scott: "I'm glad you're going to ask that cause I wasn't going to go there. But that's all right."

Skinner: "Well, there was a greater danger at the public beach in Crystal Lake the Saturday before last, or maybe it was two Saturdays ago, because the toilets are being re-done and the new bathhouse is being built, they have portable potties as the Department of Public Health is requiring. When I returned from a mini-vacation to see my niece's art display at the 'Culler Factory', the port-a-potty was turned over. There was more danger to Crystal Lake from turning over the port-a-potty, than having the port-a-potty there."

Scott: "Did... Have you talked to any people that insure municipal corporations or smaller municipalities about this?"

Skinner: "No."

Scott: "Because it would seem to me having been in the business of representing one before, that if the Department of Public Health thought that this was a necessary preventative measure and a smaller municipality didn't provide the safety precautions and something did happen

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from a municipality, it seems to me that the financial burden that you talk about would be a lot less than getting hit one time with not even a big suit, with just a medium or small size lawsuit or even defending it, and you've given them an issue based on the fact that the department says that these precautions are necessary and they haven't taken advantage of it. So that's not really a question, it's just more of a statement. I think what we're doing, not only is putting peoples lives at risk over a relatively small dollar amount, even for a municipality that's... even for smaller municipalities, and I don't know that we're necessarily saving them any money cause any one of them that gets hit with even one occurrence of this, which can happen from one person at any one time, I think we're putting them at greater risk. I think this is a bad idea. I know we debated this, I think, two years ago. We debated the same issue before. I don't think it's a better idea now and I would request a 'no' vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Skinner to close."

Skinner: "Mr. Speaker and Members of the General Assembly. This started out at Rock Cut State Park, and two years ago the Department of Public Health said it was caused, in their opinion, by a child in a diaper and the diaper leaked. Since then they have imposed rules which I consider reasonable, requiring that at every park, every beach, there be a sign saying 'If you have a child in diapers, put them in either plastic or rubber pants.' Now that is most likely to solve the problem, if indeed, a problem exists outside of Rock Cut State Park. I support that. That's a long step from requiring a port-a-potty at every privately owned beach where there is restricted access and every

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municipality in the entire state that has a lake. What I am suggesting is that the Department of Public Health should have to prove there's a problem before you have to spend a thousand dollars a summer on a port-a-potty. I would respectfully ask for your permission on that part of the Bill as well as the metropolitan sanitary part of the Bill as well as, well, there are two metropolitan sanitary parts to the Bill. Thank you very much."

Speaker Hartke: "The question is, 'Shall Senate Bill 1307 pass?' All those in favor signify by voting 'yes'; those opposed by voting 'no'. Mr. Clerk, open the voting. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue there are 56 Members voting 'yes', 56 Members voting 'no', 1 Member voting 'present'; and this Bill, having received... Mr. Skinner."

Skinner: "I would respectfully ask for a call of the absentees."

Speaker Hartke: "Mr. Clerk, would you poll the absentees?"

Skinner: "Well, absentees haven't voted."

Speaker Hartke: "For what reason does Mr. Lang rise?"

Lang: "Thank you. Mr. Speaker, responding to the point. There'd be no purpose in polling the absentees because once the record is taken, no one can change their vote, so, what would be the purpose in polling the absentees? I respectfully..."

Speaker Hartke: "Mr. Skinner..."

Lang: "... ask the Chair to rule the request out of order."

Skinner: "Representative Deuchler, for example, pushed her button and it didn't go on."

Speaker Hartke: "Mr. Skinner. Mr. Skinner, I do believe that Mr. Lang is correct in his interpretation of the rules. You do have a right, though, to ask for Postponed Consideration."

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Skinner: "Well, if you're going to deny the basic right for people to vote, then I... and that is what you're doing because Representative Deuchler, for example, is standing there seeking recognition to vote. I ask for Postponed Consideration."

Speaker Hartke: "Request is granted. This Bill shall be placed on Postponed Consideration. Representative Black, for what purpose do you rise?"

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair. I wanted to change my vote. Why can't I change my vote? The debate was still open."

Speaker Hartke: "The record has been taken. The rules..."

Black: "No, you hadn't taken the record. You hadn't taken the record."

Speaker Hartke: "I did not announce the results, but I did take the record. I said, Mr. Clerk, please take the record."

Black: "Okay. Can we stand at ease until we can get the tape? You did not take the record. I would have been perfectly willing to help my good friend, Cal Skinner, on a Portable Restroom Bill on beaches or whatever it was. I mean, you know..."

Speaker Hartke: "Mr. Black, I think your request is untimely. He has asked for Postponed Consideration. The Bill is placed on Postponed Consideration."

Black: "All right. Well, I would move for immediate consideration of the Postponed Consideration Calendar."

Speaker Hartke: "Would you repeat your request?"

Black: "Okay. Pardon?"

Speaker Hartke: "Would you repeat your request?"

Black: "Yes. I would move for the immediate consideration of the Postponed Consideration Calendar."

Speaker Hartke: "Mr. Clerk, call the Bill. Mr. Clerk, what is

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the status of House Bill 1307. Senate Bill, excuse me."

Clerk Bolin: "Senate Bill 1307. The Bill is on the Order of Consideration Postponed."

Speaker Hartke: "The Sponsor has requested that this Bill be placed on Second Reading. Mr. Skinner."

Skinner: "Mr. Speaker, I move to table Amendment 1."

Speaker Hartke: "Is there any discussion? Representative Black."

Black: "I second Representative Skinner's Motion and stand foursquare behind him. It's a good Motion. I thank you for recognizing it. You see, Mr. Speaker, when we work together, what we can accomplish. I mean, seriously."

Speaker Hartke: "Absolutely."

Black: "I mean, here we have, here we have a piece of legislation that fits every possible concept of an emergency legislation in this budget year. I mean, I ask you, what could be more important than portable toilets on a beach? I mean, it's almost summer. You know what happens if they aren't there. There goes the water supply. I appreciate it, Mr. Speaker. When we work together, when we work together, Mr. Speaker, we can get important business of the people done. We can make a Motion and we can move to make sure we have adequate portable toilets. Of course we can't get tax relief for senior citizens, circuit breaker or any of those things, but I understand..."

Speaker Hartke: "All those in favor of the Motion signify..."

Black: "...I understand that's not emergency. I understand."

Speaker Hartke: "...by saying 'aye'; those opposed 'no' In the opinion of the Chair the 'ayes' have it..."

Black: "No. That's right. Okay. I understand. Senior citizens aren't an emergency, but toilets are."

Speaker Hartke: "...and the Motion is tabled. The Amendment is tabled. Mr. Clerk, are there any other Motions or

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Amendments filed?"

Clerk Bolin: "No further Motions."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1307. The Bill has been read a third time previously."

Speaker Hartke: "Mr. Skinner."

Skinner: "Well, Mr. Speaker, I can certainly relate to what Representative Black just said. In my first... or my second year in the General Assembly in 1974, I went to a Rules Committee meeting and they were... the Rules Committee was determining what was an emergency Bill. And all of a sudden there was a Bill up that had to do with egg candling. Now at that point I concluded that anything the Rules Committee decides is an emergency, is an emergency. This Bill is certainly an emergency to South Barrington. They wish to have this land annexed to the Metropolitan Sanitary District. This Bill is certainly an emergency to the Metropolitan Sanitary District. It wishes to have more flexibility in spending its investment income. That is what is left in the Bill. I would ask for your support."

Speaker Hartke: "Is there any discussion on Senate Bill 1307? Seeing no one is seeking recognition except Representative Phelps."

Phelps: "Why did we table Amendment #1, Mr. Speaker?"

Speaker Hartke: "It was the will of the Body that table number ...Amendment #1 should be tabled."

Phelps: "What was in the content of that Amendment that they objected to? Who wanted it tabled?"

Speaker Hartke: "Mr. Phelps, I think if you go to your laptop you could probably read what the Amendment did."

Phelps: "No, I want to hear the explanation of the objection from Cal."

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Speaker Hartke: "Mr..."

Phelps: "Whoever wanted to table it."

Skinner: "What was the question?"

Phelps: "What were the objections to the Amendment that was tabled?"

Skinner: "It didn't get 60 votes."

Speaker Hartke: "Excuse me."

Phelps: "I'm sorry."

Skinner: "It didn't get 60 votes. That's the objection."

Phelps: "Neither did the Bill."

Skinner: "That's right, but it will this time."

Phelps: "So what did tabling the Amendment have to do with getting 60 votes now?"

Skinner: "Well, the Amendment had to do with rolling back the arbitrary power that this Illinois General Assembly gave to the Department of Public Health in 1990 under the Bathing Beach Act and indoor pool or ...Outdoor Pool Act. Now there's nothing about that in the Bill. It's just about the Metropolitan Sanitary District."

Phelps: "So you think that strengthens the Bill or weakens it?"

Skinner: "Well, it weakens it from my point of view, but from this Body's point of view I suspect it strengthens it."

Phelps: "So a Bill that was stronger, that didn't get 60 votes now, is weaker. And you hope it gets 60."

Skinner: "No, you see, my interpretation of what is strength and weakness may differ from the Body's."

Phelps: "That's why we're here to debate."

Skinner: "That's correct."

Phelps: "Just wanted to know your answer. Thank you."

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

Black: "Yes, thank you very much, Mr. Speaker. Inquiry of the

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Chair."

Speaker Hartke: "State your point."

Black: "How did you rule on Representative Phelps's objection?
Did you rule him out of order? It clearly was."

Speaker Hartke: "I simply requested that he could possibly read
the Amendment. However, he was addressing a question to
me."

Black: "That's why I made an inquiry of the Chair. I want to
know, what is the response to his objection to tabling the
Amendment? Is... It wasn't timely. We're not on that
order. We've already tabled it. Right?"

Speaker Hartke: "That's correct."

Black: "Okay. So we have before us here a Bill. Right?"

Speaker Hartke: "That's correct."

Black: "And he said it didn't get 60 votes, but we won't know
that until we vote on the Bill. Right?"

Speaker Hartke: "Are you calling for a vote?"

Black: "No. I'm trying to make sure I know what we're doing
here. He said it didn't get 60 votes, but we won't know
that until we call the Bill because now we're on the order
of voting on the Bill. We're on the Order of Third
Reading."

Speaker Hartke: "We're on the order of discussion on the Bill.
Would you like to address the Bill?"

Black: "We're on the Order of Third Reading, so am I on the order
to be able to discuss the Bill?"

Speaker Hartke: "Yes, you are."

Black: "I'm not sure I want to, but if we're on the order..."

Speaker Hartke: "Does anyone care to discuss this Bill?"

Black: "No, if we're on the order of discussion of the Bill, I'd
like to discuss the Bill. Do I have your permission,
Speaker? Do I have your permission?"

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Speaker Hartke: "You have the floor."

Black: "Thank you. Thank you, Speaker."

Speaker Hartke: "Would you like for me to put the timer on for you?"

Black: "That won't be necessary, Mr. Speaker. I intend to make my point rather quickly and succinctly, reaching out to my downstate brethren. Representative Skinner has been fighting the Illinois Department of Public Health on an issue that is probably more important to some of us downstate than it is to some of our suburban neighbors and I understand that. But if the downstaters would just concentrate on the one issue that Representative Skinner has been in discussion with the Department of Public Health for at least three or four years; and it all starts back many years ago when they came up with a rule called the Recreational Area Licensing Act that effectively put almost every downstate beach on any body of water out of business because you had to have flush toilets. You had to have hot water showers. So all of us who aren't in wealthy communities to where we have swimming pools, but we have lakes or strip mine ponds, most of our beaches have been closed for years because of the action of the Department of Public Health. If that wasn't bad enough, then they come along a little later in Representative Skinner's district and they said, even at a beach owned by a not-for-profit association or municipality, you had to have... If they couldn't force you to have flush toilets, and out in the middle of nowhere, Speaker, as you know cause you and I are from rural areas, out in the middle of rural Illinois you're not going to have flush toilets cause we don't have sewers. So they came up with this ruling that you had to have portable toilets. It was a... it's a classic example

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of bureaucratic overkill. Didn't make any difference if you pumped out the toilets once a week or once a summer, you just had to have the portable toilets out there on a nonprofit beach. It's not enough that they closed down most of our beaches 12, 14 years ago, now they are going to make us put up port-a-potties along what few beaches could still operate. They don't smell very good, they don't look very good. There was nothing in the law that said how you had to maintain them. It is a ridiculous law and I stand in full support of Mr. Skinner...Representative Skinner. I know he's tried to negotiate with the department. We've not been able to reach any kind of an agreement, so I would ask all of my downstate brethren, where we don't have the luxury of sewer service on every square foot of property that are in our districts, to vote 'yes' for this Bill. It's a common sense measure. Some of us who don't have swimming pools would still like to go down to the old swimming hole or the old strip mine pond and not trip over four or five portable toilets. It's a ridiculous rule to begin with and I stand in full support of Representative Skinner's Bill."

Speaker Hartke: "The Chair recognizes Representative Beaubien for discussion."

Beaubien: "Yes, I would like to talk on this Bill, in favor of this Bill, for just a moment. The underlying Bill arose out of an agreement between the water district and the Village of South Barrington. It's very important to the Village of South Barrington. I understand the underlying argument with the beaches. I was involved in that with the Village of Island Lake, but that is not under consideration at this time and I would urge all House Members to support the underlying Bill. Thank you."

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Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Saline, Representative Phelps. For what purpose do you rise?"

Phelps: "Thank you, Mr. Speaker. I really just had a question for Representative Black. When he appealed to the... Representative Black, you appealed to the downstate brethren. How about the downstate sisteren? No pun intended. Is that any problem?"

Speaker Hartke: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative McCarthy."

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

Speaker Hartke: "Indicates he will."

Skinner: "Certainly."

McCarthy: "Representative Skinner, by tabling Amendment 1, do you take all questions about the portable toilets out of this Bill?"

Skinner: "Yes, you did. I'm glad you noticed."

McCarthy: "So for the last diatribe by a Representative that sits directly to your right, was completely unnecessary after you tabled Amendment 1. Correct?"

Skinner: "Well, frankly, I've never heard Representative Black described as being to my right, but I guess so."

McCarthy: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black. For what purpose do you seek recognition?"

Black: "Yes, my name was used in debate..."

Speaker Hartke: "It was."

Black: "...by a Representative from Eldorado or Eldorado, and another Gentleman used my middle name in debate, diatribe. And I'm glad that he got up. It's the first time he has spoken all year and it suddenly got to me that because of

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the parliamentary trickery that you've obviously used on this Bill, you have, in fact, allowed the port-a-potty Amendment to be tabled. I'm shocked and appalled. This may change my entire rationale for support of the Bill. Why would we table a silly port-a-potty Bill?"

Speaker Hartke: "Representative Black, we were honoring the request of the Sponsor."

Black: "Well, maybe he would let me amend the port-a-potties back in on the face of the Bill. No, he's shaking his head. Well, I tell you what. We've not heard the last of this port-a-potty debate on privately owned beaches. We're going to strike a blow for the right of people to swim unencumbered of those God awful, smelly port-a-potties on our downstate beaches and strip mine ponds. I am extremely... I'm distraught. I'm distraught that he tabled that Amendment, and to show my extreme displeasure I intend to vote 'present'."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the Chair recognizes Representative Skinner to close. Representative Skinner."

Skinner: "I have succumbed to Representative Black's humor, I'm afraid. To repeat. Everything Representative Black said is irrelevant to this Bill. We shall return next Session, however, the electorate being willing. What is left in the Bill now is an expansion of the Metropolitan Sanitary District in South Barrington. South Barrington lies near the tollway. The northwest tollway. You see it on the right as you drive to Elgin. Secondly, there is additional authority given to the Metropolitan Sanitary District Board. With a two-thirds vote, the board may spend investment income in any fund it wishes. I think this is similar to the authority that has already been given school

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districts. Finally, there is an office which is now under civil service that will be taken out of civil service. It has to do with information systems. I'll try my luck twice. I ask for your support on this Bill."

Speaker Hartke: "The question is, 'Shall Senate Bill 1307 pass?' All those in favor signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1307 there are 100 Members voting 'yes', 16 Members voting 'no' and 1 Member voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Cook, Representative Mulligan. For what purpose do you rise?"

Mulligan: "Thank you, Mr. Speaker. I rise pursuant to Rule 18(g). I respectfully remove (sic-move) to discharge the Rules Committee from further consideration of the Motion to Concur in Senate Amendments 1 and 2 to House Bill 868 and to advance that measure for immediate consideration by the House. We've tried before to hear the COLA Bill, the Supplemental COLA Bill. The amount of respect it's gotten in this Body is very small, particularly today. I think what we need to look to is the fact that if we let this go and we don't do the supplemental now, the human service providers, the private ones, the employees that need this money will be left by the wayside with lesser amounts because we're letting it go to the negotiations at the end. We could have passed this in November. We brought it up in committee. We brought it up on House floor. I repeatedly asked for this Bill to be called. Once it's called and released from the Rules Committee we can pass this and give those providers the money they've been waiting for. That

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people are losing their jobs, people are leaving for other reasons because they can get more money and the people that depend on them, the elderly, the developmentally disabled, are forced to look at new people because the job rolls over or the elderly are forced to have no one that's there to come and help them and so they go back in the hospitals, back in the nursing homes. I think that this is the most important Bill. We've let this go since the Veto Session at the last minute, and I respectfully request that this Bill be released from the Rules Committee and I'm joined by the requisite number of Members on this side of the aisle to ask that that happen."

Speaker Hartke: "Recognizing your Motion, the Chair rules, under House Rule #54, that the presiding officer may refer any Motion to the Rules Committee, which I aim to do at this time. The Chair recognizes the Gentleman from Cook, Representative Lang. Representative Stephens from Madison County. For what purpose do you rise?"

Stephens: "Well, I guess we'll start referring that to ruling option 'b'. The inconsistency of the presiding officer of this Body continues to amaze us. We don't know if you're going to stand and object to the Motion, which you say requires unanimous consent without a vote, or whether you're going to..."

Speaker Hartke: "Mr. Stephens, are you suggesting that you would care to override the Chair?"

Stephens: "Well, you know, Representative... Excuse me, presiding officer. I think that's an excellent concept and I would move to override the ruling of the Chair, ask for a roll call vote and a verification should the Motion to sustain the Chair succeed."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?'

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Is there any discussion? The Chair recognizes two individuals to speak to the Motion, one to oppose the Motion. The Chair recognizes the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I think that anyone votes to not...or to sustain the Chair on this ruling is voting against the human service, the privatized human service providers of this state. We have repeatedly asked for this amount, small amount of an increase in a COLA for them since the end of last Session going into this Session. We will already be in the new fiscal year very shortly and these people have still been waiting. A vote for this, to sustain the Chair on this, is a vote against those people. And I don't think there is any mistake that this is a very bad vote for a lot of people because I think in the ending negotiations, if we don't bring out this COLA Bill now, this Supplemental COLA Bill, what will happen is, these people will get a lesser amount of money. Constantly now, people are going to places like McNiles instead of continuing to work for the people that they are because we don't give them a living wage. In any number of ways that you look at it we have tried to call this Bill at least five times that I can think of. In committee we tried to call the Speaker's own Bill and the Chair of the committee would not allow that to happen. It's been very controversial the whole time. There has been absolutely no respect for these human service providers who have waited a very long time, and I would bet that by the time we end up with this, they will get a lesser amount of money because this Bill has not come out of Rules and has not been voted on. There is absolutely no problem in letting this out. We certainly have the money to give them this. I think the

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concern is whether we'll have to annualize a COLA for them, which they certainly deserve also, and yet, we have repeatedly, repeatedly, refused to call this for them. I don't know why we had to adjourn at the end of the Veto Session. This could have been called. They could have had this money all along. But continually we let this fall to the wayside. Today, we have decided not to even address the issue, but to refer it back again. Representative Black has argued about that. I don't know if anybody wants to hear him argue that again, but for pete's sake, I mean, why do... why are you making these new rulings, and is it because you are so concerned about this particular Bill and the vote that it might cost your Members, that you're afraid to discharge it from the Rules Committee? This is an excellent Bill. Members on your side of the aisle in the Human Services Appropriations Committee have repeatedly said they would vote for this Bill. So if there are Members on both sides of the aisle that would like to see it released, like to see a vote on it, I think that they should all then vote once again to overrule the Chair, to not sustain the Chair. The proper vote on this would be a 'no' vote. No disrespect to you, but this is certainly a disrespect to the human service providers in Illinois. They have gone long past the point when they should have had this half year supplemental that we said we would give them and we haven't been able to produce it. This is an outrage to those people who do not even make a living wage and a good part of them ...and I think this is really awful."

Speaker Hartke: "Speaking to the Motion in objection to sustaining the Chair, the Chair recognizes Representative Krause from Cook County. Representative Krause."

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Krause: "Yes, thank you, Mr. Speaker. I do support the Motion to overrule the Chair on one of the most important pieces of legislation that is still pending here in Springfield, and that is the right of the providers for a COLA increase. Five times. Five times House Democrats have denied non-Medicaid human service providers what they are entitled to and that is to a basic three percent COLA increase. This COLA will provide additional funds to our community providers who provide very important services and programs for individuals for the developmentally disabled in our communities and across Illinois. By keeping these programs down at the community level, we would avoid the more costly state run alternatives such as the large facilities. The average cost that we pay in order for the developmentally disabled to be in the state institutions costs around \$90,000 a year per person. Through our community service providers that cost can be slashed by more than half to down to about 36,000 a year. By making this investment, this investment in the COLA increase which is so important, we're making an investment in less costly alternative to our way of caring for these very important individuals. The wage gap that exists between community employees and the state run institution employees is a 54 percent. An average community case provider is paid \$7.36 an hour, to the \$11.39 an hour wage of the direct care employee. In fact, the average community care employee's wage is below the federal poverty level. It is time that we address these inequities. In November, 1997, when Speaker Madigan adjourned the fall Veto Session, this matter was not addressed for this debate. Second, January 14th of this year, leader Daniels urged the Speaker to convene the House Rules in order to move the Bill forward. Again, no action.

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Third, January 28th of this year, we asked the Speaker's own Bill on human services COLA, and the House Democrats and the Speaker blocked the movement of their own Bill, denying these human service workers. On March 24th of this year we again attempted to move a COLA Bill to the House floor for a vote. This time, the Democratic Chairperson of the Human Services Appropriation Committee refused to hear her own party's Bill. And, finally, on May 5th of this year we filed a written Motion to have House Bill 868 discharged from Rules and moved on to this House floor for debate. In a clearly partisan vote, all 60 Democrat Members voted to deny the COLA Bill and the human service workers their fair debate on this legislation. I ask the Speaker, if not now, when? We refuse to be denied for a sixth time. Human service providers deserve to have their voices heard. Thank you."

Speaker Hartke: "The Chair recognizes the Lady from Cook, Representative Davis, to speak for sustaining the Chair."

Davis, M.: "Thank you, Mr. Speaker. As Chair of the Human Service Appropriation Committee, we did have a COLA Bill in our committee. Information that I'd like to share with you from the Illinois Association of Community Care Program Providers is as follows: The reimbursement rates for comparable homemaker service programs. The following shows the rates for reimbursement for homemaker services in programs, both in and outside of Illinois, which are comparable to the Illinois Department of Aging's Community Care Program. The comparable programs are those which have the same basic service components as well as the overall goal or program goal of reduced nursing home or other institutional placements. The Department of Children and Family Services reimburses at a rate of \$14.90 an hour,

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Older Americans Act, they fund between \$9.00 and 11.33 per hour. In Missouri, the Department of Aging spends \$11.94 per hour. Indiana, the Agency on Aging spends \$11.50 per hour and, Mr. Speaker, in the State of California the county contracts, the rate goes from \$10.83 to \$13.11 per hour. In the State of Oregon, the pay for home care workers is \$14.29 to \$16.23 per hour. In the State of Washington, \$11.00 per hour. The State of Pennsylvania, \$10.40, all the way to \$10.20 per hour. And the State of Michigan, someone so very close to us, they average between \$12.39 per hour to 14.50. Mr. Speaker, Ladies and Gentlemen of the House, the Illinois Department of Aging reimburses to \$8.73 per hour. And as much as I do support an increase in the wages earned by those who support us by giving us many services that are needed and keeping people out of nursing homes or institutions, I yet respect the ability, the power of the Speaker of the House to determine the order of business. Therefore, Mr. Speaker, I vote to sustain the Chair and I urge, I really urge others to vote for the sustaining of the Chair even with that information. Thank you, Mr. Speaker."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there were 58 Members voting 'yes', 57 Members voting 'no', 2 Members voting 'present' and the Motion is lost. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair. I have the same..."

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Speaker Hartke: "State your inquiry."

Black: "Thank you. I have the same request of you that we made of a previous Speaker who granted us the right. Once again you did not allow our side to close on the issue of overruling the Chair. You let an opponent go 'wax eloquently' about why you should sustain the Chair and there was a person over on our side of the aisle who would have liked to have countered that argument who was in that committee. You denied us the right to close. I'd ask you to dump that roll call and let us have our right, according to the rules, to close on the Motion to overrule the Chair."

Speaker Hartke: "You're absolutely correct, Mr. Black. I was in error."

Black: "Alright, I appreciate your honesty. Could we go back and at least let us close? We're under no great illusion that we're going to win the day, but I think we have a right to refute what was said on your side of the aisle and then you didn't allow us to close, to refute what was said. You know, you can't rewrite history here on the House floor."

Speaker Hartke: "Would you request that Representative Mulligan speak for..."

Black: "Absolutely."

Speaker Hartke: "... three minutes to close and..."

Black: "Absolutely."

Speaker Hartke: "... and we'll take another vote."

Black: "That's more than fair. Thank you."

Speaker Hartke: "Representative Mulligan. Representative Stephens, for what purpose do you rise?"

Stephens: "Well, Mr. Speaker, I made the Motion, so you should recognize me to close. But I would like to yield to Representative Mulligan. I'm just trying to keep

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everything in order here."

Speaker Hartke: "Okay, you're correct. Representative Mulligan, it was Representative Stephens' Motion."

Mulligan: "I understand that. Representative Black misunderstood. If he was willing to yield to me to close, I'll close. Whatever the Chair desires."

Speaker Hartke: "Representative Stephens, would you care to yield to Representative Mulligan to close?"

Stephens: "For the record and having so stated previously in debate, I yield my time to the gentle Lady from Cook."

Speaker Hartke: "Representative Mulligan, three minutes to close."

Mulligan: "Now I have to be gentle? I would like to refute the statements of Representative Davis who is the Chair of that committee. Even Speaker Madigan's Bill is being presented by Representative Hannig in that committee. When we moved with both your Members and my Members to move that Bill out of committee, she postponed it till the end of committee and then refused to take a vote on the Bill even though there were enough votes in that committee to move that Bill out. What's happened here is we have made pawns and hostages of community service providers around the state. We have chosen to privatize services, move the obligation to them and not pay them to provide those services, services that keep many people out of nursing homes, help many people that are developmentally disabled. I can understand why you would have no one on your side of the aisle stand up and say that they wouldn't vote for this, but you would want to move it back into the Rules Committee because that way it eliminates somebody being put on a really bad vote. But the votes that your Members are taking to sustain the Chair on this horrendous ruling,

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repeatedly, are bad votes that are going to come back to haunt everyone when their community service providers come in and ask, 'What happened to our COLA? Why did not ...we not receive this COLA? Why do we receive a lesser amount in the end in the budget?' This could have been passed at any time. I urge the Members of this Body to have some guts and rule to overrule the Chair. Vote 'no' on this. Give the community service providers what they've needed all along, a COLA from the supplemental that's fair and honest, even though it's six months too late."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 59 Members voting 'yes', 58 Members voting 'no', and this issue has failed. On House Bill 3749, Representative Fantin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3749..."

Speaker Hartke: "Representative Fantin."

Fantin: "Thank you. I vote to concur with the Senate Amendment #1. It becomes the Bill and provides a commencing in the Fiscal Year 2000, requests for summer term assistance for the MAP Program shall be made subject to a separate appropriation for this purpose. Each student who is awarded a MAP grant and is enrolled in summer courses shall be eligible for a grant. The summer term grant shall not exceed the lesser of 50 percent of the maximum annual grant or the actual cost of tuition and fees the institution the student is enrolled in for at least half time. This passed the Senate by a vote of 56 to 1. There are no opponents. The Illinois Community College Trustees Association are

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proponents. The Illinois Community College Board and ISAC are all in favor of the Bill. There's no opposition."

Speaker Hartke: "Discussion on the piece of legislation? The Chair recognizes the Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I was distracted. I was trying to figure the benefits of the cost of living increase to the people in my district in dollars and cents. How did we do with the closing and the yielding to Representatives for the closing, compared to the vote when we didn't close?"

Speaker Hartke: "Representative Stephens, we're not on that issue. Right now we're discussing House Bill 3749."

Stephens: "I'm just trying to clarify the record and see what the cost of living loss to my district was?"

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

Davis, M.: "Mr. Speaker, on the previous debate my name was mentioned and I was not given an opportunity to respond. The Lady said that as Chairman of the committee I refused to call the COLA Bill, when the facts are the Sponsor of the Bill never appeared before the committee. And it has been the practice of this Body to not call Bills if the Sponsor isn't present and I end and conclude my remarks. Thank you."

Speaker Hartke: "Your point is well taken. The Chair recognizes the the Lady from Cook, Representative Erwin."

Erwin: "To the Bill, Mr. Speaker, House Bill 3749. With the Senate Amendment, which was offered by Senator Frank Watson with the support of the Illinois Student Assistance Commission, as well, will, as the Sponsor indicated, just take the Bill that we passed overwhelmingly here. In fact,

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I think it was on the agreed Bill list, and just make sure that we understand that it is subject to appropriations. So I certainly urge your unanimous support again."

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

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

Speaker Hartke: "Indicates she will."

Fantin: "Representative, I know you've explained it, but when this Bill left and the previous speaker, Representative Erwin, alluded to this, when this Bill left the House it was a fine Bill. Wasn't anything wrong with it. Community colleges loved it. It was eminently fair. The Senate, in their infinite wisdom, decided to amend it and it deleted the underlying summer term assistance grant provision. Now I think that the good and honorable Senator Berman has put it back in here, but he's done it in the Senate language that's a little difficult to understand. Now am I to understand that community college students will still be able to benefit for the summer session under the MAP Program with the Senate Amendment, as it clearly did when it left the House?"

Fantin: "Yes, Representative. In the Fiscal Year 2000 and subject to appropriation. That was the change. This was something Representative, that ISAC had demanded in the Bill."

Black: "Because of the appropriation, is what you wanted? Okay. I..."

Fantin: "Yes."

Black: "I..."

Fantin: "It's totally agreed upon."

Black: "I was trying to recall, I know we got a correspondence

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this week from the Trustees Association in their publication. The total number of students in our community college system is so far beyond, and no disrespect to our great four year universities, but the community college system enrolls far more students than Eastern, Northern, Western, Southern, the University of Illinois, Illinois State. All the rest of them put together. And you know, I just get a little tired and I'll admit I have a bias. I worked in the community college system for ten years. I just get a little tired of the community college being treated as less than an equal. Sometime they don't even put them in the same chapter, and with your assurances that community college students are not again going to have to stand last in line to go to summer school, then I'm prepared to vote for the Bill. But I'll tell you, I sure get tired of the Senate tinkering with Bills, but if you say it's your Amendment and there are still guarantees that community college students will be fairly treated under this, then fine. Just tell me that that's the fact and I'll be glad to vote for it."

Fantin: "Representative, that's my intent. I am also an avid fan of the community colleges and this has helped the students, community college students, to extend the MAP Program, which it does not now have, into the summer sessions."

Black: "Okay. That's fine. I think it's... I think it's beyond time, quite frankly, and I commend you for your work on the Bill that we give attention to the community college system who are the light calvary of our education system in this state. They're retraining and upgrading skills more so than all of the other institutions and that doesn't denigrate them and their mission in what they do, but it is a remarkable system and we should be much more concerned

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about helping the community colleges in transitioning people from welfare to work and retraining and upgrading of skills because they do it and they do it very, very well. I appreciate what you're attempting to do here and if you assure me that they are being treated fairly, that's good enough for me and vote 'aye' and I appreciate the work you did on the Bill."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Fantin to close."

Fantin: "I just ask you for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall Senate Bill 3749 pass?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3749 there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cross, for what purpose do you rise?"

Cross: "Well, Mr. Speaker, it is now 3:30."

Speaker Hartke: "Representative Mulligan's light is not on."

Cross: "It might be in a minute. It's... We've got a couple days left of Session. We did a Bill for Representative Giglio today that gives his district that had \$9,000 up to 10,000 more dollars per student at the expense of downstate Illinois and we still have not even begun to talk about 2.2."

Speaker Hartke: "Mr. Cross, what is your point?"

Cross: "My point is the Motion I filed that the Clerk has, pursuant to Rule 18(g), I move to discharge the Rules Committee from further consideration of Conference Committee Report 1 to Senate Bill 3 and advance that

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measure for immediate consideration by the House. Now, Mr. Speaker, this General Assembly and we've talked about this before, talks a big game about teachers. We all talk about teachers..."

Speaker Hartke: "Mr. Cross, you've made your Motion and..."

Cross: "Yeah, well I'm trying to support my..."

Speaker Hartke: "...I won't recognize..."

Cross: "...I'm trying to support my Motion, Mr. Speaker."

Speaker Hartke: "I know. You can speak to the Motion..."

Cross: "All right."

Speaker Hartke: "...once we get to it."

Cross: "You're not going to ignore my Motion..."

Speaker Hartke: "According to House Rule 54, the presiding officer may refer any Motion to the Rules Committee, and this presiding officer is referring it to Rules Committee."

Cross: "Mr. Speaker, with all due res..."

Speaker Hartke: "Would you like to... would you like for me to repeat the rule or would you like to make a new Motion to overrule the Chair?"

Cross: "You know what? That is such an absurd ruling. Why don't you repeat it so we can hear it one more time to make sure we heard right."

Speaker Hartke: "Rule 54 says that the presiding officer may refer to any Motion, refer any Motion to the Rules Committee."

Cross: "Hypothetically speaking, if I made a Motion to adjourn, would you send that to the Rules Committee?"

Speaker Hartke: "No, Sir, because... except those. That's one that may not be referred to Rules."

Cross: "If I happen to make that Motion, you're telling me right now it wouldn't go to Rules? You'd consider that Motion if I made it right now?"

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Speaker Hartke: "No, but would will not recognize you for that Motion."

Cross: "Imagine that. Imagine that. It's pretty quick. Now, you're telling me my Motion..."

Speaker Hartke: "Would you care to move to overrule the Chair?"

Cross: "My Motion to discharge a Bill or an Amendment and a Bill from Rules is being sent back to Rules? Is that what you're saying?"

Speaker Hartke: "No, it already was."

Cross: "You did it again, I think. I'm going to have to move to override the Chair."

Speaker Hartke: "You filed one Motion and that was referred to Rules."

Cross: "Now, you're not going... When I move to override the Chair, you're not going to send that to Rules are you?"

Speaker Hartke: "Nope."

Cross: "Wow, that's two things you're not going to send to Rules. Well, I'm going to move to override the Chair. I apologize for that."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?' Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black, to speak to the Motion."

Black: "Well, first, Mr. Speaker, I have an inquiry of the Chair. I can't speak to the Motion when I don't understand the Motion. So I have an inquiry of the Chair."

Speaker Hartke: "The Motion is to sustain the Chair."

Black: "Nah, nah, don't give me that stuff. I don't understand how we got to this point. I have an inquiry of the Chair."

Speaker Hartke: "Mr. Cross made the Motion to overrule the Chair, and the question is, 'Shall the Chair be sustained?' That's how it got here. Now, would you like to speak to

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that Motion?"

Black: "Well, you know, if you're going to force the issue. But I don't know who, who sent the underlying Motion to discharge to the Rules Committee. Who did that?"

Speaker Hartke: "I did. The presiding officer may refer any Motion to the Rules Committee."

Black: "Mr. Speaker, if you'll look at the transcript from earlier today, it was said by the presiding officer that the Rules Committee is omnipotent. It doesn't require any action from the Speaker. So I think, in that case, if you'd look at the transcript you need to call a meeting of the Rules Committee to see if you have a majority vote to transmit the Motion to discharge from the Rules Committee."

Speaker Hartke: "Mr. Black."

Black: "You said the Speaker didn't have anything to do with it. Look at the transcript."

Speaker Hartke: "Mr. Black, do you have a rules book?"

Black: "Oh, do I have a rule book. A dog-eared, underlined and highlighted."

Speaker Hartke: "The one with the white cover."

Black: "What?"

Speaker Hartke: "The one with the white cover."

Black: "Yeah. Mr. Speaker, I'm just telling you that you, the presiding officer earlier today, said, and I'll be glad to get you a copy of the transcript, that the Rules Committee was omnipotent. They didn't need any guidance from the Speaker whatsoever. So I think if you're going to discharge or move his Motion to discharge the Rules Committee, you need to convene the Rules Committee since the Speaker doesn't have the power to put it there. Only the Rules Committee by your interpretation. Not you, but a presiding officer earlier today. Only the Rules Committee

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could so rule. You know, it's your interpretation of the rules. If you'd stick with the rules you wouldn't get in this mess. But you make up things as you go. So I would ask the Chair to convene the Rules Committee to see whether you have a majority vote on the Rules Committee to send his Motion to discharge to the Rules Committee. It was said earlier today and you said it in the Chair, the Rules Committee is omnipotent. The Speaker has nothing to do with it."

Speaker Hartke: "Mr. Black, Rule 54 is very specific."

Black: "I don't care about Rule 54. You guys blew that off earlier today when you made some creative ruling."

Speaker Hartke: "Would you care to speak to the Motion?"

Black: "What I am going to speak to are the rights of a Member of this House. I didn't make the ruling today that said the Rules Committee was omnipotent and didn't need the Speaker. It was a ruling made by the presiding officer of this Body. Now are you going to change it again? You know, if you'd only follow the rules you wouldn't get yourself in this mess. You guys played with the rules today, now you've gotten yourself in a mess. Get yourself out of it by what you said earlier. Convene the Rules Committee to determine whether or not the majority of the Rules Committee refuses to make the discharge Motion. It's all I'm asking you to do. It was your rule, not ours, and the reason I can't find it in my rule book is because it isn't there. But it was convenient for you to do it earlier. Now it isn't convenient to follow what you said two hours ago?"

Speaker Hartke: "The Chair recognizes the Gentleman from McLean, Representative Brady. The Chair recognizes Representative Brady."

Brady: "Mr. Speaker, we request an immediate Republican

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conference."

Speaker Hartke: "How long do you expect to be away?
Representative Tenhouse."

Tenhouse: "I don't know. In view of the discussion, I think
everyone's a little upset. It's going to take a little
while."

Speaker Hartke: "How long would a little while be?"

Tenhouse: "More than a short time."

Speaker Hartke: "Okay. The House now stand at ease until the
hour of 4:00 p.m. Republicans will go to caucus in Room
118. Democrats may be at ease. Members should be advised,
if they're in the Stratton Building, that the Republicans
requested caucus until 4:00 and it is 4:09. So please
return to the chamber. Representative Phelps, in
Representative Black's chair. For what reason do you
rise?"

Phelps: "Thank you, Mr. Speaker. I just wanted to substitute
momentarily for Representative Black since he's been
detained past the hour which we gave them. But he had a
nice little fan here, of which it's a grandchild or when he
was a baby or what, but look, it's a real nice face. But I
think it's ridiculous that he call my home town Eldorado.
I want to know if he's from Danville or Danville. So get
back up here and clarify it and we want to know who this
face is. Thank you."

Speaker Hartke: "For what reason does the Gentleman from Bureau,
Representative Mautino, seek recognition?"

Mautino: "Thank you, Chairman (sic-Speaker). Just for a quick
announcement. Tomorrow's meeting of the Downstate Caucus
has been cancelled."

Speaker Hartke: "Downstate Caucus Members should make note. The
Downstate Caucus scheduled for tomorrow, which was

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mandatory, has been now made... taken off the schedule.
The Chair recognizes the Gentleman from Cook,
Representative Lang. For what purpose do you seek
recognition?"

Lang: "Thank you, Mr. Speaker. I wanted to advise the Chair of
the 4:30 rule, in case you weren't familiar with the 4:30
rule. The..."

Speaker Hartke: "Please familiarize me with the 4:30 rule."

Lang: "The 4:30 rule states that if one party is in caucus and
the person sitting in the Speaker's Chair is from the
Majority Party, who is on the floor, that the Speaker would
be buying dinner for those remaining on the floor. So what
should we order, Sir?"

Speaker Hartke: "Would you cite me which line and page that's
on?"

Lang: "No, no. This is one of those unwritten rules, Mr.
Speaker. One of those unwritten rules."

Speaker Hartke: "Mr. Miller informs me that was in Capitol Fax
this morning and I didn't recall reading that."

Lang: "...be tomorrow."

Speaker Hartke: "The House shall come to order. Those
unauthorized personnel should leave the floor. When the
Chair recessed there was a Motion on the order of the
Calendar. Mr. Clerk, would you re-post that Motion.
Representative Cross to close on the Motion."

Cross: "I just... We're just getting people up here, Mr. Speaker.
We just got out of caucus."

Speaker Hartke: "At 4:00?"

Cross: "Well, we just are leaving downstairs... They'll all be up
here in just a second. I know they'll be real interested
in this Motion."

Speaker Hartke: "Mr. Clerk, announcements."

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Clerk Rossi: "Introduction of Resolutions. House Resolution 526, offered by Representative Dart; House Resolution 527, offered by Representative Black; House Resolution 530, offered by Representative Tim Johnson, are assigned to the Rules Committee. The Rules Committee will meet at 4:50 in the Speaker's Conference Room. Rules Committee, 4:50 in the Speaker's Conference Room."

Speaker Hartke: "Mr. Cross, your Caucus Chairman informs me that you've returned."

Cross: "My concern is if we prevail on this Motion you may try to verify us off. So that's why I'd like us to wait just a few seconds till they all get up here. Cause... Representative Morrow, I'm sure, likes verifications, would all of a sudden make a Motion to verify. So if we could make sure people get up here. That's Charles Morrow."

Speaker Hartke: "Mr. Morrow. Mr. Morrow, for what reason do you seek recognition?"

Morrow: "Well, Mr. Speaker, since my name was used in debate. To my learned colleague on the other side of the aisle, I was willing to... for us to go back to work without your presence. We have waited four months for you guys to do some work and now you guys want to do work in the last week. We want to get out of here. We want to get out of here. And it's asinine, it's asinine that you guys want to talk about that you're here to do the work of the people. Well, what have you been doing the last four months? Nothing. Nothing, not a good thing. So we... we... You were suppose to be back at 4:00. You're just now coming back. The Bull's game is about to come on. We've been here to work. We've been here to work and you've been here doing the other kind of bull."

Speaker Hartke: "Mr. Cross, I think most of your Members have

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returned. Mr. Cross to close on the Motion."

Cross: "Well, I take it that no one on your side is seeking a verification in the event we prevail? You know, Mr. Speaker, the previous speaker hit it on the head. We've been here for four months and really haven't done a thing. One of the things we definitely have neglected, definitely have ignored and continue to ignore, are the teachers of the State of Illinois. And when we ignore teachers, we ignore kids. When we ignore kids, we ignore education. It's a spiraling effect. It's frankly very very sad. I know, Mr. Speaker, that you're on your way to Rules, and as long as you're on your way to Rules, I would hope that you could kick out of Rules both Representative Black's and my Motions to discharge from committee our rules that you... our Motions that you sent to Rules. So I would appreciate a 'no' vote on your Motion to override the Chair and I thank you very much."

Speaker Hartke: "For what reason does Representative Black seek recognition?"

Black: "Yes, Mr. Speaker, to speak in favor of Representative Cross' Resolution or Motion, if that's in order?"

Speaker Hartke: "Sorry, he was speaking to close. He was closing on that."

Black: "Oh, he was closing?"

Speaker Hartke: "Yes."

Black: "Oh, so I would have to wait until later. Could you check with the legal advisor. Then in other words, I couldn't do that. Right?"

Speaker Hartke: "You can come up and speak with her if you'd like."

Black: "All right. I'll ask her because I... at some point I want to respond to the fact that I am here, but I didn't

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bring any presents. But it is because you wouldn't let me.
All right? All right."

Speaker Hartke: "The question on the Motion is, 'Shall the Chair be sustained?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 60 Members voting 'yes', 56 Members voting 'no', and the Motion to override the Chair fails. On page 10 of the Calendar appears House Bill 3492, Representative Kubik. Representative Kubik, out of the record. On page 10 of the Calendar appears House Bill 3257, Representative Hassert. Representative Hassert. On page 10 of the Calendar appears House Bill 3254, Representative Saviano. Mr. Clerk, read the Bill. Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. I would move to concur with Senate Amendment #2 to House Bill 3254. Thirty-two fifty-four passed out of the House, the underlying Bill being providing affirmative defense in certain cases regarding liquor violations. In the Senate they brought Amendment #2, which was a exemption from the hundred foot rule for a liquor license for the Pompeii Bakery on Taylor Street in Chicago, Illinois. This Amendment was worked out with the school, which was actually 88 feet from the facility. They have signed off on it. The City of Chicago is neutral on the issue. In fact, they are the ones that said we had to go to the Legislature to have it changed. They show no opposition towards this and I would ask that we concur with Senate Amendment #2 to House Bill 3254."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative, is this a public elementary school that's across the street from this bakery that wants a liquor license?"

Saviano: "Yes."

Black: "Is it part of the Chicago public school system?"

Saviano: "Yes."

Black: "Well, I've got a fax here that says from Thomas Jefferson Elementary School, but down at the bottom it says from the University Village Association and I'm not sure I understand that. Is the fax from the elementary school?"

Saviano: "The University Village... They are probably in the University Village Association. It's a... That's a neighborhood organization, Representative."

Black: "Oh. So, this doesn't..."

Speaker Hartke: "Sorry, Mr. Black."

Black: "Yes, Mr. Speaker, we use to enforce a rule about eating in the well because, you see, that's what happens when they eat snacks. Then they lose their train of thought and they cut the speaker light off. But, whatever."

Speaker Hartke: "I don't recall that rule."

Black: "Yes, I was going to ask the Sponsor another question."

Speaker Hartke: "Proceed."

Black: "Would this establish a precedent whereby a liquor license could be granted in another community within a hundred feet of a school? Cause I've had some really, I've had some really difficult and very bitter and controversial arguments in various cities in my district over this very... this very thing. Would it... would it set any kind of a precedent or is this just for this particular bakery

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in this particular school?"

Saviano: "Yeah. Representative, if I could answer your questions."

Black: "Okay."

Saviano: "Pompeii Bakery has been on Taylor Street for probably 60/70 years. This is a tradition in that community of Taylor Street, University Village. The purpose for the liquor license... I mean, they're not opening up a corner tavern, it's more of a cafe style facility that's open during the day where people go in there and get their bread goods and if they want to have an espresso or a cappuccino and maybe a cordial, they could do this. I've been informed by Representative Jones that it is actually more than a hundred feet from the bakery and it's also surrounded by fencing, which would isolate it from the school premises or from any child wandering over there."

Black: "You know, have they always had a liquor license?"

Saviano: "Yeah."

Black: "Or is this something new for them, the Pompeii Bakery?"

Saviano: "Yes, they did have a liquor license."

Black: "Okay. You know, I notice that the Senate put this Amendment on by a voice vote, so that if anybody questions any of the Senators they say, oh, no, I didn't vote for any liquor license within a hundred feet of a school. Not me. It must have been those other Senators. But we're going to do it on a recorded vote, so I guess each of us better know our districts and how we vote. I think the Senators have kind of pulled one over on us. They get to do it on a voice vote, we have to do it on a recorded vote. What if we were just to nonconcur and send it back and make them vote on it?"

Saviano: "Well, we could concur by a voice vote I suppose."

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Black: "Well, all right. I, yeah, I realize that the Chicago neighborhood and I have no idea where this is, probably much different than neighborhoods in my district, but I can tell you some of the most bitter and controversial fights in small communities are whether or not to allow a liquor license within a hundred feet of a school. I've never liked it in my district and I'm not sure I like it in Chicago either. So, for consistency, I'll probably vote 'no'."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Saviano to close."

Saviano: "Again, just to inform the Body. This facility has been serving beer and wine for a number of years. This just would allow them to serve the cordials. It's... The city had already granted them their license years ago for the beer and wine and we're just accommodating them to serve their cordials. I would ask for your approval on concurring with Senate Amendment #2. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 3254 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3254 there are 69 Members voting 'yes', 41 Members voting 'no' and 5 Members voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar announcement."

Clerk Rossi: "Supplemental Calendars 1 and 2 are being distributed."

Speaker Hartke: "Mike, what's the proper verbiage for... On page 10 of the Calendar appears House Bill 3492, Representative Kubik. For what reason does Representative Cowlshaw

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rise?"

Cowlshaw: "I have an inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Cowlshaw: "On the Bill that we just debated, the board said that we were... You've changed it now, but the board said that we were voting on the adoption of an Amendment, the approval of an Amendment, not that we were voting on the Bill, as amended, and that therefore the Bill was already passed. So I want to go back and try to make sure for the sake of the Sponsor and anybody else with an interest in that Bill, was that recorded roll call for the adoption or approval of an Amendment or was it... because my understanding was and that's what the board said all along, we were voting on concurring in a Senate Amendment, but presumably there would normally then have to be a vote on the Bill, as amended? No."

Speaker Hartke: "I think you stand incorrect."

Cowlshaw: "Then what was... Was your Motion correct? Because your Motion was to approve the Bill."

Speaker Hartke: "That's correct and we're on Concurrence Motions."

Cowlshaw: "So the Mo..."

Speaker Hartke: "When we concurred in the Senate Amendment #2, that Bill went directly to the Governor. We agreed with the Senate's Amendment. We have passed..."

Cowlshaw: "Okay. All right. But I thought the Motion was suppose to be to concur in the Senate Amendment, not to pass the Bill, and you said the Motion was to pass the Bill."

Speaker Hartke: "In concurring in the Motion we passed the Bill."

Cowlshaw: "Thank you."

Speaker Hartke: "Representative Kubik."

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Kubik: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 3492. Senate Amendment #1 simply replaces... it's basically technical language. Cleanup language of the underlying Bill. It's very technical language. The underlying Bill would require that the... where the court determines that a person who is being involuntarily committed to an institution does not have the funds to buy a transcript in the case of appealing that decision, that the Administrative Office of the Courts would have to pay for the transcripts. That's what the Bill does. The Amendment is a technical Amendment and I would concur with Senate Amendment #1 and be happy to respond to any questions."

Speaker Hartke: "Discussion on House Bill 3492, Senate Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall we concur in Senate Amendment #1 to House Bill 3492?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3492, concurring in Senate Amendment #1, there are 117 Members voting 'yes', 0 voting 'no'; and this Bill, having received a Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk Rossi: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following items were referred, action taken on May 19, 1998, reported the same back with the following recommendations: To the Order of Concurrence, approved for consideration, Senate Amendment #2 to House Bill 1422; Senate Amendments 1, 2 and 3 to House Bill 1612; Senate

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Amendment #1 to House Bill 2306; Senate Amendment #1 to House Bill 2446; Senate Amendment #1 to House Bill 2466; Senate Amendment #1 to House Bill 3279; and Senate Amendment #1 to House Joint Resolution 51."

Speaker Hartke: "The Chair recognizes Representative Hannig. Representative Hannig moves to suspend the posting requirements in relation to Senate Bill 1704 and 1706 and that they be assigned to the Executive Committee. All those in favor signify by saying... Representative Black, for what reason do you rise?"

Black: "Inquiry of the Chair. Does this take unanimous consent to waive the posting requirement?"

Speaker Hartke: "No, 60 votes."

Black: "It takes 60 votes? Well, pursuant to the... pursuant to my rights as a Member of this House, I stand in objection to both of these Motions. I assume these are going to be vehicle Bills for the budget. And, you know, I've been here a few years and here I sit. I don't know what's going to be in the budget. I don't have a clue. Maybe the 'four tops' will come in and tell me and I'll withdraw my Motion. But I'm within my rights to ask for a Roll Call Motion and it takes 71 votes, as I understand the House rules, to suspend the posting requirements. You know, somebody said they want to go home, well so do I. But I want to know what's in the budget. I want to know what's in the budget. I want a roll call. It takes 71 votes. I'll stay here until the 4th of July."

Speaker Hartke: "The rule is 60 votes. The question is, 'Shall the Motion to suspend the posting requirements on Senate Bill 1704 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk,

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take the record. On this Motion there are 60 Members voting 'yes', 56 Members voting 'no'. Mr. Black."

Black: "Mr. Speaker, in all due respect to the Chair. Unless you've changed the rules in the last five minutes, a Motion to suspend the posting requirement, I believe it's Rule 21(d), clearly takes 70 votes. You had to go twist an arm to get 60 votes. Now explain to me how you can do this. I want to know how these 60 'green' votes are going to vote to suspend the posting requirements on two vehicle Bills, then come back in 24 hours and vote on a budget, when we don't have any idea what's in the budget. Once again, Ladies and Gentlemen of the House, let's let three or four people just tell us what we're going to do. We don't need to be here. We can all go home. We can all go home and let the four of them do it. We don't need to be here. Now you explain to me how this takes 60 votes."

Speaker Hartke: "Representative Black, your inquiry of the Parliamentarian, he will respond."

Parliamentarian: "Representative Black, on behalf of Speaker Madigan, pursuant to Rule 25(a), a Motion to suspend the posting requirements shall be carried on the daily Calendar and adopted by the affirmative vote of 60 Members elected. That's Rule 25(a)."

Black: "Well, Mr. Parliamentarian, in all due respect, it is not on the daily Calendar. The Supplemental is not the daily Calendar. Then you're inconsistent with your previous rule of 21(a). Now, come on. I mean, I don't mind a little creative financing, but you know what? I'm just... I've been here long enough to know that for once before I leave here, I want to see the budget before somebody comes and asks me to vote for it. Is that too much to ask?"

Speaker Hartke: "Pursuant to Rule 25, it requires 60 votes."

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Black: "You're going to stand on 60 votes. You clearly know that's not right and I suppose you're going to stand on precedent and deny me a right to verify because I want people to get up and say, I voted for two shell Bills. I don't care what the budget is. Whatever you tell me it is, I'll vote for it."

Speaker Hartke: "Your request is not timely. We've already taken..."

Black: "Yeah, I figured as much."

Speaker Hartke: "Sixty Members voting 'yes', 56 Members voting 'no' and 1 Member voting 'present' and this Motion passes. The Chair recognizes Representative Hannig. The Motion is, pursuant to Rule 25, I move to suspend the posting requirements in relation to Senate Bill 1706, and be assigned to the Executive Committee. Is there any discussion? Representative Cross."

Cross: "Mr. Speaker, inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Cross: "Same inquiry as Representative Black's. Our... I guess and I find this... I'm sure you're going to find this hard to believe, we read these rules a little differently than you. If you look at House Rule 21, 21(a)...(a)1 down to (d), it talks about a six day notice posting, and as I understand it, you are attempting to waive that, which is fine. But, 21(ad)...21(d), this Rule may be suspended only by the affirmative vote of 71 Members elected. How do you go from 71 to 60?"

Speaker Hartke: "Because of Rule 25(a). It specifically addresses the vote requirement for this Motion."

Cross: "If you talk about... your very specific at 21, it says if you waive posting it's 71."

Speaker Hartke: "The Ruling of the Chair is citing House Rule 25."

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Would you care to challenge the Chair?"

Cross: "Well, I have to, Mr. Speaker. This is a... this is embarrassing, and I need a roll call vote to overrule the Chair. Please, and I understand that's debatable."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?'"

Cross: "Wait, I'd like that debated, Mr. Speaker."

Speaker Hartke: "Mr..."

Cross: "And an opportunity to close."

Speaker Hartke: "The question is, 'Shall the Chair be sustained?'
The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Are we on Senate Bill 1706?"

Speaker Hartke: "No, we are on a Motion to sustain the Chair."

Skinner: "I understand, but with regard to which Bill?"

Speaker Hartke: "Senate Bill 1706."

Skinner: "Alright, well then my remarks are somewhat relevant. For those of you who are on the 'Health Care and Whining Committee', we ought to be having this Bill come to our Committee. Now part of what is wrong with the 1990's in the Illinois General Assembly is the consolidation of power, the over-consolidation of power. The Executive Committee got the first Bill, the Budget Reconciliation Bill. Why should the Executive Committee get both the Bills? Why shouldn't a broader representation of the Membership have some say in this process? The only way you're going to get that say, unfortunately, is to move... is to vote to overrule the Chair. Otherwise, both of these Bills will go to the Executive Committee, and those who... well, maybe the people on the Executive Committee have some special knowledge about health care, but they sure haven't had to sit through the hearings in Representative Flower's

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Committee for the past year and a half, so maybe they don't have as much information in their heads, and judgement as Representative Flowers and her colleagues have. No, I'm talking about overruling the Chair that it takes 71 votes. We're talking about 1706, right? Which has to do with health care. What? Yes, it's a Hannig Bill, but that doesn't mean it has to go to the Executive Committee. I'm suggesting that we spread this out a little bit, let's send it to Mary's Committee. Mary wants no involvement in the process, she says. Oh well, thank you, Mr. Speaker."

Speaker Hartke: "Speaking to the Motion to override the Chair, the Chair recognizes Representative Myers."

Myers: "Thank you, Mr. Speaker. Mr. Speaker, House Rule 25, suspension of posting requirements states, 'A Motion to suspend the posting requirements to Rule 21 must be in writing, specifying the committee and the Bills or Resolutions to which the Motion applies. Be carried on the Calendar before it may be taken up by the House, and adopted by an affirmative vote of 60 Members elected'. It further states that the Calendar requirements of this rule may be suspended only by unanimous consent. There is not unanimous consent to... to suspend this, and therefore, I believe that the Chair is ruling inaccurately."

Speaker Hartke: "Mr. Myers, it appears on Supplemental Calendar #2, which is distributed. The Chair recognizes Representative Black. For what reason do you seek recognition?"

Black: "What order of business are we on now, Mr. Speaker?"

Speaker Hartke: "Well, we have listened to two proponents speak in support of overriding the decision of the Chair. And I'm asking you, what point... why you seek recognition? And I've given you that answer."

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Black: "I would yield to Representative Stephens."

Speaker Hartke: "Representative Cross to close."

Myers: "Mr. Speaker, you cut me off. You responded to my question and cut off the switch. I have a right for five minutes on that debate, and I... well, you sit down."

Speaker Hartke: "I'm sorry, Representative Myers, I felt you were finished with your discussion. Representative Myers. Representative Myers, I apologize. I cut you off. You may continue if you were not finished questioning the... or giving your response..."

Myers: "I'm sorry, I could not..."

Speaker Hartke: "...to have the opposition to this Motion."

Myers: "I can't hear you, Representative... or Speaker."

Speaker Hartke: "Continue with your discussion to override the Chair."

Myers: "Thank you. Well in that case, if in fact it has been on the Calendar, then the Calendar requirements may be suspended by unanimous consent. Then we need an affirmative action of 71 then. Because, that... when it takes place on point #2 that... or b. House Rule 25(b) states that it needs 71 votes."

Speaker Hartke: "We're not sure we understand your question because we have a rule that it declares... or requires 60 votes, it has appeared on the Calendar. Mr. Myers, have you concluded your discussion?"

Myers: "That's fine, thank you."

Speaker Hartke: "Representative Cross to close."

Cross: "I don't think this closing needs anything said, Mr. Speaker. I think we all know what's going on. Appreciate the appropriate vote."

Speaker Hartke: "The question is, shall the Chair be sustained? All those in favor signify by voting 'aye'; those opposed

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by voting 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 59 Members voting 'yes', 57 Members voting 'no', and the Motion to override the Chair fails. We are now on the Motion to... Order of Suspension of the posting requirements on Senate Bill 1706. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, it's obvious that the Chair intends to do whatever is necessary to suspend the posting requirements, to send a shell Bill to a pre-picked Committee, so that two or three people can get together and decide what's going to be in the budget. And then the majority of us go home, and we find out two or three weeks later that the road we thought was in there went to Wisconsin, the bridge we were going to fix in a downstate county, is somewhere in Iowa. The cable tv late fee, that got blocked in the Senate. Is this the way you want to run the chamber? I mean, this is ridiculous. You wrote the rules, it clearly says to suspend the posting requirements takes 71 votes. Now I cannot for the life of me, understand... you know, if the 60 of you over there want to vote for whatever budget they hand you, that's fine with me. I wish you the best, I hope it all works out for you. But, I'm not going to do it anymore and I don't think the 97,000 people who sent me down here, want me to acquiesce to what three or four people down on the second floor tell me what's going to be in the budget. But by God, that's what you're doing. You're going to send a shell Bill, send a shell Bill to a committee and they are going to tell you what's in the budget, and they're going to bring it back here, and they are going to expect you to vote for it. And some of you

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are going to look me in the eye and tell me you had enough time to read it. Oh, I know what's in there, I know what's in there. I know the tax relief. I know what the tax increases are, I know where all the money goes. Well, you can't. You can't look me in the eye and tell me that because you won't know. Oh, staff will tell you, yeah, there's a... we're going to fill a pothole here, and we're going to put a liquor license there, and we're going to paint Wrigley Field blue. You know, there will be a few things that are wonderful, wonderful. The bottom line is, we are abrogating our responsibility as elected Legislators, and we're handing it over to three or four people who don't even meet in this chamber. Strip the Calendar, ignore the rules, fire a 480 page Amendment onto a Bill sometime tonight or tomorrow, bring it to the floor tomorrow, vote on it, and then you'll all talk to the press and say oh, I... I was involved, I was involved, I represented my district. I knew what was in the budget. Oh yes, I fought hard for this, I fought hard for that, and the truth is and the press is going to catch onto all of us, none of us know what's in the budget. Unless you've been one of the budgeteers, and unless you're a speed reader, you aren't going to know what's in it. So take your 60 votes, run it any way you want to, suspend the posting requirements, but I've got a better idea for you, Mr. Speaker. And I agree with a couple colleagues on my side of the aisle, we can go home, you don't need us. All you need is a par... all you need is a Parliamentarian. All you need are the four Leaders, and the Governor, send the rest of us home. We have no business here. Well, you advocate your responsibility, but by God, I won't advocate mine."

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Speaker Hartke: "The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, J: "Thank you, Mr. Speaker. I ask for a roll call vote and verification should the Motion receive the requisite number of votes."

Speaker Hartke: "Your request is... will be honored. Representative Morrow, for what reason do you rise?"

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think I want to respond to some comments made by... probably on the other side of the aisle, one of the best friends that I have here, but what they forget, in my 12 years of being a Member of this General Assembly, we did vote for the budget, agency by agency. And it wasn't until that the other side of the aisle became the Majority Party, that we voted on a one Bill budget. We always voted on budgets, agency by agencies, until 1995. When at that time, the Speaker who is now the Republican Leader, decided that we no longer needed to vote on the budget, agency by agency. That a one Bill budget was adequate, and then the second year of him being the Speaker, he felt that he didn't even have to print the budget, that we can look at the budget through our laptops. So yes, I agree with my colleague on the other side of the aisle, that having a one Bill budget is wrong. But it was not started by this side of the aisle, it was started by that side of the aisle. You started it. You started it. So, memories are short, memories are short. I've asked for the current Speaker to go back to that process, but the Gentleman on the... that's the President of the Senate, won't consider an agency by agency budget if we send it to him. He won't consider it. So remember, we've got selective amnesia in this chamber."

Speaker Hartke: "The Chair recognizes Representative Mulligan for

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a second person to speak toward the Motion."

Mulligan: "Mr. Speaker, I was elected in 1992 and started serving in 1993. We were not in the Majority, we were in the Minority, and I have never since I have been here, voted upon the budget Bill by... you know but... and I have been in Appropriations all that time. We have never done it agency by agency since I was elected. And when I was first elected, I was in the Minority. So, I do not think that this aisle ever started that... this side of the aisle ever started that process. Many of us, going back to Representative Lindner's, has had a Bill that Representative Parcell's encouraged her to present that would allow us to go back to doing it that way. Many of the people on our side would like to... many of the Appropriations spokesman, when I was spokesman when I was Chair, now that I'm spokesman again, I certainly think that that would be an excellent way to go back to doing the budget. As many of our Members unfortunately, received the budget at such a late moment that they have no idea to be able to look through there and find out what it is. But, I tend to disagree with the last Representative, I think if he would go back and look on it, since I have been elected, it has never been my ability to present agency by agency for the Human Service Agencies."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition the question is, 'Shall Senate Bill 170... the Motion on 1706 to suspend the posting notification prevail?' All those in favor signify by voting 'yes'; all those opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this mission... on this Motion there are 60 Members voting

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'yes', 57 Members voting 'no', and Representative Turner has requested a verification. Do you persist in your verification request?"

Turner, J: "Yeah, I need just a minute Mr. Speaker."

Speaker Hartke: "Mr. Clerk, read the Affirmative. Wait. Mr. Turner, do you persist in your request for a verification?"

Turner, J: "No."

Speaker Hartke: "Sixty Members voting 'yes', 57 Members voting 'no', and 0 voting 'present', and the Motion prevails. On page 10 of the Calendar appears House Bill 3257. Representative Hassert. Representative Hassert."

Hassert: "Thank you Mr. Speaker, Members of the General Assembly. I move to concur with Senate Amendments #1 and Amendments #2. I'd be happy to answer any questions."

Speaker Hartke: "The Gentleman has presented his Bill, is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3257?' All those in favor signify by voting 'yes'; those opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3257, there are 116 Members voting 'yes', 0 voting 'no', and this Bill having received a Constitutional Majority, is hereby declared passed. On page 11 of the Calendar, appears House Bill 3811, Representative Currie. Representative Currie. Out of the record. On page 9 of the Calendar appears House Bill 3030, Representative Durkin. Mr. Durkin, present your Bill. Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. I'm seeking that we concur with House... Senate Amendments 1 and 2 to House Bill 3030, which is an initiative of the Associated Beer Distr... out

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of the House was we're trying to address this situation in which bogus nonprofit organizations were retaining special event licenses which in turn the distributors had to sell the product to the special event licensers without a sales tax. An audit was conducted in which these individuals were found not be nonprofit organizations, therefore the distributor was stuck paying the sales tax. So what we are doing is that we are stepping up the verification process in Senate Amendment #1 by requiring that the liquor commission request that the special event licensee disclose the ROT number, or require the Illinois Liquor Commission to request a special event retail license applicant must disclose his current valid exemption ID number. Or in the event that the applicant does not have an ROT number a valid tax exemption number, the applicant must inform the commission. Also, in the event that the applicant does not have either number the distributor would be required to collect the applicable sales tax, this Amendment also allows political organizations to reap special event retailers license. This is the agreed language between the Illinois... Associated Beer Distributors, the Illinois Liquor Commission, and believe it or not, the Department of Revenue does support this. Senate Amendment #2 addresses a situation which back in 1979, which clarifies the original intent of the Liquor Control Act, by stating that all sub-distributors must sell product only to master distributors territory. Like I said before, this language is all agreed upon, I'm willing to answer any questions as to either Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

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yield?"

Speaker Hartke: "Indicates he will."

Black: "Yeah, Representative on this voice vote, that the Senate got to amend, if you'll look at the language in Senate Amendment #1, I don't understand this at all. And I 'm not sure any special event licensees in my district are going to understand it. Early on, it says you have to furnish evidence that you are registered under Section 2(a) of the ROT, and then later on it says they have to furnish evidence that you don't... that you do not have any resale number under Section 2(a). I mean, you know most of us in my district, we're just simple rural folk. If you're asking me in the first part of the Amendment to furnish your proof under Section 2(a) that I have a resale number, and then later you ask me to furnish proof that I don't have a resale number, how am I going to comply with that?"

Durkin: "I'm looking at the Amendment, I don't see that language. Could you refer to what page of the Amendment are you..."

Black: "Well, I'll tell you what, look on your electronic marvel under Senate Amendment #1(a) and (c). You won't have to look up line numbers and all that stuff and..."

Durkin: "Well Representative, what we are doing is that we're... as you can see we're going in sequential order on this Amendment. We're saying that if you have an ROT number provided, if you don't, also make sure... you know sign an affidavit estab... and tell the commission you don't have an ROT number, and that you're acting good faith and you're doing this as non-for-profit organization. I don't see any ambiguity in the language."

Black: "How much paperwork or extra paperwork are we requiring on this as amended in the Senate?"

Durkin: "Minimal. This is minimal, the only paper work that's

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going to be... be conducted is going to be for the Illinois Liquor Commission, in which they are agreeing to this language. They agreed that before the process was that a person could go into the Liquor Commission, and to obtain the special event license all they needed to do was just check off a box and they automatically receive a license. This is just requiring them just to verify that there is a valid... through the Department of Revenue that they have an ROT number establishing that they are a nonprofit organization. So this is a... it's negligible paperwork."

Black: "Is the Liquor Commission in favor of Senate Amendment #1 and Senate Amendment #2?"

Durkin: "Yes. The Liquor Commission is in favor of both Amendments."

Black: "I still don't understand how in one Section my social service agency is going to show proof of being covered under 2(a) and then in another Section I have to show proof that I'm not covered under Section 2(a)."

Durkin: "I'm sorry Representative, I... unfortunately, I don't read it that way and I maybe it's the way I'm reading it."

Black: "Alright. Well, thank you very much Representative. You've done a fine job. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "Once again, the Senate sends us over an Amendment on a voice vote, and then they had to amend... had to have Senate Amendment #1 to clarify what they meant, and Senate Amendment number... no, they had to clarify in Senate Amendment #2 what they meant in Senate Amendment #1. And somebody said a while ago, that there seemed to be a problem in the Senate about budget Bills. Well, you know what, I don't think I'm going to vote for very many Senate Amendments, and if you read this very carefully, this is a

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typical Senate Amendment. In that in one Section of the Bill, you're asking them to show proof that you're covered under 2(a), and in another Section, you got to show proof that you're not covered under 2(a). Well, I hope all the social clubs that are going to have a special event this summer, they're gonna love this Bill. They're gonna love this Bill. It's unenforceable, it's written poorly, it's another voice vote that the Senate sent over. Vote 'no' and send it back to the Senate."

Speaker Hartke: "Further discussion, seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3030?' All those in favor signify by voting 'yes'; all those opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3030, Senate Amendments #1 and 2, on Concurrence Motion there are 109 Members voting 'yes', 6 Members voting 'no', and 2 Members voting 'present' and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 705. Representative Krause. Representative Krause."

Krause: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1, to House Bill 705. This creates the Low Income Childrens Health Insurance Program. It arises out of the legislation that was passed by Congress in 1997, which created for the opportunity for each state to set up a Health Insurance Program for children of working families, that do not qualify under Medicaid. The Governor set up a task force here in this state in the later... latter part of 1997, which consisted of Legislators, health care providers, children advocates, and those interested in the general public, who are interested in crafting

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legislation for health care for children. On this task force from the Illinois House served, Representative Bill Brady, Representative Kay Wojcik, Representative Barbara Flynn Currie, Representative Mary Flowers, and Representative Carol Ronen. Very briefly, the legislation which is before us, provides for a program that would cover children and families between a 133 and 185 of the federal poverty level as well as would implement a program, an equity program, which would also be available to children and family incomes up to 185 when the family does have access to an existing employer sponsored insurance. The program that is the Medicaid look alike is called under this Kid Care. It will use the same provider networks and reimbursement rates of the Medicaid system. It does provide within the Bill provisions for co-payments as well as... The equity program will provide a subsidy of an equal value to the cost for the uninsured children, as well as for the Kid Care, and will be credited to the family. The Bill does provide that the program is repealed as of June 30th in year 2001. I would plea... be pleased to answer any questions from the Members and ask for your support."

Speaker Hartke: "Discussion on the Bill? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, after learning the details of this Bill, I'm willing to conceive that it may be the least worst implementation of what the Republican Congress and President Clinton have given us."

Krause: "You shouldn't be."

Skinner: "But I stand in opposition. With regard to need, the need is going to be less than is projected and if you need evidence of that take a look at the New York Times, on May

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18th. A subdivision of the U.S. Public Health Service, entitled the Federal Agency for Health Care Policy and Research, has found that there are currently 4.7 million children who are uninsured but eligible for Medicaid. So, there's less need than the proponents think there is. There is also less ability of the Public Aid Department to perform the role of finding these people than the proponents think. The Department of Public Aid is basically incompetent. Thirty-nine percent of those currently eligible, those children currently eligible for Medicaid, right now, aren't on the rolls. Now, whose fault is that? I think it's the Public Health Department's fault, excuse me, the Public Aid Department's fault. Well, this is going to be about a \$70 million program and we can virtually guarantee that 10% of it, or \$7 million will result in fraud. Why do I think that? Because 10% of the current Public Aid Department Budget is fraudulent. That... that is it goes to the wrong providers, for the wrong people. There are all sorts of problems with Public Aid right now, why we would give Public Aid, the Public Aid Department more to do is beyond my comprehension. Perhaps the most fatal flaw to this Bill, however, is one that goes to economic logic, basic economic logic. Right now, unemployment is low in the State of Illinois and in the United States. Companies are having a difficult time finding enough employees to do the work that they want. They have a difficult time keeping employees. At this point in the business cycle, employers, especially small employers, start adding benefits, such as dependent health coverage. They do that to attract competent employees, and to keep competent employees. This Bill, however, provides a disincentive for any small business, for any business

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period that is hiring anyone that is beneath 185% of the poverty level, to ever provide health insurance for dependents again. Well, there's another problem with this Bill. It's going to put for the first time 7.3% of Illinois families on the government dole each month. One hundred and four thousand Illinois families will start receiving checks of 70 to \$80 per child. These are the families that currently have private health insurance. Well, from one point of view you can look it and say, 'Well, they're getting a raise,' but from another point of view, what we're doing is teaching them to depend on government and, if that doesn't run counter to the goal of Welfare Reform, I can't imagine what does. This certainly does not sound like a good Republican plan to me. Well, there is a little subset of that. Do you know that 7,128 state employees will be eligible for the 70 to \$80 per month subsidy for each child? Well, that's interesting, isn't it? Nobody's mentioned that before. You know, up until three months ago, my secretary, who is so poorly paid that she doesn't earn a 185% of the poverty level, would have been eligible herself. She would have receive... been receiving an extra 140 to \$160 a month. There's one final part of this Bill, which is objectionable to those who are Pro-life. That is we're going to be starting to subsidize abortions in the private sector. The reason for that is that many Private Health Insurance Plans now pay for abortions. The passage of this Bill is going to mean that our state tax dollars are going be used to subsidize abortions which are currently, privately financed. For these reasons I ask a 'no' vote and I'm sure I'll be joined by at least two or three other people."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Lady from Cook, Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. Would the Sponsor yield for legislative intent?"

Speaker Hartke: "She indicates she will."

Wojcik: "Thank you. Representative Krause, will the Kid Care Program created by this legislation provide abortion coverage?"

Krause: "Representative, no it will not. If a female enrolled in the Kid Care Program becomes pregnant, she is automatically enrolled in the Medicaid Program. The Federal Law requires that anyone eligible for Medicaid cannot be eligible for the Kid Care Program. In December, Governor Edgar expanded Medicaid coverage to pregnant women and their newborn children, with family incomes below 200% of the federal poverty level. Kid Care only covers children up to a 185% of the federal poverty level. Kid Care covers children under the age of 19 who are not pregnant, or children whose mothers were not enrolled in Medicaid at the time of birth."

Wojcik: "Thank you."

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

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

Speaker Hartke: "She indicates she will."

Parke: "Representative Krause, was there a ruling recently by a Cook County Judge that allows abortion of people on Medicaid?"

Krause: "The ruling, I think, that you're referencing to, is the Circuit Court of Cook County, which in 1995 made a ruling that not only must Medicaid pay for the... to save the life of the mother, rape and incest, but must also... whether the health of the mother is involved."

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Parke: "Are you... are you... I didn't hear the last sentence. Could you say that again?"

Krause: "That ruling covers, also, where the health of the mother is threatened."

Parke: "And... and there lies the problem on the Bill, it's the... What is your definition of the health of the mother? Can it be for, just for the health, or could it be psychological in terms of defining the health of the mother?"

Krause: "Representative, let me again go back to the point that this legislation, which creates the Kid Care Health Program for the children of Illinois, has nothing to do with abortion. What you have referenced and what that case references, is strictly Medicaid. Under this type of situation where there might be a pregnant woman, that health coverage is under the Medicaid Program. It is not under this legislation at all."

Parke: "What is... there are a number of organizations that are in that role is to protect the life of unborn children, and they have indicated their opposition to this Bill. Do you feel that they misunderstand this legislation? Or that the facts that they have are inaccurate? Why, are these groups strongly in opposition to this Bill? Can you help me understand where they're coming from?"

Krause: "I think, Representative, that it must be that when they looked at the Bill originally that they thought that it involved something as far as it might relate to abortion. In fact, this legislation does not, in any degree, anything that relates to the possibility of abortion falls under Medicaid, which is separate from this legislation."

Parke: "It's been brought to our attention that you're talking about 185% of the federal poverty level, is the note I have

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here said that that would mean that a family of four making \$36,000 a year will be eligible for this. Is that your understanding or is that incorrect information, also?"

Krause: "Okay. Staff had given me just a few days ago, the new 1998 Annual Federal Poverty Level. For a family of four at a 185%, that maximum is 30,433."

Parke: "So, anybody who's making less than \$30,000 a year would be eligible for this if they had no insurance on their children?"

Krause: "It covers children, is what the legislation does. If children are in families that are of this amount."

Parke: "What about the argument... what about the argument of small businesses, or businesses as a whole, who are insuring families and decide that the... that the children's portion could be dropped because they're paying less than 30,000? Is there any safeguards built into this legislation?"

Krause: "I think that's a legitimate question and I do give credit to the Senate Members of the task force who worked, I think, very hard and conscientiously to address the issue you've raised, which was an issue of concern and I know that other states had not tackled it. This legislation does address it to the credit of the Senate and puts in the provisions that are called the equity provisions. So that if an employer does... does cover dependent children and the coverage includes, not only hospitalization but physician coverage, this legislation will give an equal credit to the... for the coverage for those children, the same that is given to the uninsured. With the goal, Representative, that, in fact, that the private sector will retain those children and as the income of the family moves up and they're off... that they are above the federal

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poverty level that this legislation has kept... helped assist them beyond private health insurance."

Parke: "Thank you."

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

Acevedo: "Mr. Speaker. The last Bill we voted on, House Bill 3030, my button was pressed 'no'. I'd like to be recorded as a 'yes'."

Speaker Hartke: "The record will so reflect. Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "She indicates she will yield."

Mulligan: "Representative Krause, there are a few questions I wanted to ask you about this Bill. Someone has pointed out, is there a two dollar co-pay, and is that above the amount paid by Medicaid?"

Krause: "There's a two dollar co-pay and I didn't hear the last part of your question."

Mulligan: "Is that above the amount paid under Medicaid?"

Krause: "It's the same, yeah. For children below 150 it's the same."

Mulligan: "Also, are state employees covered by this program?"

Krause: "No, they are not, and I appreciate that being raised just to put that in the record, they are not."

Mulligan: "Could you tell me what the Catholic Conference position is on this Bill?"

Krause: "My understanding is they're neutral."

Mulligan: "You started working on this program, as many of us did, before January of 1998, correct?"

Krause: "That is correct. It went back to the be... the fall of 1997."

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Mulligan: "And you, and Representative Brady, from our side of the aisle, were appointed to a task force. Can you tell us a little bit about the task force?"

Krause: "Tell about the last task force? Yes. We were the Representatives on this side of the aisle and on that... and on the other side of the aisle the Representatives from the Democratic Caucus were Representatives Flower, Ronen and Currie. The task force with the Legislators, also from the Senate, as well as many other interest parties for children, held many public hearings in the Chicago area, in the Springfield area, to get as much input as we possibly could in developing this program for Children's Health Insurance. There were numerous meetings."

Mulligan: "In other words, you had months of public testimony and some of the current questions, that have just come up, have just surfaced within the last week, even though this has been in the works for practically six months?"

Krause: "They just came about, as you said, in the last week, although the task force has been holding public hearings for well over six months."

Mulligan: "Could you tell me what the Medicaid matches for the money that Illinois is putting into this program?"

Krause: "The Medicaid matching for the... is 65%."

Mulligan: "So, in other words children... we're going to put up 35% of the money and for once Illinois is going to get some bucks back for our federal tax dollars that we pay to help cover uninsured children here in Illinois?"

Krause: "That says it well for the Kid Care part for the parties you know that... for the private insurance, there are not federal matching funds although a waiver will be sought."

Mulligan: "One final question. Can you tell me how the Senate voted on this Bill?"

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Krause: "The Senate voted 58 to 0 on this Bill."

Mulligan: "Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Mulligan: "I certainly commend the Members in this Body on the task force, Representatives Krause, Brady, Currie and Ronen, for all the hard work they've done on this program to try very hard to cover the uninsured children here in Illinois. The Federal Government put forth money, which we did not expect, because last year the same Representatives were working on a Bill that we would of tried to cover out of state funds, uninsured children here in Illinois. We got this lucky windfall by the Federal Government coming up with money. So now, the money that we were planning on spending and trying to work so hard, as Representative Krause and Currie had been working on a Bill previous to this, we're going to get a matching subsidy of 65% for the dollars that Illinois puts in to cover uninsured children. I think this is an excellent Bill. I commend the members of the task force, all the people that have worked on this for so long, taking testimony over the last number of months to try and put together an excellent Bill. I urge an 'aye' vote."

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

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to clarify some misconceptions that have been put forward in the last week or so. As indicated before, this legislation has been in the works since the first part of this year. A task force for which I had the privilege of serving on has dealt with this in a bipartisan format to try to take a federal program and help bring health coverage to the children of Illinois who fall within

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certain economic qualifications. Secondly, I'd like to express that I firmly believe in no way, shape, or form does this expand abortion coverage in the State of Illinois through state resources, nor contraceptive coverages. I think we've come to terms in those conclusions. I'd like to add that the Members of the task force worked diligently and hard to try to come up with a solution that is better than any other state in the nation. We have worked by learning from other states in the nation and I believe that this is the best legislation we can put forward in a bipartisan effort for you to vote on today. I also believe that this is a piece to the puzzle, which will help expand our work force initiative which takes people off of welfare... welfare and sentizies them to the workplace. I think a good vote is a favorable vote and I ask you to support this legislation."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Krause to close."

Krause: "Speaker, I ask for the support of the House to concur in Senate Amendment #1."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 705?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 705, there are 110 Members voting 'yes', 7 Members voting 'no', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, for a committee announcement."

Clerk Bolin: "Two committee schedules have been passed out to the Members. One schedule is for committees that are meeting

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this evening. Those committees are Energy and Environment in Room 114, Executive in Room 118, Human Services in D-1, and Judiciary I-Civil Law in C-1. The other schedule is for committees that are meeting tomorrow morning. Those committees are Insurance in Room 114, Judiciary II-Criminal Law in D-1, Revenue in C-1, State Government Administration in 118, Children and Youth in D-1, Consumer Protection in C-1, Labor and Commerce in 114, and Veterans Affairs in 122B."

Speaker Hartke: "The Chair now recognizes Representative Cross for a Motion."

Cross: "Well, I can only hope this Motion doesn't get sent to Rules, Mr. Speaker. I move we adjourn until tomorrow at 10 a.m."

Speaker Hartke: "I move that we adjourn until the hour of 10 a.m., allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'... yes, Mr. Cross. Mr. Cross."

Cross: "Out of respect for Representative Morrow, I'd like a roll call vote and a verification."

Speaker Hartke: "You persisting this? All those in favor signify by saying 'aye'; opposed 'no', in the opinion of the Chair, the 'ayes' have it and the House stands adjourned until the hour of 10 a.m. tomorrow."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Dan Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on May 19, 1998, and reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 2704, and Senate Bill 2706 be approved for consideration. Senate Amendments 2 and 4 to House Bill 3028 and Senate Amendments 1, 2, and 3

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to House Bill 3249. Introduction to Resolutions: Senate Joint Resolution 58, offered by Representative Brady; Senate Joint Resolution 63, offered by Representative Noland; Senate Joint Resolution 61, offered by Representative Cowlshaw; Senate Joint Resolution 72, offered by Speaker Madigan. Correction on the Executive Committee Report. 'Do pass Short Debate' Senate Bill 1704 and Senate Bill 1706. There being no further business, the House stands adjourned until 10 a.m. tomorrow."