

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

79th Legislative Day

November 13, 1997

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Arthur Crawford, who is the assistant pastor with the Victory Temple Church of God in Christ, in Springfield, Illinois. The guests in the gallery may wish to rise and join us for the invocation."

Pastor Crawford: "In the spirit of unity, may we all elevate our hearts and pray. Most gracious, Lord God, abide with us. Inspire all of our thoughts. Pervade our imaginations. Suggest all our decisions. Order all of our doings. Be with us in our silence and in our speech, in our haste and in our leisure, in company, and in the weariness of the evening, and give us the grace at all times to be humble, and to rejoice in Your mysterious companionship. Amen."

Speaker Madigan: "We should be led in the Pledge of Allegiance by Representative Hartke."

Hartke - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Let the record show there are no excused absences among House Democrats today."

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

Cross: "My speaker's not working. Oh, sorry. We're all here. Thank you very much."

Speaker Madigan: "We'll take the record. There being 118 Members responding to, the Roll Call, there is a Quorum present, Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Lopez, Chairman from the Committee on Consumer Protection, to which the

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following Amendment was referred, Action taken on November 13, 1997, reported the same back with the following recommendation: 'be approved for consideration' Floor Amendment 1, to House Bill 704. Representative Pugh, Chairman from the Committee on Human Services, to which the following Resolution was referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'be adopted' House Resolution 121. Representative Mautino, Chairman from the Committee on Insurance, to which the following Conference Committee Report was referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'be adopted' Conference Committee Report #1, to House Bill 1400. Representative Ronen, chairman from the Committee on Children and Youth, to which the following Resolution was referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'be adopted' House Resolution 269. Representative Giles, Chairman from the Committee on State Government Administration and Election Reform, to which the following Resolution was referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'be adopted' House Resolution 248. Representative Novak, chairman from the Committee on Energy and Environment, to which the following Resolution was referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'be adopted' House Joint Resolution 36. Representative Barbara Flynn Currie, chairperson from the Committee on Rules, to which the following Legislative Measures were referred, action taken on November 13, 1997, reported the same back with the following recommendation: 'to the floor for consideration' House Resolution 261,

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Rules recommends 'be adopted', and Senate Bill 436 is referred to the Order of Second Reading, standard debate."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. On a point of order, if I might."

Speaker Madigan: "State your point."

Black: "Yes. Pursuant to House Rule 49, I am joined by five of my colleagues on this side of the aisle to request a record vote on any Motion or Resolution to adjourn, and should that Motion receive a requisite number for passage, I would, also, request a verification."

Speaker Madigan: "Your request is acknowledged. Mr. Noland."

Noland: "Speaker, I rise on a point of order."

Speaker Madigan: "State your point."

Noland: "Speaker, would you please clarify for the chamber that we do, in effect, have guidelines and instructions for how the House Prayer should be offered?"

Speaker Madigan: "Could you restate your question?"

Noland: "Would you please clarify for me and confirm that we do have guidelines for the appropriate way to offer prayer in the Illinois House?"

Speaker Madigan: "Mr. Noland, I think the appropriate way to answer your question is to say that until about two hours ago, the clerk's office would issue an instructions for House Prayer to those who would be delivering the prayer at the beginning of our Session. That document has been rescinded and it's been replaced with the document which would read, 'Suggested Guidelines for House Prayer'. The House of Representatives is a Body made up of 118 persons from different regions of this state and from varying backgrounds. It is a multi-religious assembly comprised of several beliefs and faiths, including Jewish, Catholic,

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Muslim, Atheist, Methodist, Baptist and Protestant. We ask that you take this diversity of faiths into account while delivering your invocation to the entire membership of this Body, and that document will be given to those who will be delivering the invocation in the future."

Noland: "Speaker."

Speaker Madigan: "Yes, Mr. Noland?"

Noland: "Two weeks ago, I had a Pastor here from the United Methodist Church of Warrensburg, Reverend Keith Michaels, and he came into my office before the assembly... before we met, he was very upset and he asked...he says, 'Do I have to sign this?', and I said, 'Well, what is it?', and he proceeded to give me this document and as I read that, it indicated that we could not make reference to the name of Christ, the Holy Trinity or reference to the Crucifixion, and he asked me if he needed to sign it, and I said, 'Well, I've never seen this before and I didn't realize that there was such a document'. I can't believe that we, number one, had this or had any guidelines for prayer. The man did give the prayer. Afterwards, he told me that he was appalled and, frankly, he felt like he was forced to... to compromise his religious convictions as a pastor. So, I'm thankful that you've rescinded that. Frankly, I don't know why we need any guidelines. There's no need for censorship. We are a diverse Body and we all should be able to bring a pastor or a priest and make reference to any religious faith we would like. So, I'm thankful that this has been rescinded. I'm not certain why we need to have any guidelines, at all."

Speaker Madigan: "Mr. Noland, I agree with the points you made relative to how your pastor felt when he was asked to sign the document. I found that to be offensive, myself. I

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found the language to be offensive and that was what caused me to rescind that document and to issue this new guideline and I think you'll agree with me that I worked very hard to provide that the new document is just a suggestion, that we're not attempting to tell anybody how they can practice their faith."

Noland: "Well, Speaker, I find it ironic that one day we have instructions and the next day we have a Resolution, 408, for a new Prayer Room and I'm just curious, were the... were the pastors and rabbis instructed how to pray when we were... when we were commemorating the new Prayer Room? Was there instruction to them on how they should pray before the..."

Speaker Madigan: "Not by me. I hope there weren't, you know."

Noland: "Okay, all right. Thank you."

Speaker Madigan: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. I want to commend you and the clerk's office for responding to the complaints that we made two weeks ago as to the issue of instructions for the House Prayer. However, I don't think that we've gone far enough. I... from listening to your new document, I believe that you mentioned a variety of faiths and including Methodist, Baptist and Protestants. Well, as you know, Methodist and Baptist are Protestants. They are, by definition, Protestants. I think, Mr. Speaker, that this is a very sensitive issue and as Americans who believe in religious tolerance, we shouldn't give instructions at all. When you invite someone to pray in a place of... in a public place, you invite them to pray and whether they are of whatever faith, you simply recognize that they are going to pray according to their faith and you, in your heart, receive the prayer according to your faith. Instructions

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on prayer are un-American. It is absolutely ludicrous that we as a Government Body, would ask someone to recognize our instructions on how they should pray to their God. It is without question that you did the right thing by rescinding these instructions. The wrong thing was to replace them with more instructions. We should not have these instructions. I ask the Speaker and the Clerk to discontinue the practice of giving those who are invited to pray, any instruction, whatsoever. Thank you."

Speaker Madigan: "Representative Schakowsky."

Schakowsky: "As someone of the Jewish faith who has been in this Body since 1990, daily we come in here, and my understanding of the purpose of the prayer, is to gather the prayers of all of the Members of this chamber. This isn't a house of worship. This is a public body. This is the Illinois General Assembly, and when I bow my head, along with your head, to reflect and to bring spirituality into this chamber, and then we're invoking particular religious beliefs in those prayers as opposed to... as opposed to religious, religious ideas and symbols that we can all share, I feel very excluded from that prayer. I feel that, that is not speaking to me any longer and, I think, as a Member of this chamber, of this public body, that the prayers should be one that gather all of us together. That that's their intention. So, I don't know what the appropriate way to say this to members of the clergy who come here, but I do think that the point that those prayers should be inclusive, should be interdenominational, should allow all of us to participate in those prayers, is one that I would hope that all of you could sympathize and understand. I mean, I'm sure that you can envision the kind of prayer that you would feel

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excluded from, that wouldn't speak to you, or to your religion, and I think the intention here, however we do it, is so that members of the clergy who come to this Body are sensitive to that and that their words are meaningful to all of us. So, if we can figure out a way to do that together, I think we really need to do that. Thank you."

Speaker Madigan: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Aside from the fact that most people are not even in this room when the prayer is said, I would just like to say that whatever religion is represented at the podium, and whatever is included in that prayer, is meaningful to me. I am not Jewish, however, I respect and appreciate a prayer from a rabbi. I am not Muslim, but I still can hear, learn from and respect the prayer of a Muslim, and as brilliant as we all are in this room, as knowledgeable as we are about everything, I believe whomever that religious leader is, should be allowed the religious freedom to speak from his or her heart, and not from guidelines given by the General Assembly. I believe if that minister or religious leader chooses to mention 'Christ', that's acceptable and if that minister does not find Christ in his or her belief, he is taking nothing from me because I hear it on Sunday at my own institution of religion. I urge you, Mr. Speaker, not to put into any legislation, guidelines or suggestions for religious leader to use when they speak before this Body. As knowledgeable as we are, as knowledgeable as we are, we just really don't know yet, which one is the right one, and I'm not trying to find out too soon, Mr. Speaker. Thank you."

Speaker Madigan: "Representative Ronen."

Ronen: "Thank you, Speaker. I'll be brief not to prolong this,

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but I think the fact that we're having such a discussion here, makes the point that Representative Schakowsky so eloquently stated, this is not a house of worship. This is the General Assembly. We're here to do the work of the public. If we choose to have a prayer, that prayer should be done so that it acknowledges the diversity of this chamber. It's the only right thing to do. The fact that we're getting up and arguing what should be or what shouldn't be in it, argues for the fact that it should be strictly nondenominational. It should be something that spiritual in nature but does not relate to one religion. The purpose here is to make sure that everybody is included and we all feel comfortable under this umbrella together. When prayers are too specific and relate to one religion, it tends to do the opposite and put us at odds with one another, and that's not the right thing to do. If we choose to have prayer here, and I think it's questionable as to whether this is the... it's the appropriate thing to be doing in a public forum. I think the only fair and just thing to do, is do it in the most nondenominational, most inclusive way possible."

Speaker Madigan: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, let me commend you for trying to respond to an issue that may not have been intended to affect those and get the responses in which you have. I believe what you read does not really cause a problem in instigating any policy that's restrictive. Many of us know that we probably have the responsibility when we invite ministers or guests to represent our districts that there probably should be a common sense amount of instructions or at least direction we would give them anyway that would be sensitive

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to not offending anyone, but here's why I'm not bothered with what you read as a possible guideline, since it doesn't really give limitations or spell out any particular direction or instructions, because we all participate from time to time in public gatherings, whether they be a state institution or an assembly of people with just diverse religious backgrounds, when they come together, we in the congregation or in the audience, have our own individual faith and our own beliefs that are not necessarily guided by the individual that might be leading us all in prayer, but we cannot ask those people to compromise their beliefs just because they're leading the congregation of diversity in prayer. We can't ask them to abandon their beliefs and not mention their follower or their people that... person that they bring their attention of prayers to just to accommodate the diversity that might be in the assembly of people, whether it be a state institution or otherwise. So, to me, a prayer is a personal thing, it's individual. So, whether it be Jewish, Catholic, or a Protestant that's leading us that particular day, if they want to end their prayer with just to God or to Christ or whoever, I'm going to be following my own individual conscience anyway, in the way I pray, with respect to diversity. But, let's don't ask the person that we've invited to be the chaplain of the day, to abandon the way they pray in their own congregation or else we need to look at the way we invite people to do that... to come here for that particular purpose, anyway. So, since we're not going to do that, I have no problem with what the Speaker read since it does not give instruction or limitations, but it leaves it up to our own individual conscience, and I commend you for reacting to this problem."

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Speaker Madigan: "Representative Tom Johnson."

Johnson, Tom: "Thank you, Mr. Speaker and Members of the House. I rise, first of all, to express some disbelief that the original instructions were even issued that would, in fact, chill anybody who comes before this chamber in terms of expressing in prayer, their own discussion and leading us in a discussion with a god that they believe in. However, Mr. Speaker, I'm glad that you, also, found that rather repulsive and have chosen to issue, quote, 'new guidelines'. I, like Representative Stephens, believe, however, that guidelines, as it relates to prayer, coming before this Body, has no place. Of all things, guidelines are nothing more than a backhanded form of censorship, and a chilling of what somebody is to say or not to say. One of the things I have appreciated in being a part of this Body, is our freedom on this floor to disagree, sometimes to disagree rather strenuously with one another, but in no form have we ever told anybody, basically, 'You can't have that belief, you can't pursue that type of legislation'. But now, we're starting down a slope that says, 'Alright, you, a pastor, a minister, an individual, individuals in this chamber have led in prayer, when you get up, you should not have that same freedom to state what you believe and lead us in a relationship to the god who you believe in'. Now, I happen to believe, personally, I've listened to Rabbis before this chamber, I've listened to Priests, I've listened to Protestants, I've listened to Muslims, and I probably have listened to those who don't take any position, other than the fact that there might be a supreme being. What that does is cause us all to focus, that we are a nation, under God, and I don't believe that in today's society and what we see happening in our society,

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that we as a chamber, in any way, shape or form, ought to get involved in limiting peoples relationships to God and asking them to come in and lead us in whatever method, in a prayer to Almighty God, and therefore, I would hope, Mr. Speaker, that you remove any guidelines, any guidelines whatsoever. Anybody who comes before this chamber to offer a prayer, certainly knows that they're talking to 118 people representing diverse cultures, religions and different belief structures in this state. We do not need to tell those people, 'Look it, remember you're talking to all these diverse people, so therefore, be careful what you say'. That goes against all tenants of our foundations that we have in our Constitution, in the traditions of this chamber and the traditions of everyone's faith. So, I would hope, Mr. Speaker, that you remove any and all guidelines, and we get on with the business of this House. Thank you."

Speaker Madigan: "Representative Fantin."

Fantin: "Thank you, Mr. Speaker. I feel that when we go out and ask our constituents to vote for us, we do not ask of what faith they are, if they believe in God or if they do not. We're here to represent everyone. Everyone that we represent in our district, no matter what religion or if they believe or not. I feel that when we do have prayer, we should be open to the other religions, and I think, myself, personally, it's rather nice to here a rabbi, minister and people from different faiths, and I think we should be all open to this, and not be so closed mind that we must hear only that we cannot hear the word 'Christ', or refer to the Trinity. We should be open. That's what we're here for, is to represent all of our people, no matter what faith they are and we should be, also, open to

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prayer and enjoy the prayer of other religions and take it for what it's worth."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Mr. Speaker, I just have a question, if I may. In the 89 prior General Assemblies, there has been no reason for instructions on prayer. Why now? Why in this year, is it necessary to have any form of instruction?"

Speaker Madigan: "Mr. Bost, as I said, the instruction were rescinded, and the new document is labeled, 'suggested guidelines', and is laced with the word, 'suggest and recommended'. All we're attempting to do is to advise people that we are a very diverse group and, please, recognize the diversity when you deliver your invocation. There's no penalty. There's no stern language, just suggestion. We're trying to be nice to people."

Bost: "Mr. Speaker, I respect everyone else's religion on this floor and I think... I think we have always done that and... well, since I've been in the General Assembly and I know that's been a short time, but to even suggest guidelines is a little extreme. Do we still... Will they still have to sign a document? Mr. Speaker, will there still be a document signed?"

Speaker Madigan: "No, no."

Bost: "Thank you."

Speaker Madigan: "Mr. Pugh."

Pugh: "Thank you, Mr. Speaker. As a seminary student, I feel compelled to respond to this issue based on theological references and theological instruction that we receive on a continuous basis, and in the new school of theology, we are instructed to be conscious of the various religions, faiths of all groups to whom we have the opportunity to lead in

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prayer. Understanding that our opportunity to lead individuals into prayer, is just that, an opportunity, and although you lead someone, it does not mean that they will drink the same prayer that you're leading them in. When an individual is leading someone in prayer, they are acknowledging the presence of God and it's left to the individual to pray to the God of his choice. I am sure and I am taught that there is one God, and the other individuals that people have a problem with, seem to be prophets and, I, as a minister and as a man of God, have no problem taking into account, the various religions of each and every individual in which I have an opportunity and once again, I consider it an opportunity, to lead them in prayer. So, it is with that, that I feel that any individual who has the opportunity to come to this august Body to lead the various groups and religious organizations in prayer, should be mindful of the religious intent or the religious bent of each and every individual in this Body."

Speaker Madigan: "Mr. Roskam."

Roskam: "Thank you, Mr. Speaker. Speaker Madigan, an inquiry of the Chair. Do you intend through the issuance of the guidelines and suggestions, to have an influence on the content of the prayer that the members of the clergy would be offering?"

Speaker Madigan: "No."

Roskam: "What then, would be the desired outcome from your perspective as the leader of the House and the purpose behind those, if they're not intended to have any effect?"

Speaker Madigan: "The purpose would be to advise people that we are a multi-religious assembly and that we would ask that they take into account, this diversity of faith when they're delivering their invocation."

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Roskam: "Well, it seems like we can't have it both ways, with all due respect. I would have imagined that members of the clergy who come here, would be well advised that we are a multi-religious group and I would have confidence in their sensitivity but, I think the bottom line is that this in the beginning of, what I would think is a slippery slope where sort of a subtle imprints is. If you want to be a part of things, if you want to be invited back, if you want to be on the inside, then you have to conduct yourself in a certain way, and with all due respect, I appreciate the fact that you've rescinded the previous order, but I would urge you and the staff and the leaders on your side of the aisle to remove the guidelines. I think that we can have confidence in the members of our clergy, and that we don't need to have this sort of subtle back draft, and a potentially heavy hand on the content of their prayers. Thank you."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker, and thank you, Mr. Speaker, for rescinding the suggestions on how prayers should be given in the Illinois House of Representatives. I was very disappointed in this day, in hearing of so many areas where we're dumbing down education, dumbing down standards, but I never thought we'd see the day when we'd be dumbing down prayer. Particularly, in a chamber that starts each day with a prayer, consciously so. So, to connect with our God, as we begin our duties as we otherwise might not do. I let you... everybody in this chamber know that in our Republican Conference, yesterday afternoon, when Representative Stephens brought this issue up, there was a hush among us and there were some very sad looks on a lot of faces and disappointment in a lot of faces, that we

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would be part of a Body that would have been subject to discrimination against prayer and we weren't even advised of it, or was it offered for our comment prior to its conception. But, thank you, Sir, for rescinding the prayer guidelines."

Speaker Madigan: "On page 4 of the Calendar, on the Order of Non-Concurrence, there appears Senate Bill 56. Mr. Novak. For what purpose does Mr. Jones seek recognition? Jones, John."

Jones, J.: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I'm pleased to announce a group of young students that's here from Mt. Vernon in Jefferson County, the Mt. Vernon and Jefferson County Alternative School. If they would, please, stand up, up there... Give them a round of applause for coming up and viewing the General Assembly in a Session, today. Thank you."

Speaker Madigan: "For what purpose does Mr. Black seek recognition?"

Black: "Thank you very much, Mr. Speaker. A point of order on the item of business on the board, if I might. It's my understanding this was posted in Rules Committee, yesterday, and I'm not sure how it ended up on the floor today. The... It appeared on the Rules Committee listing as non-concurrence, Senate Bill 56, House Amendment 1, approved for consideration concurrence. I... I don't know. What is a approved for consideration concurrence? I don't think the action of the Rules Committee sent anything to the floor, so I question whether this Bill should be here. I don't think it was reported out of Rules in accordance with our own rules, with the House."

Speaker Madigan: "Mr. Clerk, do you have a report from the Rules Committee relative to this Bill?"

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Clerk Rossi: "Yes."

Speaker Madigan: "Mr. Clerk, please read the report of the Rules Committee."

Clerk Rossi: "The Rules Committee Report from November 12, says, 'To the Order of Non-Concurrence, Senate Bill 56, Sponsored by Representative Novak, House Amendment #1, approved for consideration, non-concurrence'."

Speaker Madigan: "Mr. Black."

Black: "Mr. Speaker, in all due respect to the Clerk, no Motion was made in Rules to approve House Amendment #1. That wasn't in the Rules. I don't want to belabor the point and maybe, we need to write some guidelines for the conduct of the Rules Committee but, in all due respect to the Office of the Clerk, the only thing in the Rules Committee was the Bill, no Amendment. The Amendment, as I understand it, the Amendment's already adopted to the Bill. It would seem to me that what they should have done is to make a Motion to non-concur, and that doesn't need to go to the Rules Committee. Someone is adding to the confusement in this operation, and it isn't me, I don't think."

Parliamentarian Kasper: "Representative Black, in response to your inquiry, the action of the Rules Committee, pursuant to Rule 15, placed the Bill on the Calendar so that it may be considered on the Order of Non-Concurrence, and your point is well taken. The Motion need not go to the Rules Committee, however, the Bill cannot be considered until it is placed on the Calendar, and that's what the Rules Committee action effected."

Black: "Well, in all due respect now, are you acting as the Parliamentarian? You wear so many hats, I'm confused. You are acting as the Parliamentarian, now, right? All right. Then why on the Rules Committee, you have this in two

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places? You have Senate Bill... Senate Bill 56, under Non-Concurrence, House Amendment 1, which is already on the Bill and then, at the bottom of your sheet, you have 'approved for consideration' Senate Bill 56. Do we have two Senate Bill 56's? And, under the 'approved for consideration', Senate Bill 56, slash, Novak, where does that go?"

Parliamentarian Kasper: "Representative Black, I believe that the item that the Clerk read properly reflected the action of the Rules Committee, and I believe that this matter that you referred to at the bottom of this report, is simply a summary of the previous action."

Black: "Mr. Parliamentarian, I don't want to drag this on. You may be following the intent of the Rules Committee, but you really didn't do it correctly. You know I'm a stickler for the rules, and if you have two Motions that the Rules Committee acted on in abject opposition to each other. The only reason this concerns me is that this is how cable t.v. bills get considered in here. We simply have to get our House in order. You have two distinct Motions from the Rules Committee. I don't know what we're doing. You've got 'approved for consideration,' the Bill, and on a non-concurrence Motion, you've got a Bill in the House Amendment that's already been added to the Bill. Now, I want a careful explanation. I'll accept your explanation, but you've made a mistake. Now, you're running this chamber. You can't afford to make these mistakes. That's where confusion comes in. You've got two separate Motions here. It's no wonder things get out of this House that people on your side of the aisle don't understand. Now, you mark my word, if this isn't explained carefully, somebody on your side of the aisle's going to make a Motion

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to Reconsider in March, and that's too late. So, I'm going to make a Motion to Reconsider the action of the Rules Committee. Is it still in the House? I'll withdraw my Motion."

Speaker Madigan: "Mr. Black, can I simply say that we're very happy that you only missed one week of Session for vacation."

Black: "Thank you."

Speaker Madigan: "Thank you for coming back."

Black: "Thank you."

Speaker Madigan: "Mr. Novak on the Bill. Mr. Novak."

Novak: "Yes, thank you, Mr. Speaker. I move to 'refuse to recede' on House Amendment #1."

Speaker Madigan: "You've all heard the Gentleman's motion. Those in favor say 'aye', those oppose... Mr. Black."

Black: "Inquiry of the Chair. All the Gentleman is doing is making a Motion to Non-Concur with House Amendment #1. Are you requesting a Conference Committee?"

Speaker Madigan: "Mr. Novak."

Novak: "Yes, Representative."

Black: "All right. My earlier point, and let it be sufficient, I don't believe this had to go to the Rules Committee. I don't think a Motion to Non-Concur has to go to the Rules Committee but, if I'm wrong, I'll stand corrected. Will you simply... could you simply put, before we vote, what is your intent with this Bill? What is your intent with the Conference Committee?"

Novak: "First of all, Representative Black, let me make this perfectly clear. There will not be any cable television legislation in this Bill. Okay?"

Black: "Now, I've heard that before."

Novak: "Second of all, this Bill would be used as a possible

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trailer Bill to House Bill 362, which is that 18 wheeler you talked about earlier this year, dealing with utility deregulation."

Black: "A trailer bill? Does this have something to do with the mobile home privilege tax?"

Novak: "Pardon me?"

Black: "It doesn't have anything to do with the mobile home privilege tax, does it?"

Novak: "No, it does not, Representative."

Black: "All right. That's the only thing it will be used for in your... I have your word...?"

Novak: "You have my word."

Black: "This may be used as cleanup or trailer Bill for the utility deregulation?"

Novak: "Yes, Sir."

Black: "Thank you."

Speaker Madigan: "Mr. Novak, state your motion."

Novak: "Thank you, Mr. Speaker. I now move that we refuse to recede on House Amendment #1 and request a Conference Committee Report."

Speaker Madigan: "You've all heard the Motion. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, on a point of personal privilege. I want to introduce Mike *Demadio* and the Grace Lake Community High School senior class that are here with us today in the Speaker's gallery. Welcome to Springfield."

Speaker Madigan: "Ladies and Gentlemen, we have a special guest with us today, who will shortly address the Body. Her name is *Saporo Ramone*. She is the Israeli Council in Chicago, which means that she represents the Government of Israel

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and the entire midwest region of the United States. After her remarks, she will be available in my office for any Member who wishes to visit with her and talk about the relationship between the Governor of Israel, State of Illinois, City of Chicago and all other regions of the midwest."

Ramone, Saporio: "Thank you. Mr. Speaker, Members of the House, I'm truly honored to be invited to address the House of Representatives of the State of Illinois. The close ties between Israel and Illinois have stemmed from a unique relationship between Israel and the United States. This is a relationship between two people who share a commitment to the spirit of democracy and infinite dedication to freedom. Of course, Israel and the United States also have common interest such as defense and economic development of the Middle East region, but our bonds go well beyond such concerns. Perhaps, our most demanding joint effort has been the endless quest to achieve peace and stability for Israel and its neighbors, Arab neighbors, to continue the search for an end to wars and an end to grief. Peace means the absence of violence and a quest for peace must be accompanied by commitment to security. We have to realize that this is a complex, long-term process. While there are still many hurdles to overcome, a great effort has already been made to narrow gaps between Israeli and Palestinian Authority positions so that the peace negotiations can proceed. This past Wednesday, we commemorated the second anniversary of the assassination of our Prime Minister, Yitzhak Rabin. He was a leader who proved his excellence both as a warrior and as a peacemaker. We shall always carry with us, the pain of this tragedy. His commitment to the peace process, was eloquently expressed in his remarks

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to the Tel Aviv peace rally on November 4, 1995 in the final moments of his illustrious life: 'I've always believed that the majority of the people want peace and are ready to take risks for the peace.' May his vision continue to inspire us. Another area of common concern to Israel and the United States is the specter of regional conflict raised by renegade regimes such as Iraq and Iran and the terrorist groups that support... that they support. The Middle East is being radicalized and terrorized by these dictatorships whose governmental creed is based on tyranny and intimidation. Israel believes that the international community must reinvigorate its efforts to isolate these regimes and prevent them from acquiring and developing weapons of mass destruction. International terrorism is a threat to us all. Fundamentalism armed with a nuclear bomb or an arsenal of chemical and biological weapons is the nightmare of our time. That threat cannot be tolerated. We applaud Governor Edgar and the Illinois legislature for confronting international terrorism at the local level by passing House Bill 3233 last year, which made it a criminal offense to solicit or provide funds or other forms of material support with the intention of furthering international terrorist activity. One of the key areas for mutual cooperation and opportunity between Israel and Illinois is the economy. I would like very briefly to touch upon the main characteristics of the Israeli economy. We are committed to transforming Israel's economy into a completely free market. This means open capital markets, privatization, an end to cartels, lower taxes and deregulation. High-tech industries are the motor which runs Israel's economy, fueling the impressive growth of recent years. The country has one of the world's

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highest number of engineers and scientists per capita and one of the highest rates of scientific publications. High-tech manufacturing represents over 50% of the total industrial production compared to only 15% in 1990. Under its programs, to encourage investments in Israel, the Israeli government offers both Israeli and foreign investors alternative incentives to invest in various geographical areas of the country. I would point to four major factors involved in Israel's economic growth: Economic stability in recent years; The wave of massive immigration during 1990 and 1996; The peace process; The global technological revolution and Israel's position as one of the leading countries in this sector. Israel is the only country in the world which has free trade agreements with the United States, Canada, European Union, the European Free Trade Association, Eastern European countries as well as Turkey. For Israel, deals with large corporations from Illinois hold the promise of new job opportunities and the chance to market underfunded talent. McDonald's, Motorola, Baxter, Sara Lee Corporation, General Dynamics, Ace Hardware, and Hyatt International are only a few of many major companies leading the way, showing that a solid relationship with Israel is profitable. Last year, Baxter International, together with the American-Israel Chamber of Commerce and Industry of Metropolitan Chicago and Israeli Government's Economic Mission to the midwest, presented the first-ever US-Israel Healthcare Business Exchange. This acclaimed event allowed US health care industry decision makers to survey Israel's expertise in health care technologies, products and services. Twenty-five leading Israeli health care and biotechnology companies participated in this event that took place in

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October, 1996 in Baxter International's headquarters in Deerfield, Illinois. Baxter Healthcare Corporation has established a wholly owned subsidiary, named Baxter Development Corporation in Israel to optimize strategic investments and expedite implementation of R and D projects in Israel. This month, on November 24, the American Israel Chamber of Commerce and Industry will join forces with Motorola and the Israel Export Institute in sponsoring the first information and communication technology business exchange at Motorola's corporate headquarters in Schaumburg, Illinois. The exchange will bring 30 Israeli companies together with key... nearly 70 US corporations. While Motorola is best known in Israel for its consumer products, such as cellular phones and beepers, Motorola Israel, with its eight subsidiary companies operating in Israel, is most valued in Chicago for the pivotal role in the new products play in the company's global corporate growth strategy. Today, more than 50% of all products offered by Motorola have been developed in Israel by Motorola Israel engineers. These are two remarkable examples of the growing bond between Israeli and Illinois companies. We look forward to fostering business links between Illinois and Israel firms, especially in the fields of information, technology, health care and biotechnology, agriculture and agri-technology trade, and investment as well as tourism. It is of great importance to facilitate joint research and development. Illinois and Israel can pursue these paths through organizations such as on the bi-national Science Foundation, the bi-national Industrial Research and Development Foundation, the Israel Science and Technology Commission. We are also witnessing a growing cultural relationship between Israel and Illinois. We

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strive to increase cross-cultural awareness and the communication of shared values through the arts, humanities and education, by promoting academic and student exchanges as well as performance events such as the concert by the Israeli Philharmonic Orchestra scheduled to appear in Chicago this January. We are beginning the year-long celebration of the 50th Anniversary of the establishment of the State of Israel. During this period, we hope that the people of Illinois will join us as we look back to the achievements of the 50 years and we look ahead to a future that will bring peace and prosperity to Israel and it's neighbors. The Consulate General of Israel to the Midwest, located in Chicago, will continue to support all of the economic, scientific and cultural programs previously mentioned. The Consulate will also continuously seek ways and means in which we can work together with Illinois Government authorities, organizations, and corporations to find and create opportunities to promote the growth of ever-stronger bonds between Israel and Illinois. Thank you very much for your attention."

Speaker Madigan: "On page 4 of the Calendar on the Order of Total Veto Motions, there appears Senate Bill 35, Mr. Parke. Mr. Parke. Mr. Clerk, take this Bill out of the record. Let me remind the Members that the Israeli Council is in my office right now, for those who may wish to visit with her. On page 5 of the Calendar on the Order of Total Veto Motion, there appears Senate Bill 548, Representative Crotty. Representative Crotty on a Total Veto Motion. For what purpose does Mr. Leitch seek recognition?"

Leitch: "A point of personal privilege, Mr. Speaker. I'd like to remind the Members that on the second floor, between Secretary of State Ryan's Office and Lieutenant Governor

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Kustra's Office is a 1/20 scale prototype of a shallow water silt removal demonstration which is of great importance throughout the state. Not just the Illinois River but the Fox Valley River, the Chain of Lakes. Certainly, Decatur, Lake Decatur, which has to do very expensive dredging and I would just invite the Members who are interested in this problem in their districts to be sure and go down and see this very exciting prototype. Thank you."

Speaker Hannig: "Thank you, Representative Leitch. Representative Hannig is in the Chair, and I notice that we have two former colleagues with us this afternoon. Representative Bruce Richmond, former Representative Bruce Richmond and former Representative Monroe Flinn are back today. Those two Gentlemen served many, many years with us and we welcome them back to Springfield. Representative Black, for what reason do you rise?"

Black: "Just a point of order, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Black: "Pursuant to Rule 49, I'm joined by five of my colleagues in requesting a record Roll Call on any Motion or Resolution to adjourn. Should that Motion get a requisite number to pass, I would request a verification."

Speaker Hannig: "And you'll be recognized for that purpose, Representative Black. Representative Crotty on Senate Bill 548."

Crotty: "Thank you, Speaker. I'm moving to override the Veto on Senate Bill 548. It was brought to the Senate, Senate passed it and it's back to the House and I ask that you give me a favorable vote. This is the license plate Bill. Since I last spoke about this Bill, I got a letter from the City of Palos Heights stating that the Bill would provide a

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mechanism for the Mayor and Village President to be recognized. Particularly, during a time of crisis or emergency. Also, the Illinois Municipal League believes that this is a valuable piece of legislation that will assist Mayors and Village Presidents in performing their official duties. There's also an Amendment to this that was also passed by the House and the Senate. And Representative Ann Zickus would like to take a few moments to speak to the issue."

Speaker Hannig: "And on that question, Representative Zickus is recognized."

Zickus: "Thank you, Mr. Speaker and Members of the House. The second part of this Bill is for a license plate for the Illinois and Michigan Canal. Nineteen ninety-eight marks the 150th anniversary of the opening of the I and M Canal. Its construction gave birth to the City of Chicago, opened the Midwest to Commerce and completed the water connection between New York and New Orleans begun in 1825 with the opening of the Erie Canal. This has historical value. The canal extends from the City of Chicago, down to LaSalle-Peru area. A portion of the money from the sale of the license plates will go into a special fund for the Department of Natural Resources for restoration and improvements of the I and M Canal and its adjacent structures and I urge your support."

Speaker Hannig: "Is there any discussion? Seeing none, Representative Crotty to close."

Crotty: "I ask for a favorable vote. Thanks."

Speaker Hannig: "Okay. The question is, 'Shall Senate Bill 548 pass?' The veto of the Governor notwithstanding. All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and this is final action. Have all voted

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who wish? 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 73 voting 'yes' and 35 voting 'no.' And this Motion, having received the required Three-fifths Majority, the Motion to override prevails, and Senate Bill 548 is declared passed, notwithstanding the Governor's Veto. On the Order of Amendatory Veto Motions, Senate Bill 317, Representative Winters."

Winters: "I move to except the Amendatory Veto."

Speaker Hannig: "The Gentleman has moved for the acceptance of the Amendatory Veto on Senate Bill 317. The Parliamentarian has ruled that this requires 71 votes. Is there any discussion? Representative Black."

Black: "Excuse me, an inquiry of the Chair, first of all, Mr. Speaker."

Speaker Hannig: "Yes, state your inquiry."

Black: "I just happened to catch your statement. Could you enlighten me as to why this acceptance of an AV requires 71 votes? Does it have an immediate effective date?"

Speaker Hannig: "Yes, I believe that is correct, Representative."

Black: "Okay, all right. Could I just impose upon the Chair to ask the Sponsor, the net result of the AV, how it changes the Bill or what... what it does?"

Speaker Hannig: "I think that would be a very good question, Representative."

Black: "Thank you. Thank you."

Speaker Hannig: "Representative Winters."

Winters: "What this veto does is it prohibits chiropractors from acting as primary care physicians under the Medit Plan Plus Program. It does not, however, remove them from being primary care physicians under other state regulations."

Speaker Hannig: "Any further discussions? Representative Black."

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Black: "Yeah, I'm sorry, Mr. Speaker, will the Gentleman yield?"

Speaker Hannig: "He indicates he will."

Black: "Representative, perhaps you could explain to me how... how you could prohibit a chiropractor from being a primary care physician under one program and yet, not another. I'm not a lawyer or a constitutional scholar, but something about that doesn't seem quite right to me. Is there some rationale behind that?"

Winters: "Well, once again... Once again, Representative, federal law is impacting state law in this area. The Federal Healthcare Financing Administration policy prohibits chiropractors from acting as primary care physicians under the State's Medicaid Managed Care Programs. However, there are under Illinois law, chiropractic physicians are physicians by definition of the Medical Practice Act, and are primary care physicians under the Illinois HMO Act. The Governor is limiting his Amendatory Veto language to clarifying that chiropractic status as it relates to Illinois' Mediplan Plus initiative only. Because that is a Federally Funded Program, we are not allowed to have the chiropractors as primary care physicians in that specific program, but not in our other ones."

Black: "Would this be construed as limiting the patients access to a physician of their choice?"

Winters: "Only in regards to the Mediplan Plus Program that we are just initiating, but that is by Federal Mandate. We are not allowed to use them as primary care physicians within that program. It does not inhibit their access to them as primary care physicians under any other state program."

Black: "So, if I understand you correctly, because Mediplan Plus

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is a Medicaid financed health maintenance organization that the State of Illinois is administering, we must recognize federal preemption?"

Winters: "That is exactly the point..."

Black: "Okay, all right. Do you have any statement of legislative intent?"

Winters: "I've read most of it. If you want, I can reread it. I believe I've read most of that legislative intent already."

Black: "Okay. So... So, the statement in fact, you have established intent, and all necessary parties have agreed with that intent? Is that correct?"

Winters: "That is correct. The Chiropractic Association..."

Black: "Okay. Fine, thank you very much."

Speaker Hannig: "Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Johnson, Tom: "David, a question. You know, evidently, the Mediplan Plus, the feds are going to prohibit us from doing this. What would be the impact if we went ahead and left this as it is? I mean, would it knock out the whole plan, or only reimbursement to people who use the chiropractors as their primary care physician under that plan?"

Winters: "The intent never was within the Mediplan Plus to allow chiropractors to be primary care physicians under that program and the Governor is simply trying to make that apparent."

Johnson, Tom: "Okay but, that wasn't my question. Would the whole Mediplan Plus be eliminated if we... if we left this in, or is it just... say that people in that plan really can't use chiropractors, or chiropractors won't be reimbursed if they are used?"

Winters: "It would not eliminate the use of the Mediplan, but

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what it would do, it would mean that the state would ask to modify the waiver that we have for Mediplan Plus. It would simply, delay the implementation of Mediplan Plus as we go through that waiver process."

Johnson, Tom: "Okay. Now, I don't know if you know this answer, but Mediplan Plus was put through as a request for a waiver initially to set this program up in this state, was it not?"

Winters: "Yes."

Johnson, Tom: "And in that application process, that the State of Illinois finally got its waiver to get this plan going, did we leave chiropractors out or was it part of our application that in fact, they were acting as primary care physicians, and, if so, wouldn't the government, if they had approved our plan, wouldn't that also then cover that? This is a special waiver we got, as I understand it."

Winters: "The problem is that we've got two different definitions. We've been working with the Medical Practice Act of 1987. Mediplan Plus does not completely track parallel with that. So, while we intend to have the chiropractors in through our own Medical Practice Act, we could not, under the federal regulations, do that. It was not our intent, in an application for that waiver, that we allow the chiropractors in. Because of these definitions, there's been a claim made that they would be, and this is simply clarifying the fact that they would not be primary care physicians in that single program, itself."

Johnson, Tom: "I understand that, but I... My analysis says that it is federal policy not to recognize chiropractors as primary care physicians. I understand that, that's a policy, but what we requested was an approval of a waiver for a plan which we've submitted, being the Medicare plan

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or whatever it is, the former title. The government, the feds approved our waiver permitting us to go ahead with the request that we had submitted. Now, if that request included chiropractors as being primary care physicians, the government has waived that requirement, has it not?"

Winters: "The original request for the waiver did not include chiropractors in there. We don't want..."

Johnson, Tom: "So, who left them out when we were seeking approval of this plan? We specifically eliminated them at that time."

Winters: "Yes. It was approved without the chiropractors in it by the"

Johnson, Tom: "Okay. Thank you."

Speaker Hannig: "Any further discussion? Representative Winters to close."

Winters: "This Bill passed out of the House 55 to 2 and I would urge its passage here."

Speaker Hannig: "The question is, 'Shall the House except the Governor's specific recommendations for change with respect to Senate Bill 317?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 1 voting 'no'. And this Motion, having received the required Three-fifths Constitutional Majority, the House excepts the Governor's specific recommendation for change regarding Senate Bill 317, and this Bill is declared passed. Senate Bill 368, Representative Brosnahan."

Brosnahan: "Thank you. Senate Bill 368 originally, it relates to child support enforcement. Originally, the Bill required those owing child support to report changes of employment

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or change of address to those people receiving the child support. The Governor made an Amendatory Veto and I move to except the Amendatory Veto. The Governor's recommendation for change adds an exception, that when the reporting of change of address between the parties would not be required when the court finds that the physical, mental or emotional health of a party or that of a minor child or both, would be seriously endangered by disclosure of the party's address. I think this Thank you."

Speaker Hannig: "Is there any discussion? The Chair rules this requires 60 votes. There being no discussion, the question is, 'Shall the House except the Governor's specific recommendation for change with respect to Senate Bill 368?'

All in favor vote 'aye'; opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this Motion, having received the required Constitutional Majority, the House excepts the Governor's specific recommendation for change on Senate Bill 368, and this Bill is declared passed. Senate Bill 369, Representative McAuliffe. Senate Bill 369, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. Senate Bill 369, I would like to concur with the Governor's Amendatory Veto... or file a Motion."

Speaker Hannig: "Is there any discussion? Representative Dart."

Dart: "Thank you. Will the Sponsor yield? Can you explain what the Amendatory Veto is?"

McAuliffe: "Yes. On the veto part, it takes language from the Attorney General's Office, where they would have investigators that they could go into local community

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police stations and investigate their work."

Dart: "Is there any opposition to this?"

McAuliffe: "No. The Attorney General's neutral on this."

Dart: "They aren't in favor of it?"

McAuliffe: "No. They're neutral."

Dart: "Okay. Why was this not in the original Bill? Is there a reason?"

McAuliffe: "I believe this got tacked on later on and all that... with the Governor's Veto, that Attorney Generals can be neutral on the Bill."

Dart: "And you don't know of anybody that opposes this change?"

McAuliffe: "No."

Dart: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? Representative McAuliffe to close."

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

Speaker Hannig: "The question is, 'Shall the House except the Governor's specific recommendation for change with respect to Senate Bill 369?' All in favor vote 'aye'; opposed 'nay'. The voting is open. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this Motion, having received the required Three-Fifths Constitutional Majority, the House excepts the Governor's specific recommendation for change regarding Senate Bill 369, and this Bill is declared passed. Representative Rutherford, for what reason do you rise?"

Rutherford: "Thank you, Mr. Speaker. The start of our Session today, Speaker Madigan announced that there would be new guidelines in regards to prayer. I've just asked if we can

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get a copy of those. I understood that they're not available. Could you tell us, perhaps, when we could actually get a written copy of our new guidelines?"

Speaker Hannig: "The Clerk informs me that as soon as he gets the official recommendations, they will be made available to all Members."

Rutherford: "Would it be possible that, perhaps, that they're available to someone who may be having a person of faith delivering the prayer tomorrow, so that they could have the guidelines prior to that time?"

Speaker Hannig: "When we get the guidelines, Representative, they will be made available to the Members. They will be here at the podium, and I think that we will try to make them available to potential prayer givers."

Rutherford: "Okay. I assume, perhaps, Speaker Madigan can hear this over the PA system. If he could possibly get a copy of those to our clerk so that we may be able to have them prior to tomorrow's prayer would be appreciated. Thank you."

Speaker Hannig: "We will do our best. Committee Reports."

Clerk Rossi: "Representative Novak, Chairman from the Committee on Electric Utility Deregulation, to which the following Motion was referred, action taken on November 13, 1997, reported back with the following recommendations: 'be adopted', 'be approved for consideration', Motion to concur on Senate Amendment 2 to House Bill 362. Supplemental Calendar #1 is being distributed."

Speaker Hannig: "And on the Order of Amendatory Veto Motions, on page 6 of the Calendar, is Senate Bill 663. Representative Scully."

Scully: "Thank you, Mr. Speaker. I move for acceptance of the Governor's Amendatory Veto to Senate Bill 663. Six

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sixty-three is an Amendment to the Telephone Solicitation Act to specifically include persons selling services within the scope of the Act. It also gives consumers the right to instruct the telephone solicitor that, that consumer wishes to be removed from the call-list. The Amendatory language added by the Governor specifically recognizes the existence of Federal Law on the same topic, and the Amendatory language specifically states that compliance with the Federal Law would also be compliance with the State Law. This Amendatory language by the Governor is very beneficial. It prevents a situation of conflicting State and Federal Laws. I think it'll give us a much greater assurance of compliance by giving telephone solicitors a much better understanding of exactly what is required by both Federal and State Law. I move for acceptance of this Amendatory language."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, practicing the art of consistency, I don't like this Bill. And what is your Motion?"

Scully: "The Motion is to accept the Governor's Amendatory Veto."

Black: "Okay. Thank you, Mr. Clerk. It always helps when the board is correct so we know what we're doing. Representative, I have no doubt that you'll get sufficient votes to accept the Amendatory Veto, but, I again, would ask you for clarification. Your Bill prohibits those telecommunicators, sales people, from bothering me at home for doing what? Who's going to be prohibited from calling my home if this Bill becomes law?"

Scully: "If this Bill becomes law, telephone solicitors of

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services will be covered in the same manner in which telephone solicitors of good... the sale of goods are covered under the present law."

Black: "So, those services would be like what... storm windows, vinyl siding for my house, something... Will that be a service they were providing or is that a good? Or, maybe it's a good service?"

Scully: "We turn... I would have to turn to the specific definitions of goods and services within the Telephone Solicitation Act to give you a specific answer to that question. But clearly, within the original Act, a telephone solicitor of services was not covered at all, and we would then be able... if someone was accused of violating the Act, for example, if they were the seller of aluminum siding, they would have the opportunity to argue that what they were selling was not the goods of the material being put on the side of the house, but rather the service of installing it. This Amen... this Bill removes that ambiguity."

Black: "And what restrictions then, would be placed on a purveyor of services by utilizing the telephone? What restrictions or prohibitions are then placed upon such a sales presentation?"

Scully: "One of the primary limitations is that under the current law and under the amended law, a telephone solicitor is prohibited from making contacts between 9:00 p.m.. and 8:00 a.m.. Right now, that prohibition is only applicable to a solicitor of the sale of goods."

Black: "Playing devil,s advocate as we go into the election session. Both parties have a number of telephone operations, everything from polling to testing the market, if you will, testing the voters attitudes on issues or

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candidates. Would that be considered a service if you have a Democrat Party telephone bank calling into an area, seeing what their view is on Representative Scully? Would that be considered a service? So, they couldn't call after 9:00 p.m..?"

Scully: "That type of a telephone solicitation would not be a solicitation for the sale of either goods or services, and therefore, would not be covered under the present law or the amended law."

Black: "Well, under... under the Reform Act it may not be, who knows? I... I won't belabor the point, Representative. My only concern is, when you had your original Bill...Is there a particular reason why we exempt telecommunication carriers from any kind of regulatory function as to when they call? You know, the only calls I get at night are from some long distance service night after night, after night, company after company, after company, and I remember my original debate with you, why are they exempted?"

Scully: "I'm not aware that there is any abuse by the telemarketing industry, which is also covered by the federal regulations on the issue of when they call and although I do frequently receive telephone calls from telecommunications service providers, I don't recall ever receiving one after 9:00 or before 8:00 in the morning."

Black: "Okay, so... I guess that's my concern. Is it your understanding under existing law... I should not be getting calls from Mickey Mouse long distance service or ten *KN* long lines after 9:00 p.m.. Is that correct?"

Scully: "No. Under current law, a solicitor of the sale of services is not covered by this Act at all. And that is the primary change being made by Senate Bill 663..."

Black: "Okay."

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Scully: "...to bring sellers of service within the scope of the Telephone Solicitation Act."

Black: "So, is it... is it fair to say that the intent of your language is to cut down on the number of calls going into our homes, particularly, after the hour of 9:00 p.m.....?"

Scully: "Yes."

Black: "...selling us either a service or a product? As you mentioned, the product was already covered and your law will then say, 'Those purveyors of services will be prohibited from calling after 9:00 p.m.'"

Scully: "That's correct."

Black: "Is there anything in your Bill that establishes a registry of people who don't want those calls, period, of any kind, at any time? Is there a way to opt out of the dozens of calls being made into peoples homes everyday?"

Scully: "This Bill does not address that issue and in my discussions with people in this industry, I don't know a way to accomplish that goal, and if we can find a way, I would support that legislation."

Black: "Okay. Well, I congratulate you, Representative. I... I don't... I didn't have a major problem with your Bill. Now that you've explained that difference between goods and services, I intend to vote for it. I do think the Governor's Amendatory language probably made a clarification, made a pretty good Bill, a better Bill and I'm glad you're seeking concurrence with his AV, and I appreciate the work you've done on this. Thank you, Mr. Speaker."

Speaker Brunsvold: "Any further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Just to remind the esteemed Floor Leader on this side of the aisle that under the new

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House rules and regulations, I don't believe you can say 'devil' any more."

Speaker Brunsvold: "Any further discussion? Any further discussion? Seeing none, the Gentleman from Cook, Representative Scully to close."

Scully: "I ask the Members of the House for a favorable vote on this motion to except the Governor's Amendatory Veto language."

Speaker Brunsvold: "The question is, 'Shall the House except the Governor's Specific Recommendation for Change with respect to Senate Bill 663?' This is final action. All those in favor signify by voting 'aye', all opposed signify by voting 'nay'. 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. And on this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received the acquired(sic-required) Constitutional Majority, the House accepts the Governor's Specific Recommendations for change regarding Senate Bill 663. The Gentleman from Vermilion, Mr. Black, for what purpose do you rise?"

Black: "Yes, thank you very much, Mr. Speaker, point of order."

Speaker Brunsvold: "State your point."

Black: "Pursuant to Rule 49, I'm joined by five of my colleagues requesting any Motion or Resolution pertaining to the adjournment of this Chamber be on a Record Roll Call Vote, and should that action receive the requisite number of votes for passage, I will request verification. Thank you."

Speaker Brunsvold: "So recognized. On page 6 of the Calendar, appears Senate Bill 771. The Gentleman from Cook, Representative Scully."

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Scully: "Thank you, Mr. Speaker. I move to concur with the Governor's Amendatory Language to Senate Bill 771. Senate Bill 771 provided tax relief to owners of mobile homes, who are unfairly required to pay the taxes on mobile homes, taxes incurred by prior home owners. Prior home owners who didn't pay their taxes and counties who failed to properly keep track of unpaid taxes. Earlier in this Session, we passed a Bill giving these people relief, limiting their liability to the taxes incurred while they were the home owner. Also, providing similar retroactive relief in the form of rebates to home owners who have paid those taxes of the prior home owner unfairly. The Governor's Amendatory Language limits this relief to a period not exceeding ten years. The Governor's Amendatory Language is an improvement. It prevents any kind of windfall profits to a person and does create a limitation on the tax rebates. We ask for favorable consideration of the Governor's Amendatory Language."

Speaker Hannig: "Is there any further discussion? There being none, Representative Scully to close."

Scully: "We ask for your favorable vote. Please, vote 'yes' on this Amendatory Veto and accept..."

Speaker Hannig: "The question is, 'Shall the House accept the Governor's Specific Recommendation for Change with respect to Senate Bill 771?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. This motion, having received the required Three-fifths Constitutional Majority, the House accepts the Governor's Specific recommendation for change with Senate Bill 771,

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and this Bill is declared passed. Senate Bill 786, Representative Saviano. Is the Gentleman in the chamber? Representative Saviano. Representative Black."

Black: "Thank you very much, Mr. Speaker. Since there's been an intervening Speaker between you and the last one, point of order pursuant to Rule 49. I'm joined by five of my colleagues requesting a Record Vote on any Motion or resolution to adjourn, and should that Motion get a requisite number of pass, I will request verification. Thank you."

Speaker Hannig: "Thank you, Representative Black, and we will acknowledge you at the appropriate time. Representative Saviano. Is the Gentleman in the chamber? Out of the record. Representative...Representative Fantin. Did you seek recognition? No? No? Okay."

Speaker Hannig: "Representative Burke on Senate Bill 878. Representative Burke."

Burke: "Thank you, Speaker. I move to accept the Governor's Amendatory Veto on Senate Bill 878, and the Amendatory Veto would address the issue of the state's moral obligation in providing for the Illinois Prepaid College Education Fund. I'd be happy to answer any questions."

Speaker Hannig: "The Chair rules that this Bill requires 71 votes. Is there any discussion? Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's Specific Recommendation for Change with respect to Senate Bill 878?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this motion, having received the required Three-fifths

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Constitutional Majority, the House accepts the Governor's Specific Recommendation for Change on Senate Bill 878, and this Bill is declared passed. On the Supplemental Calendar #1, under the order of Conference Committee Reports is House Bill 1400. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I'd like to defer to Representative Mautino since he has been the person who has done all the work on the Bill."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report contains the follow-up language to Senate Bill 802, which was the *Kennedy-Kassebaum* Portability Act that was run, originally, by Representative Krause. We knew in the beginning Session that we would have to make some changes in the legislation. What this Bill does is put in a provision guaranteeing renewability for individuals. It's a portion which had been left out of 802, and is required federally. In addition to that, we have a provision which allows for the contesting of assessments under that program, and that became a necessity once the Bill was set into law. Be happy to answer any questions and appreciate your favorable consideration an 'aye' vote."

Speaker Hannig: "And on that question, Representative Tom Johnson is recognized."

Johnson, Tom: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Johnson, Tom: "Frank, I don't know whether this covers it or not. You know, I know that we did some adjustments now. Under portability of insurance, as I understand it, they'd open the door there to... for the underwriters and so on, to reassess the rates that were being charged to groups of

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insured, correct?"

Mautino: "Correct. What happened was, once we set up the assessment procedure for the health care providers, there were some groups, for example, federally employed individuals who, we did not have the power to assess and so..."

Johnson, Tom: "Okay, does this have anything to do with the changing the rates of individual groups where... I understand all the other states put a cap on that you could only increase rates of groups by 65% was the max, but Illinois put no cap on, and because of that, we are having a number of individual employers and groups where their rates are now... I'm holding one, their rate went from \$6 thousand for 10 or 12 insured in that group, up to \$28 thousand because of the legislation we passed and put no caps on? Does this address that?"

Mautino: "802...That is not addressed in this legislation. Part of 802 removed the rating bands that we had which...the structure that we do the rates now is monitored by the department, but the Portability Act and the rating caps that were a part of 802, worked adversely. So, when the department and the Federal Legislation were put together, they took the rating bands out and are just monitoring that along with our assessment abilities on those companies that participate."

Johnson, Tom: "Are we doing anything reference... putting limits on cap... or capping the amounts on the rate increases? What safety valve is there? We have a lot of business groups, small business right now, that are going to get rid of coverages. There's no way they can pay these premiums."

Mautino: "Right. As a matter of fact, if you do have any evidence of that, I'd like to see you give that to the

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department. This Bill does not address that. This address what we had left out in 802, which was the guaranteed renewability for individuals. It's a major portion of the Federal Legislation that had to be set back in place. Now, what you're talking about is a..."

Johnson, Tom: "Well, what we are doing under this Amendment, will this exacerbate this problem or will this in any way increase this sort of problem from happening?"

Mautino: "No, that will not happen at all."

Johnson, Tom: "Okay, it's not relevant. Okay."

Mautino: "As a matter of fact, 802, when Representative Krause did it, if you take a look, we're very fortunate in Illinois to be one of the states that went ahead and created the 'risk pool'. If you look at Colorado and some of the states that did nothing and allowed that Portability Act to come into place on its own, at the federal guidelines, they're seeing rate increases of up to 40%."

Johnson, Tom: "Yeah, well this is 342% and it's not uncommon, and we're going to be getting a whole lot more of our small business groups and I think the membership better be aware of this, that we are going to get a whole lot more. This is 342% rate increase..."

Mautino: "Now, it's also... it's also important for the members to understand that what you're discussing is not the Bill that's in front of us."

Johnson, Tom: "Right. Right. Okay. Thank you."

Mautino: "Okay."

Speaker Hannig: "Representative Beaubien. Any further discussion? Representative Mautino to close."

Mautino: "I thank the Members for their questions. This is an integral part of the Portability Legislation we passed earlier on and it has been required by the feds that we

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include this. I simply ask for your 'aye' votes."

Speaker Hannig: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1400?' All in favor vote 'aye'; opposed '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, there 118 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed, and the House does adopt Conference Committee...the First Conference Committee Report on House Bill 1400. Representative Murphy, for what reason do you rise? No? Okay. On the Order of Resolutions is House Resolution 121, Representative Pugh. Representative Murphy, for what reason do you rise?"

Murphy: "Point of personal privilege."

Speaker Hannig: "Yeah, state your point."

Murphy: "Mr. Speaker, I'd like to introduce a group of senior citizens from the City of Harvey, Illinois. Would you all give a big hand clap... in the gallery, behind you."

Speaker Hannig: "Thank you and welcome to Springfield. And now on House Resolution 121, Representative Pugh. Is the Gentleman in the chamber? Out of the record. House Resolution 248, Representative Parke. Is the Gentleman in the chamber? Out of the record. Excuse me, there's Representative Parke. On House Resolution 248."

Parke: "Mr. Speaker, I'm waiting for a phone call from the consulate...Canadian Consulate General on a question, and as soon as I get that call back, I'll see if there's time left in the day to do that but thank you for calling it. I'd like to take it out of the record."

Speaker Hannig: "Okay. Very good, Representative. House Resolution 261, Representative Brady. House Resolution

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269, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Resolution encourages the state, the State of Illinois, to take advantage of new federal dollars available to provide, primarily, preventive health care to children of working, uninsured families. The measure sets up a procedure for planning a program that will accomplish that goal and encourages us to move with deliberate speed as there are \$122 million federal dollars awaiting our use. So, I'd appreciate your support for the Resolution."

Speaker Hannig: "The Lady moves for passage of House Resolution 269. Is there any discussion? There being none, the question is, 'Shall this Resolution be adopted? All in favor vote 'aye'; 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 117 voting 'yes' and 0 voting 'no'. And the House does adopt House Resolution 269. House Joint Resolution 36, Representative Reitz."

Reitz: "House Joint Resolution 36 urges the President to avoid entering... in the Senate, to avoid entering into any climate treaty commitments pursuant to the *Perlin Mandate* that would lead to the loss of jobs, income, or economic development in the United States. Thank you."

Speaker Hannig: "The Gentleman has moved for the adoption of House Joint Resolution 36. Is there any discussion? There being none, the question is, 'Shall the House adopt House Joint Resolution 36?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 5 voting 'no'. And the House does adopt House Joint Resolution 36."

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Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Hannig: "Yes."

Black: "The last two Resolutions have been a Roll Call Vote, one may have required the expenditure of money, I don't know. That's not, historically, been the case. Are we... Have we changed? Are we going to do a Roll Call on every Resolution or...?"

Speaker Hannig: "We can if you request, Representative."

Black: "No, I... No. I... You know, the Gentleman... the Gentleman's been here, what, 72 hours and he gets a Resolution passed with a hundred and something votes. I mean, that's ridiculous. We could have voted that down on a voice vote. All right? Well, your giving this guy something he can pass around the chamber and everybody sign it and he'll be so happy. I'm not going to sign it."

Speaker Hannig: "Welcome back to Springfield, Representative Black. We're always glad to have you with us. Mr. Clerk, read Senate Bill 382. Oh, excuse me, Mr. Clerk. Representative Schakowsky, for what reason do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I intended to vote 'no' on the last Resolution."

Speaker Hannig: "Okay, thank you, Representative. The record will so reflect. Mr. Clerk, read Senate Bill 382."

Clerk Bolin: "Senate Bill 382, a Bill for an Act to amend the Illinois Municipal Code. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Gash, for what reason do you rise?"

Gash: "Thank you, Mr. Speaker. On the last Resolution, I intended to vote 'no'."

Speaker Hannig: "Thank you. Mr. Clerk, take 362(sic-382) out of

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the record. Out of the record, 362(sic-382). On the Calendar, on page 4, under Total Veto Motions, is Senate Bill 35, Representative Parke."

Parke: "Thank you, Mr. Speaker. I appreciate the courtesy of the Chair coming back to this legislation. Under the Veto Message of the Governor, he chose to recognize and sign House Bill 581 as is preferential to this Bill, Senate 35. And let me tell you a little bit. There's a difference between the two Bills. In fact, we ought to pass both of them. Thirty-five give the Chief County Assessment Officer the authority to extend a filing deadline for senior citizens, assessment freeze, in cases where the applicant failed to file a document for medical reasons. Now, most of us think that's common sense. In another Bill, House Bill 581 allows a Certificate of Error to be filed by any... in any instance in which the applicant failed to file the extension. This is much broader provisions but the mechanics of the two provisions are different. Thirty-five allows a simple procedural change within the Assessor's office. The applicant can immediately rectify the problem and take care of it. The exemption is then, processed in the usual way. Under House Bill 581, the applicant can only receive a certificate of error for the previous assessment year. Then it does not reduce the tax liability without a court order. This places a burden on the older tax payer that could of been avoided by simply allowing the assessor to accept paperwork no more than three months late. While both proposals address the issue, Senate Bill 35 is simpler, cleaner in that process for this participation. I would ask that the Body override the Governor's Veto and accept this Bill and let the assessors use both to deal with the problems that senior citizens

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will have with their assessment."

Speaker Hannig: "On that question, Representative Brosnahan is recognized."

Brosnahan: "I rise on a point of personal privilege."

Speaker Hannig: "Yes, state your point."

Brosnahan: "I would just... I would just like to welcome the eighth grade students from St. Bernadette School in Evergreen Park, that are with us today. It's my home town so, hopefully, everyone will give a nice warm welcome. Thank you."

Speaker Hannig: "Welcome to Springfield. And on Senate Bill 35, is there any discussion? Representative Parke, would you like to close? So then, the question is, 'Shall Senate Bill 35 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this Motion, having received the required Three-fifths Majority, the Motion to override prevails, and Senate Bill 35 is declared passed, notwithstanding the Governor's Veto. Back to the order of Resolutions is House Resolution 121, Representative Pugh. Representative Pugh on House Resolution 121. Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Can we take this Bill out of... the Resolution out of the record for a minute, please?"

Speaker Hannig: "Absolutely, Representative. Representative Saviano, is the Gentleman in the chamber? Representative Saviano on Senate Bill 786. Okay, Representative Saviano has returned? For Senate Bill 786."

Saviano: "Thank you, Mr. Speaker. I would move to accept the

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Amendatory Veto. Thank you."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the House except the Governor's Specific Recommendation for Change on Senate Bill 786?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this motion, having received the required Three-fifths Constitutional Majority, the House accepts the Governor's Specific Recommendation for Change regarding Senate Bill 786, and this Bill is declared passed. Representative Black, for purpose do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. In abject violation to the rules, I rise to a point of personal privilege."

Speaker Hannig: "In violation of the rules?"

Black: "Absolutely. All of these introductions are in violation of the rules and I apologize for that, but I would like to introduce two young people from my district. One, is Ben Port. Ben is from Danville, is the elected Lieutenant Governor of Premier Boys State, and we'll announce his candidacy at 2:30 this afternoon. Also with me, serving as an intern in the Rural Bond Bank, is Janna Lifco, from the Village of Hoopstown in Vermilion County. Welcome them to Springfield."

Speaker Hannig: "Welcome to Springfield. Senate Bill 36, on the order of... on page 4 of the Calendar, on the Order of Total Vetoes. Senate Bill 36, Representative Moore, Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. Senate Bill 36 is a Bill

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that came through the House last time, voted 117- 0- 0. The Senate also supported it unanimously. It amends the Property Tax Code and requires that each Chief County Assessment Officer to publish a notice of availability of the Senior Citizens Assessment Freeze Homestead Exemption in a newspaper between 60 and 75 days before the application deadline. This is a pro-senior piece of legislation unanimously supported by both chambers and I would move for an override of the Total Veto."

Speaker Hannig: "And on that question, Representative Skinner is recognized."

Skinner: "I wonder if... I wonder if the Lady would tell us why this was vetoed?"

Moore, A.: "I believe that the Governor, I think you might have the veto there before you, but it... it talked about an unfunded mandate. Many of the County Assessment Officers feel as though they can include it with some of the other publishing requirements that they have. So, it is my understanding, they don't expect to have any great cost attached to this Bill but it is one that will keep seniors fully informed of this Homestead Exemption."

Skinner: "And so, the veto override session rolls on?"

Moore, A.: "Pardon?"

Skinner: "I said, and so the veto override session rolls on."

Moore, A.: "Thank you."

Speaker Hannig: "Is there any further discussion? Representative Moore to close."

Moore, A.: "I would just ask that all of you support this very pro-senior legislation and vote 'aye'."

Speaker Hannig: "The question is, 'Shall Senate Bill 36 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Seventy-one

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votes are required and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this Motion, having received the required Three-fifths majority, the motion to override prevails and Senate Bill 36 is declared passed, notwithstanding the Governor's Veto. Representative Erwin, for what reason do you rise? Mr. Clerk, read House Bill 704. That's on page 2 of the Calendar, on the Order of Second Reading. House Bill 704."

Clerk Bolin: "House Bill 704, the Bill's been read a second time, previously. Floor Amendment #1, offered by Representative Steve Davis, has been approved for consideration."

Speaker Hannig: "Representative Davis."

Davis, S.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 704 becomes the Bill, and it amends the Fireworks Use Act in the State of Illinois. And what the Amendment does, it addresses some lack of law in the State of Illinois when it comes to display fireworks, people who sell display fireworks and companies who put on fireworks displays and those who are the actual operators of the display units that we all enjoy during the fourth of July and at other special occasions. Unfortunately, on July third of this year, in Alton, Illinois, there was a tragic accident on one of the barges that killed three people during one of these fireworks displays, and through some investigation, we found that the law in Illinois was certainly lacking when it comes to the use of display fireworks and the licensing. And what the Amendment does is, attempt to license the people who sell the displays fireworks, license the people who actually put on the display and require a testing for persons who are

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the actual operators of the fireworks displays during the display exhibitions. And, I would urge an 'aye' vote on Floor Amendment 1, and would be glad to answer any questions."

Speaker Hannig: "And on that question, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "The underlying Bill had an immediate effective date, I believe the Amendment has an effective date of January 1, 1998. My question to the Chair is, since we no longer have an immediate effective date, this Bill only requires 60 votes. Is that correct?"

Speaker Hannig: "Well, Representative, we're just adopting the Amendment at this point and then, if the Amendment goes on then, I think your question will be in order."

Black: "Okay. Will the Sponsor of the Amendment yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you. Representative, nothing in this Amendment could be construed as weakening or strengthening the existing State Law on fireworks, Class C; sparklers, caps, anything. You're only after the commercial display, correct?"

Davis, S.: "That's correct."

Black: "All right, thank you."

Speaker Hannig: "Any further discussion? There being none, all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Woolard, for what reason do you rise?"

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Woolard: "Thank you, Mr. Speaker. I'd like to inform the Agriculture Committee that we recessed today and our intent is to reassemble at 9:00 a.m., in D-1, tomorrow morning. 9:00 a.m., D-1, tomorrow morning."

Speaker Hannig: "On Supplemental Calendar #1, is House Resolution 261, Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 261 is a Resolution thanking and congratulating Dr. Richard Wagner, who has been Executive Director of the Illinois Board of Higher Education since July 1, of 1980. Dr. Wagner began his dedication to higher education in 1969. I'm very pleased and honored to be able to Sponsor this Resolution. In my short time here in Springfield, Dr. Wagner has indicated through his efforts to me, his dedication not only to higher education, but to the State of Illinois, and I ask all Members to help me support this Resolution as Dr. Wagner retires. Thank you."

Speaker Hannig: "Representative Erwin."

Erwin: "Thank you, Speaker. I, too, rise to not only suggest that we have a unanimous Roll Call on this Resolution, but to lend my thanks and gratitude to the many years of really wonderful work that Dr. Rich Wagner has given to the State of Illinois. Not only to our fine public and private institutions of higher learning but certainly to many, many college students at all levels of higher education, who, I know, have benefitted from his good work, solid, solid work and advice to the Legislature to institutions and certainly, to the larger educational community. I first came to know Dr. Wagner as a staff person for Senator Phil Rock, who actually sponsored their appropriations for I geez, I think 20 years, and came to really appreciate his quiet, thoughtful, and very, very dedicated service to this

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state. We have been extremely fortunate to have him at the Board of Higher Education. He will be sorely missed in this state, and I know I join with all of my colleagues in extending to him, not only our gratitude, but our very best wishes as he opens a new chapter to, I know, what will be a productive and wonderful next career. So, I urge a unanimous Roll Call on this Resolution. Thank you."

Speaker Hannig: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. Members of the Illinois House, I, too, stand in rise... rise to add my congratulations to Dr. Wagner for what I would call a very successful tour of duty in higher education, here in Illinois. This is an individual who has worked with a whole variety of people over a number of years in guiding and steering our higher education... our public higher education system in this state. And it's not often that someone can simply survive that arena and at the same time be effective, and, I think, that some of the things that Dr. Wagner's been involved in, some of the areas that he's helped direct to the higher education system in the state will be lauded and will continually remind us as time goes on, that... of his great input and resourcefulness in serving for the good of higher education here in Illinois. So, I add my congratulations to his retirement and certainly, the support for this Resolution. Thank you."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. I, too, want to add accolades to the work and professionalism of Dr. Wagner. He always helped to move the committee's work along and he has set a very high standard in higher education for the people of Illinois and I thank him on behalf of the people."

Speaker Hannig: "Representative Brady to close."

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Brady: "Thank you, Mr. Speaker. In closing, I'd just remind the Members that this evening, Thursday, from 5:30 to 7:00 p.m., there is a reception honoring Dr. Wagner's span sponsored by the four legislative leaders at the Illinois State Library. I thank those Members for their comments and appreciate your favorable support."

Speaker Hannig: "The question is, 'Shall the House adopt House Resolution 261?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. Representative Hartke is recognized for an announcement."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. The Democrats request a Caucus immediately upon adjournment."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, we're just so happy to be in Springfield that we're going to enjoy the afternoon and we're not going to have a Caucus this afternoon."

Speaker Hannig: "Very good. Thank you, Representative Tenhouse. Representative Barbara Currie now moves that the House...I'm sorry. Representative Cross, for what reason do you rise?"

Cross: "Mr. Speaker, just anticipation of Representative Currie's Motion, we request a Roll Call as Representative Black asked earlier, and a verification of the Adjournment Resolution."

Speaker Hannig: "It will be granted, Representative."

Cross: "And also, can you explain or tell us where our Education Bill is in the process that we filed yesterday?"

Speaker Hannig: "It's my understanding that that Bill is in the Rules Committee."

Cross: "When can we anticipate a hearing in the Rules Committee on that Bill?"

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Speaker Hannig: "I think the Rules Committee has three days to assign all Bills, Representative, three legislative days. And I assure that they will..."

Cross: "Well, can we expect... can we anticipate that it'll be called today?"

Speaker Hannig: "Representative, you need to speak to the Chairman of the Rules Committee, but I can tell you that the House Rules provide that all Bills introduced, be assigned within three legislative days."

Cross: "Are we going to have some answer on our request for a hearing in Committee..., Rules Committee, on our Education Bill? It's now been a full day. Everyone's talking about us moving forward with a kid's first Bill and to date, we have not had a Rules Committee Hearing to even address this issue and we would like some acknowledgment that we are going to address the kids of Illinois in the next two days."

Speaker Hannig: "Your... your Bill, as all Bills, will be handled according to the House rules, Representative."

Cross: "Hasn't there been a Rules Committee once today? Is the intention of the Chair and the Speaker just to ignore our Bill all together? Can we expect that type of action the next two days?"

Speaker Hannig: "No, Representative, the rules provide that all Bills have to be assigned within a time frame and I'm certain that all Bills will be assigned within that time frame so, that's... that's all the Chair can tell you, you know."

Cross: "Well, Mr. Speaker, I think we've made it pretty clear that we're not leaving Springfield until our Education Bill, or a reasonable approach and rational approach to the kids of this state get addressed and gets heard. There's

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been one Rules Committee today, I don't know how many there were yesterday and we want to know when we can expect an Education Bill."

Speaker Hannig: "Representative, when was the Bill introduced?"

Cross: "It was introduced yesterday and we are ready to proceed with an Education Bill now, kids first. Kids first, kids not pigs."

Speaker Hannig: "Representative Currie moves that the House stand adjourned until..."

Cross: "Roll Call."

Speaker Hannig: "...tomorrow, Friday, November 14, at the hour of 10:00 a.m., allowing perfunctory time for the Clerk. And on that question, all in favor vote 'aye'; all opposed vote 'nay', and the voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 voting 'yes' and 58 voting 'no'. Representative Cross, do you wish to handle the verification?"

Cross: "Yes."

Speaker Hannig: "Okay, Mr. Clerk, proceed with the vote of those voting in the Affirmative and, Representative... Representative Cross, we have some Representatives wishing leave, will you grant that to them?"

Cross: "Well, if we... if you go through it one by one, I don't want to just excuse them in mass. Are they going to look for that Education Bill?"

Speaker Hannig: "I think they're going to see the Governor. There's some kind of Bill that has something to do with electricity."

Cross: "Well, we're making light of it but it's day two and we haven't done a thing."

Speaker Hannig: "So Representative Novak has asked for leave. Can you grant him leave, Representative? He's right here

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in the Well?"

Cross: "Mr. Speaker, I, with all due respect to all of those people trying to leave, this is a rather important issue. We want to address school funding and I'm going to... we're not going to let him go, we're ready to proceed."

Speaker Hannig: "Mr... Mr. Clerk, read the Poll of those voting in the Affirmative."

Clerk Bolin: "A Poll of those voting in the Affirmative. 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. Novak. O'Brien. Phelps. Pugh. Reitz. Ronen. Santiago. Schakowsky. Schoenberg. Scott. Scully. Silva. Slone. Smith. Stroger. Turner, Arthur. Woolard. Younge. And Mr. Speaker."

Speaker Hannig: "Representative Cross, some of my Members are again asking for leave are you... are you going... could you grant a few of them, who would like to get a picture with the Governor? Representative Novak and Smith."

Cross: "I'm sorry, I didn't... Mr. Speaker, I think I, and as I said, with all due respect to all but I think..."

Speaker Hannig: "If you don't wish to give it, you're within your rights and then, proceed."

Cross: "...we're going to persist in our verification."

Speaker Hannig: "So, proceed with... the Gentleman is not allowing leave, so all you in the center aisle, your just going to have to wait, I'm sorry. And, Representative Cross, any names that you would like to challenge of the

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Affirmative votes?"

Cross: "Representative Bugielski?"

Speaker Hannig: "I'm sorry, I couldn't hear you, Representative."

Cross: "Representative Bugielski?"

Speaker Hannig: "Representative Bugielski, the Gentleman's in his chair. Any further, Representative?"

Cross: "Yes, if you could let me go through this."

Speaker Hannig: "Could the Members, please, be in their seats?"

Cross: "Representative Hartke."

Speaker Hannig: "Representative Hartke's in his seat."

Cross: "Representative Pugh."

Speaker Hannig: "Representative Pugh. Representative Coy Pugh, is the Gentleman... He's in the rear of the chamber."

Cross: "Representative Reitz."

Speaker Hannig: "Representative Reitz?"

Cross: "I'm sorry, Reitz."

Speaker Hannig: "Reitz, our new Member, Representative Reitz. Is the Gentleman in the chamber?"

Cross: "He's in the back."

Speaker Hannig: "The Gentleman is at the rear of the chamber. Any further?"

Cross: "Representative Gash?"

Speaker Hannig: "Representative Gash... the Lady's in her chair."

Cross: "Representative Schoenberg?"

Speaker Hannig: "The Gentleman's in his chair, Representative Schoenberg."

Cross: "Representative Mautino?"

Speaker Hannig: "Representative Mautino's in the front of the Chamber. In the front of the Chamber, Representative Cross."

Cross: "Representative Art Turner?"

Speaker Hannig: "Representative Art Turner is at his seat... at

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his desk."

Cross: "Representative Giglio?"

Speaker Hannig: "Representative Giglio is in his seat."

Cross: "Representative Stroger?"

Speaker Hannig: "Representative Stroger's in the front row."

Cross: "Representative Charles Morrow?"

Speaker Hannig: "Representative Morrow is in the front row."

Cross: "I'm sorry, I didn't see him."

Speaker Hannig: "Maybe you heard him."

Cross: "I may have. Representative...Representative Brunsvold."

Speaker Hannig: "Representative Brunsvold is in his chair."

Cross: "Representative Lyons?"

Speaker Hannig: "Representative Lyons is right in front of the
Well."

Cross: "Representative Fantin?"

Speaker Hannig: "Representative Arlene Fantin is on the side of
the chamber."

Cross: "Representative McCarthy?"

Speaker Hannig: "The Gentleman is in his seat."

Cross: "Representative Scott, Doug Scott?"

Speaker Hannig: "Representative Doug Scott. The Gentleman's on
your side of the aisle, Representative."

Cross: "Representative Schakowsky?"

Speaker Hannig: "Representative Schakowsky. The Lady's in the
rear of the chamber."

Cross: "Representative Slone?"

Speaker Hannig: "Representative Slone is in her seat."

Cross: "Okay, thank you."

Speaker Hannig: "Okay, and on this question there are 60 voting
'yes', and 58 voting 'no', and the House does stand
adjourned until the hour of 10:00 a.m.. tomorrow, Friday,
November 14, allowing perfunctory time for the House...for

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the clerk. Representative Dart, for what reason do you rise?"

Dart: "Thank you, Mr. Speaker. I just wanted to announce in Judiciary I Civil is going to have a meeting, a recessed meeting, at 9 o'clock tomorrow in C-1, for a subject matter hearing on the adoption Bill."

Speaker Hannig: "And Representative Hartke."

Hartke: "Democratic Caucus, Room 114, immediately."

Speaker Hannig: "Thank you, Representative, and the House stands adjourned. Allowing perfunctory time for the clerk."

Clerk Bolin: "House Perfunctory Session will come to order. House Bills - Second Reading. House Bill 704, a Bill for an Act amending the Fireworks Use Act. House Bill 2308, a Bill for an Act amending the Unified Code of Corrections, Second Reading of these House Bills, which will be held on the Order of Second Reading. Senate Bills - Second Reading. Senate Bill 382, a Bill for an Act amending the Illinois Municipal Code. Senate Bill 436, a Bill for an Act amending the Property Tax Code, Second Reading of these Senate Bills. These Senate Bills will be held on the Order of Second Reading. Introduction of Resolutions. House Joint Resolution 39, offered by Representative Cowlshaw. Senate Joint Resolution 28, offered by Representative Phelps. House Resolution 274, offered by Representative Eugene Moore, Resolutions are assigned to the Rules Committee. Introduction and First Reading of House Bills. House Bill 2399, offered by Representative Mike Smith. A Bill for an Act to amend the Illinois Vehicle Code. House Bill 2400, offered by Representative Acevedo. A Bill for an Act to amend the Criminal Code of 1961. Second Reading of these House Bills. Being no further business, the House Perfunctory Session will stand adjourned. The House will

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reconvene in regular Session tomorrow morning at 10:00
a.m."