

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

106th Legislative Day

March 8, 2000

Speaker Madigan: "The House shall come to order. Members shall be in their chairs. We shall be led in prayer today by Pastor Tom Newton of the Crossroads Community Church in New Lenox. Pastor Newton is the guest of Representative Kosel. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Newton: "Lord, I'm humbled to invoke Your presence here in this great hall. You are a Great God. You, who can move kings among nations. I pray Lord, for these Legislators, that You will have Your will here done and You will do it through them. I ask Lord, too, that You will bless each person, man and woman, when they go to bed tonight, that they will know in their heart that they have done a good job. Please bless their families, while they're away from their families, Lord. Bless them, thank You, Lord. Have Your way here today, and may it be a great honor and blessing to You, for we pray this in Jesus' name, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance By Representative Brent Hassert."

Hassert - 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. Please let the record show that Representative Shirley Jones is excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that all Republicans are present today."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call, there is a

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quorum present. The Chair recognizes Representative Julie Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. I rise at a point of personal privilege. I would ask all the Members in the Body to look up into the gallery and see all these wonderful young men and women who are here today for the Family Career and Community Leaders of America, their annual lobby day here in Springfield. These are excellent young men and women who set wonderful examples for us in our educational settings and I'd appreciate it if the Body would give them a round of applause and welcome them to Springfield."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Thank you, Speaker. The Tourism Committee scheduled today for 2:00 p.m. in Room 122-B, has been cancelled. The Sponsor's not ready with the legislation, as of yet. Tourism Committee has been cancelled. Thank you."

Speaker Madigan: "Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Steve Davis, Chairperson from the Committee on Public Utilities to which the following measures were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1400. Representative Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measures were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate', Senate Bill 1281 and Senate Bill 1733. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measures were referred, action taken on March 7, 2000, reported the same back with the following

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recommendations: 'do pass Short Debate', Senate Bill 1586. Representative Bugielski, Chairperson from the Committee on Financial Institutions, to which the following measures were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1421 and Senate Bill 1656. Representative Flowers, Chairperson from the Committee on Health Care Availability and Access, to which the following measures were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1510. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measures was/were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1511. Representative Hoffman, Chairperson from the Committee on Transportation, to which the following measures was/were referred, action taken on March 7, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1629. Representative Burke, Chairperson from the Committee on Executive, to which the following measures was/were referred, action taken on March 8, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bills 1266 and Senate Bill 1680. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measures was/were referred, action taken on March 8, 2000, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1388, Senate Bill 1533, and Senate Bill 1875. 'do pass as amended, Short Debate', Senate Bill 1567. 'be adopted', House Resolution 499.

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Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measures was/were referred, action taken on March 8, 2000, reported the same back with the following recommendations" 'do pass Short Debate' Senate Bills 1329, Senate Bill 1427, Senate Bill 1657, and Senate Bill 1712."

Speaker Madigan: "Representative Andrea Moore."

Moore: "Thank you, Mr. Speaker. I rise today, in a point of order, because today in the Human Services Committee, for the first time in 8 years, I had someone drive down from Chicago, at 4:00 in the morning to testify before a committee. Mr. Speaker, you have limited the number of Bills that we are able to call. I had my Bill before a committee, I had people there to testify, and this committee was so poorly run that they had to create a subcommittee. They referred all Amendments to subcommittee, and in addition to that, they referred the Bill itself to subcommittee. The Minority Members pleaded, 'please let us hear subject matter only.' And for the first time ever, that courtesy was denied someone who came to testify. Now, we all know that Springfield is not as convenient for the Northern part of the state as it is the Central, and it has always been the custom that if someone travels at great distance and inconvenience, that they be allowed to testify, subject matter only, at least before the committee. This committee was adjourned inappropriately, and furthermore, the issue of only having two Senate Bills to carry, when we as the Minority have issues that we want to advance, this Bill had an Amendment on it that was appropriately on this Bill, because these two Bills have to go hand in hand. Senate Bill 677 needs to pass in order for the Amendment that went on it to

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realize the full pharmaceutical potential that we are talking about for seniors. I think this kind of treatment in committee was not only unacceptable, it infringed on the rights of the Minority, and I object to it. I would ask that you go ahead and schedule a hearing, even if it's only subject matter only, today, so that we can hear this testimony before the committee. The Republican Members sat there for one hour, waiting for a decision to be made by your office on whether the tape could run or whether we were going to be able to hear any testimony, subject matter only. Mr. Speaker, I would ask that you provide an opportunity for subject matter only on this issue. May I have your..."

Speaker Madigan: "Representative Feigenholtz will respond to you, Representative. Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. I would like to address some of the comments that were just made by Representative Moore. Representative Moore, it was relatively clear in committee that the witness, Ann Hilton Fisher, who I've know for may years, not only would be glad to come back down to Springfield to continue debating the underlying Bill that has been worked on by both sides of the aisle in both chambers, but he (sic-she) also fully intends to continue to come down to work on that Bill. And we are going to be hearing Senate Bill 677 when we come back after break."

Moore: "Well, why couldn't we hear it today? We all were there and prepared to hear it. You get two Bills to hear. Why can't we hear our Bills when they are posted, correctly posted? We've got witnesses that have been prepared. We get before the committee and it's a Bill that everyone supports."

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Feigenholtz: "Representative Moore, actually, some of the Amendments that were filed on Senate Bill 677, were very complex and the Committee was not prepared to address them. I believe that the subcommittee is going to take a much closer look at all four of the Amendments. There had been a commitment on the part of Leadership to go meet with the Governor to negotiate what is best for the senior citizens and how we should provide the optimum opportunity for our seniors, here in Illinois. And I'm hoping that that commitment will actually happen and I know you hope that that, as well."

Moore: "I do and I did take the commitment of the Majority Leader, that in fact this Bill and the Amendments would be fully heard in subcommittee in two weeks. My issue is that there was a request to hear subject matter only and for the first time in eight years I have never, ever, brought witnesses down, whether they're willing to drive back or not, never brought a witness down before a committee, where I was denied the courtesy for subject matter only before the committee. And the Republican Members sat there and the Democrats left. And I mean, I think it was inappropriate. Mr. Speaker, I would again ask that you go ahead and set the committee so that we can at least do out subject matter only."

Speaker Madigan: "Representative Kosel."

Kosel: "Thank you, Mr, Speaker. I am here to address the same issue. We were in committee today and asked to have a Bill addressed, that in concept, everyone on this floor has agreed should be discussed. Debate was cut off unceremoniously and our Leader was not allowed to speak until we used parliamentary procedure maneuvers as a ex officio member of that community to have him speak. He

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would have been cut off had we not had the ability to do that. The discourtesy of that alone, let alone not allowing for the first time ever since I've been down here, someone to address a Bill in subject matter only is ...it just stifles the whole system. We're down here to have discourse over issues, to have discussions over issues, and it is important that we always have those. It's what the State Legislature is about. It is what the House of Representatives is about. We need to have those. We need not to cut people off in debate. We need to do this. I would ask that we reconvene today for subject matter, please."

Speaker Madigan: "Mr. Cross."

Cross: "Mr. Speaker, just a ...I guess a point of clarification from the Chair. My understanding of the House Rules is and I'll read them, it's one sentence. 'The Bill or Resolution has been properly set for hearing, and witnesses are present and wish to testify, the committee shall hear the witnesses at the scheduled time and place.' Obviously, that Rule was ignored today. Representative Moore had witnesses down. They were ready to testify, and your House Rules provide that they shall testify. We'd like to know what the Chair intends to do, either you as Speaker or the Chair of the Committee intends to do, with respect to this issue... and with respect to the fact that the House Rules were blatantly ignored on one of the most important issues for seniors in the State of Illinois that we're going to face all Session. Now, you're either going to let witnesses testify or we need to know are you going to continue to ignore House Rules? I would appreciate it if we could get an answer, so Representative Moore will know whether to, in the future, have witness down where she can

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expect that they can testify or she should tell them, 'You can come down. Maybe you'll testify, maybe you won't.' We'd like to know."

Speaker Madigan: "The parliamentarian is prepared to respond to you, Mr. Cross."

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker in response to your inquiry, you cite the correct rule regarding the rights of the public, however, the Chairperson of the Committee, pursuant to Rule X has the authority to call the committee to order, designate the order in which Bills are called, and to determine which Bills are called. And so pursuant to that authority and discretion, the Chair does have the authority to choose not to call the Bill."

Cross: "So, my understanding, Mr. Parliamentarian, is that the Bill was called. Once it's called and I think really, regardless of the fact of whether or not it's called... it's your rules. These aren't our rules. These are rules you guys adopted and rammed down our throats. We didn't make them. 'If a Bill or Resolution has been properly set for hearing', it was properly set for hearing, and then you shut off witnesses. Is that how we're going to run this chamber? You clearly, you clearly ignored the rules of this House. And you clearly shut off witnesses from other parts of this state who wished to come down and testify. Now, are you going to follow the rules, or are you gonna ignore the rules from now on? We'd like to know."

Speaker Madigan: "Representative Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. The Chairman was well within her rights when she assigned Senate Bill 677 to a subcommittee. That subcommittee was not scheduled for hearing that Bill today. It will be

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scheduled for two weeks from now when we return after next weeks break. The witness that you're so concerned about when asked the direct question, could she, would she appear at the subcommittee in two weeks time, said 'Absolutely, not an inconvenience.' So, I think you're making a fuss, where a fuss need not be made and I think the real issue, was not Senate Bill 677, but a brand new Amendment that you chose in violation of clear-cut agreements to offer before the Human Services Committee. Representative Feigenholtz did the sensible thing. Let's look at that issue in subcommittee. We'll do that in two weeks time. There is no way the rules of this House modeled on the rules of your House, have been violated."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker, to the issue at hand. I have tried to go along with the situation that we find ourselves in, in this year. There is no constitutional authority to tell an elected Member of this Body, that he or she can only carry three House Bills, and that he or she can only carry two Senate Bills. It's unconstitutional. There is no rule that states that that authority shall be given to any individual in this chamber. I have tried to keep my tongue and temper in check all Session long. I have Bills that I couldn't even get out of Rules that were brought to me by my constituents. It's their idea, their Bill, not mine. That's who I'm here to represent. So, their issues have been shut off. And one of these issues was brought to me by a township supervisor in my district who feels very strongly about the issue, who is a Democrat. So it isn't just Republican Bills that are being delayed or postponed or whatever terminology you want to use on this matter. This has been a very strange Session and for those

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of us that have been here for a while, a very stressful Session. Most of us have tried to go along with the matter that was outlined to us earlier, and the earlier dismissal date, which I begin to question more and more, whether we can abide by that date. But the matter at hand, and a previous speaker and particularly a Lady who has the esteemed position that she does, no Chairman, nobody in this chamber has an inalienable right to treat the public like they work for us. We are supposed to work for them. And when they come down here to testify, they should be given that right. They pay our salaries. They pay the overhead in this chamber, not us. And it is absolutely incredulous that someone would get up on this floor and say the Chairperson was in her right to shut off debate, and not allow a member of the taxpaying public to be heard. Now this is outrageous and ludicrous. I would appeal to your common sense, your sense of decency, your sense of responsibility to reconvene this committee. And anyone who wants to testify at any time, at a duly stated meeting of this General Assembly, by God has the right to do so. And this is an outrage that we would treat the taxpaying public in this manner. You know what? Maybe they ought to sign petitions that are going around. Maybe they ought to cut the size of the House. If we continue to act this way, maybe they just ought to abolish the entire House and start over."

Speaker Madigan: "Mr. Hartke. Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, I happened to be a Member of that Committee today and I feel the Chairman was in her absolute right. She called the Bill and then she announced that she was going to take this matter to a subcommittee. She announced her subcommittee Members and I

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think she was absolutely correct. Now, she did allow the Minority Spokesperson to have a voice, he asked to, to make some comments, which he did, before the vote was called. I think she was very polite. She also asked the witness whether she would mind coming back in two weeks when we had time to post the hearing. I don't think there was any problem at all. It was just a matter of we were not prepared to address that Amendment today. We will be prepared, I'm sure you will. The witness will be there two weeks from now and we will give this piece of legislation a fair hearing. I see absolutely no problem at all and I commend the speaker, or the Chairman for running the committee the way she did. I think your charges are totally unfounded."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I also happened to have been a Member of that committee today and although I think the Members in that committee basically would have heard this. And I think they're many Members on both sides of the aisle who are thoroughly dismayed by the lack of civil discourse on issues this year, based around targets, elections, that this is postponed after a primary is a very interesting thing, that the woman who was down here to testify was very committed to the issue and of course, she's going to say that she would come back irregardless of what would happen or what kind of inconvenience it would cause her to drive from the city. She's very dedicated to the issue. She's going to say that she's going to come back. But I think that there are many Members in this Body who are totally dismayed by the way Members are not allowed to discuss major issues back and forth across party lines any longer. It's all based on politics. I think the public has a right

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to be disgusted with us. And I definitely think that this is a mistake. The fact that we couldn't move forward with this, what's wrong? Are we afraid that the issue may be too good, that it may be an issue that's important, that may be passed? Is that why we eliminate the debate on it? Is that why there were more than just the committee Members? After the committee, the Majority Members of the Committee left one of your staff members, who I greatly respect as a dean in human services here, tried to tell the committee what we should do as far as hearing testimony on our own, that's totally inappropriate. The lawyers from both sides that were in that committee only speak to the issue, that everybody is afraid to allow us to actually discuss issues. Personally, as a Member of this Body, I think we're being stifled. I think that's unfortunate. I think the public has a right to complain and I don't think this was a good thing to do."

Speaker Madigan: "Mr. Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Members of the House know, I am an ex officio Member of all House Committees, as are you, Mr. Speaker. So, when I appeared before the Human Services Committee today and asked to speak, I did so as an ex officio Member of that Committee. But let me see if I understand exactly what's going on here. If we can all consider the fact that on March 21st, we have a primary election and this, of course, is approaching that time, and next week we are going to be in recess so everybody can prepare for the primary election and then tell the people of Illinois what they've been doing good for them. If you keep that in mind as the focal point and then you go back to last week where a Bill was rushed through this chamber

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by the opposite party, by the Majority Party in this chamber and we were all told this had to be taken up right then, because it's such a critical need for senior citizens. At the same time, the Department of Revenue filed a slip on the fiscal note that said that that Bill was going to cost us \$747 million in cost to Illinois to implement. We all knew at that point when it was voted on that that Bill wasn't going anywhere. We all knew that the Bill is now in the Senate Rules Committee. It's going to languish there. It is not going to go any further. So now we come to the current date. Sitting in the audience, as I appeared before the Human Services Committee, was the State Director of the American Association of Retired Persons, that's a 1.5 million person membership throughout the State of Illinois. They have endorsed the program that we have the ability to present to this General Assembly and to the people of Illinois. They have said in this program that we need to provide aid to the aged, blind, and disabled and increase that level to 100% of the poverty level and then we also need to add to that a circuit breaker provision which would bring more seniors into Illinois into this coverage. There's not a single Member of this House that doesn't know how important that is, that doesn't know that prescription medicine for seniors is extremely expensive and very, very difficult for many of our seniors in this state to meet. So what we did when we saw a Bill that cost \$747 million is went to work to get a Bill that the AARP could agree with, as well as the Governor agreeing upon, and we have had several meetings on this issue. The Majority Party is fully aware what this Amendment contains and there's nothing new. Now that brings us to the current day as we walk into committee. And what happens when we

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walk into committee? What we saw in committee was an effort by the Majority Party to take this Amendment that's endorsed by AARP 1.5 million people membership, and they doubled our Amendment. So that instead of your eligibility for a family of 2 being 28 thousand and you could apply for it, it would raise the level to \$53 thousand. Anyone under 53 thousand could apply for benefits under the coverage of the circuit breaker. Now on its surface people would say, 'Well that sounds like a good idea', until you start realizing that the purpose of that Amendment is to create such heavy weight on this Bill that it starts to fail because the cost may range up into the hundreds of millions of dollars and we won't be able to financially afford it, once again killing a good idea. Now why is this so familiar? Because last week we had to rush a program here because a primary election is coming up but this week we want to slow down a very good Bill endorsed by the American Association of Retired Persons. What are we doing? What are we doing here? Why are we doing this? I have made an offer to every Member of this House to join with us in sponsoring the AABD program and the circuit breaker program. And Mr. Speaker, I want to address you again personally, once again I am offering to you a bipartisan sponsorship of this Bill, that has been endorsed by AARP, that the Governor has said he will work on to try to find the money within our budget to adopt. I can't say anymore than that. Take it out of the political arena, remove it all together from that. Let's all join in a Bill that will work for our senior citizens in this state, that will make a difference for them. And we can all stand up and proudly pound ourselves on the chest and say, 'We made a difference for the seniors of this state.' And what it'll do for

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every person in this Assembly is give them the opportunity to say that, instead of the shallow and hollow promises that the Majority Party has said about a Bill that was not going to pass any further. So, to the Chairperson of the Human Services Committee, I appeared before your committee in good faith. I did so in an effort to offer a Bill. I was disappointed to see an Amendment filed, that added all kinds of other materials, good ideas as they may be, to a very, very strong and good Bill. But I once again, Mr. Speaker, offer to you this olive branch, this effort to get the job done for Illinois senior citizens, and to move this state forward to care for every person in this state that needs our help. I'm proud to stand along AARP. I'm proud to stand along side every Member of this House. I'm proud to stand with my Republican Members as they now stand up and say let's pass prescription drug relief for the senior citizens of the state and let's do it now."

Speaker Madigan: "Mr. Lang. Mr. Hartke in the Chair."

Lang: "Thank you, Mr. Speaker. I don't know how many were listening but that was really Academy Award winning, don't you think, Ladies and Gentlemen? We had a Bill on the floor of this House to deal with prescription drug medication for seniors, 13 Members of the Minority side of the aisle were Sponsors of that legislation and at the request of the Gentleman who just spoke, they took their names off the Bill and voted 'no', a Bill that the Gentleman says will cost over \$700 million, when in fact, will cost the taxpayers zero to take care of the senior citizens of the State of Illinois. So I'm not going to get hysterical like I sometimes do or like others on the other side of the aisle, have today. The facts are the facts. The facts are, that we had a Bill on the floor. People on

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that side of the aisle, except for two very brave people, one who I understand has no staff people left, voted 'no' on. That Bill is sitting in the Senate. We hope that Bill will move through the Senate. But there were some other things said here, that should be discussed as well. First, the Chairman of the Human Services Committee is one of the Leaders in this Body, on taking care of senior citizens and their needs and their rights. No one on this floor, particularly no one on the Minority side of the aisle, is in a position to criticize this Lady relative to her concern about the senior citizens of the State of Illinois. And yet you lecture away as if this debate is about public policy. Ladies and Gentlemen, your debate on the other side of the aisle is not about public policy. Your debate on the other side of the aisle is about politics. You want to have a vote on a senior citizens' prescription Bill that will not get you in trouble with your benefactors. So you refuse to vote for the good Bill, you want to have a different Bill. Perhaps there's some things in that Bill that some on this side of the aisle could vote for. But to attack the Chairlady of the Committee as if to say that she's blocking progression in the State of Illinois, is outrageous and appalling. To say that this side of the aisle or the Speaker of the House has created rules that have kept the Minority Party from stating their case in this chamber is one of the great outrages in the history of the General Assembly. When you, Mr. Minority Leader, were the Speaker of the House of Representative, 94% of the Bills passed by this chamber were sponsored by your side of the aisle, and 6% by this side of the aisle. When you, Mr. Minority Leader, were the Speaker of this chamber and there were dozens and dozens and dozens of Bills to reform the

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Department of Children and Family Services and my seatmate Mr. Dart, brought down bus loads of children, bus loads of foster parents, bus loads of citizens of the State of Illinois that wanted to testify about the need to reform the Department of Children and Family Services, his Bills were held to the end of every committee and every witness went home without testifying. So don't be on the floor of this House, anyone on the Minority side of the aisle, trying to convince anyone that you know all about fairness. We learned quite well what's fair and what's unfair on the floor of this House. The rules that exist today are basically your rules, the rules you wrote that we adopted for this chamber. In the past three years in this chamber, the Speaker of this House has gone out of his way to make sure there is evenhandedness with Bills that got out of Rules, and Bills that passed the floor of this House. And in fact, last year I believe we passed more Republican Bills in this chamber than Democratic Bills in this chamber. Let's not be talking on the floor of this House about fairness. Let's not be making Academy Award-winning speeches about your concern for senior citizens. Let's be talking about the real issues that face Illinois. The real issue about the Bill that passed here last week that will help senior citizens and their prescriptions. The Bill that all but two Minority Members of this chamber voted against, the Bill that 13 of you were Sponsors of until you were unceremoniously pulled off the Bill. That should be an embarrassment to that side of the aisle. It should be an embarrassment to everyone over there who voted 'no'. It should be an embarrassment to everyone on that side of the aisle who follows their Leader around wherever he takes them. We on this side of the aisle have stood up for

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senior citizens. We on this side of the aisle have stood up for fairness on the floor of this House. What have you done lately for senior citizens? And what have you done lately to advance the public policy debate? We know the answers and you know the answers."

Speaker Hartke: "The Chair recognizes Representative Mulligan. You've already spoken. Would you like to make further comments?"

Mulligan: "I would like to speak to another issue that Representative, the former Representative brought up. In '95 and '96 he made the statement that we cut off debate. When I was Chair of Human Services Appropriations..."

Speaker Hartke: "Excuse me Representative Mulligan. Representative Lang, for what reason do you seek recognition?"

Lang: "Point of order. This Lady spoke in debate. Everyone that wants to speak should speak once."

Speaker Hartke: "I'm sorry this is not a piece of legislation. There's no Motion. She has a right. Representative Mulligan."

Mulligan: "All right, I rise to a point of personal privilege. The former Representative indicated that we did not allow people to testify as far as DCFS issues. In '95 and '96 when I was Chair of Human Services Appropriations, that committee stayed in overtime, allowed everyone that came to testify to speak, at all times. I defy him to come up with one time when we cut people off who had come to testify. If he can find that anywhere, he should come in there. I have served on task forces with him where he has demagogued issues and I have sat there silently. He has nerve enough to say that, when we never did that in my committee when I was Chair, is a lot of nerve. We have always been

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respectful of the people that have come here to testify, particularly people who are disabled or developmentally disabled and I think that that's a terrible thing to say. If he wants to play games, because he's running for office and that Representative has been a friend of mine that's fine, but he better not bring my name into it when my committee was always more than respectful to everyone who ever came to testify."

Speaker Hartke: "The Chair recognizes Speaker Madigan."

Madigan: "Mr. Speaker, Mr. Speaker and Ladies and Gentlemen, I'll be very brief but I hope to the point. During this debate I've heard the following points made that there has been a limitation put on sponsorship of Bills in the House and that the proposal to expand the circuit breaker program, which is a form of tax relief ought to be heard during this Session of the General Assembly. And lastly, that there ought to be another hearing on the matter which was before the committee this morning. So let me go right down the line. Number one, as you know from the letter you received which was signed by me and Representative Daniels, the limitation on number of Bills was discussed and negotiated by me and Mr. Daniels to the satisfaction of both of us. The policy applies across the board. There's no bias toward Democrats. There's no bias towards Republicans. Everybody gets a certain number of Bills. Next, on the question of tax relief. There has been an understanding among myself, Mr. Daniels, and the Governor, that we would not be hearing tax relief measures in the House, rather we would take all of this to a budget negotiation, among the Governor and the Leaders. And in the end, if there was to be tax relief, it would be an agreed item coming out of those negotiations. It now appears as if one party to that

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understanding has decided to walk away from the understanding. I don't plan to do that. I don't plan to do that, but if someone does, okay. We'll work our way through it. Lastly, concerning the hearing, the matter that we're discussing today will be heard before the same committee Thursday, March 23, 8:00 a.m. For those of you who want a hearing before the committee and then I presume before the House on the question to expanding the circuit breaker, you'll have your hearing. You'll have your opportunity. And relative to my statement, that the matter will be heard before the committee, I give you my word. And as you know, that's all you have in this chamber, is your word. I think I have a very good reputation for keeping my word and I don't plan to back away from that. So, that's what I have to say. Thank you very much."

Speaker Hartke: "The Chair recognizes the Gentleman from DuPage, Representative Daniels."

Daniels: "Well, thank you, Mr. Speaker for your input. And your word has always been good, even though I don't always like it, but it's always been good and I accept that. I do want to point out, though, a little bit of a correction. The three-Bill limit which I don't think anybody in this chamber really likes, including yourself and including myself, was brought about because of the truncated Session and the fact that the Session is scheduled to end on April 14th, which every Republican here does not like. And we don't like for a variety of reasons. One is, it does require some kind of limitation on legislation. And secondly, because we don't have adequate figures to base a \$46.5 billion budget on at the time that the budget is passed by us. We can only estimate what the end of year fiscal balance will be, remembering the end of year is July

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1. So, whenever we do shorten the Session, makes it more difficult. Lastly, as to the issue of tax relief, the Bill before the Human Service Commission (sic-committee) dealt with AABD, and the expansion of that, hopefully, to a 100% of the poverty level. I don't call that tax relief I call that relief from some of the high cost of medicine and drugs today for our needy citizens. The circuit breaker portion of that, also is not tax relief per se, because the primary purpose of that is to benefit the senior citizens, the most needy of our State of Illinois, in income levels below the calculated eligibility level of 250% of the federal poverty level to give them relief from high prescription drug costs. So, where there has been some debate and discussion as to what is tax relief and what is not, I think it's very clear that this Bill is no different than the Bill that was forced through this General Assembly last week, in terms of cost to Illinois citizens, when that Bill was a \$747 million cost and this Bill that we're dealing with on the circuit breaker portion is a \$45 million cost to Illinois. So it's somewhat, it's somewhat disingenuous, that may be a little bit stronger term than I want to use, but somewhat disingenuous for somebody to stand up here and say that it's okay to pass and force through this Assembly on a partisan Roll Call Vote a Bill that will never pass, but yet cost the State of Illinois \$747 million and then to deny a discussion of a Bill that's endorsed by the American Association of Retired Persons that will cost the state around \$45 million and will in essence work and the Senate will pass. So that's where we kind of disagree, but you know, we can disagree, and we can do that respectfully. My point is simply this, there's no question about the fact we need to do something. Why not

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join us in this effort? Why not join us and get it done now? Why not call this committee this afternoon for a hearing, waive the posting requirements, bring these Bills out, put them on the House floor, and then we can review them over the week, and then come up with a vote to pass a Bill that will pass the Senate? That's our proposal and we reiterate it once again. Thank you."

Speaker Madigan: "Mr. Black."

Black: "Mr. Speaker, I'd be remiss, and I appreciate being called on. An earlier admonition of the Chair, would indicate that we are in some kind of Standard Debate and if you'd already spoken, you could only speak once and I don't think we're in that mode and in all due respect to one of my right honorable friends on the other side, who suddenly sounded as if he were 'Mr. Price or Mr. Waterhouse' counting the Academy Award ballots, which by the way he evidently forgot to mail, because they're lost. I'm distressed by the fact that when you speak from your desk on the House floor it is as quiet in here as it is, as it ever is or ever will be and that's perhaps as it should be. You are the Speaker of the House, but when the Republican Leader speaks, your Members immediately feel free to get up, wander around, engage in conversation, the noise level goes up to a decibel of 30 or 40. That's a complete lack of respect that we do not show you, when you speak from your desk. It was as quiet in here as it would be at a funeral visitation and that's as it should be, Sir. I respect you for the office you hold. I don't think it's too much to ask on your side of the aisle and staff and all the other people who are wandering around the House floor, who generally have no business in here but that's another issue, to give the same courtesy and the same level of

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quiet that we give to you when you speak from your desk. That's not too much to ask. If you want to ignore me or another Republican speaker, that's fine. I'm not the Republican Leader, and neither are any of us, on this side of the aisle, other than Leader Daniels. There's only one Speaker of the House and that's you. And when you speak from your desk on the floor, it has always, from the day I've been here, as quiet as this chamber ever is. And I think that's a sign of respect to the office you hold, and quite frankly, a measure of respect to you as an individual. And it's not too much to ask from your side of the aisle that when a House Republican Leader gets up to speak, and he wasn't raising his voice, he was speaking in a normal conversational tone, the noise level immediately goes up to a high decibel. That's a lack of respect for our Leader and then that leads to some difficulties on our side of the aisle where we would like to perhaps say more than we should or strike back at that perceived lack of respect that our Leader gets from your side of the aisle. And the issue, at hand, Sir, as our Leader so eloquently stated just a few moments ago is not a political issue, it will be addressed at a time, perhaps not of our choosing since we're not in the Majority, but it needs to be addressed. We need to come together as Representatives of 97 thousand plus people in each of our districts and address a problem that is of a real concern to anyone in the State of Illinois, whether it be from Chicago, or Cairo, or Danville, or Macomb, or wherever. And we need to do that, in an open and aboveboard manner. You've moved a Bill, we would like an opportunity to hear our ideas debated and perhaps even voted on. That's the way the process works. Some Bills will win, some Bills will not

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get a majority. But when you don't even have a chance to have a Bill called to the floor and voted on, then you're denying the rights of several million people of Illinois to have an idea advanced that many of them support. You won't even give them an opportunity to have a debate in the vote. That's wrong. That's wrong. It was wrong in the early '90's. And I've always commended you for changing the way this House was run, from the way it was run in the early '90s. It is not run that way today and I commend you for that. But there is a great deal of work to do and very little time left in which to do it. Next week we're off. And let me just say this and you are a man of your word, and I have no doubt that that Bill will be re-posted and that all witnesses will be heard, and that's fine. That's as it should be. But I'm not naive enough to stand before you and say, that that doesn't change the situation that may have occurred today, had witnesses been allowed to testify. When you're given another week to fine tune your statements of opposition, to bring down witnesses who will testify in opposition, it does change things, dramatically. I had a Bill earlier this year that got lost. Wasn't posted the first week, got lost. The second week that it was posted, it just so happened that the opponents of that Bill had an extra week to work against that Bill. And so the only vote I got in that committee was one Democrat vote. I think had it been called the first week, might have been able to get that Bill out of committee. I don't know, that's my perception. But when we say, 'well, two weeks from now you'll have a hearing', many things can change two weeks from now. And I think that's the perception that some of us wrestle with, when you deny people an opportunity to be heard when they're here, on an

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issue that they came down to testify on, and say, 'come back in two weeks.' Many things can change in that two weeks. And I again, just simply say, and again it's my perception, and I don't think you'll ever find a quote to the contrary, I work for the people who elect me. They don't work for me. And when they want me to sponsor a Bill or when they want to come down and testify, maybe I don't even like their idea. Maybe I'm not real anxious to sponsor and file that Bill. But that's not my call. They live in my district, they want a chance to have their concerns addressed by this Body and that's my job. And when we eliminate, as we evidently did this morning. I wasn't there so I'm dealing with hearsay, but when we eliminate someone's right to testify, who drove several miles to get here, and when we... not even adjourn the committee, we just walk out and then come back... that is not what we're about. And it's not what the people have a right to expect. And so as we move on, and I have no doubt that you'll do what you said you will do next week, but I... there's a little part of me that's becoming very cynical. And when I give somebody an extra 8 or 9 days to marshal opposition real and imagined, against my proposal, I'm not naive enough to think that doesn't make a difference. I saw it make a difference to a Bill I had, about three or four weeks ago. So I... perhaps am whistling in the dark and the wind is drowning me out. There's no reason why this committee could not reconvene, assuming that the witnesses are still here, and we could have a hearing on this, subject matter only, if you prefer, but at least the witnesses would be able to testify. The various both of our, both partisan staff would hear the testimony, be able to fine-tune the arguments, for and

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against and then when we come back for a vote two weeks from now, at least everybody involved would think they had a full, fair, and equal opportunity to make their point. And when all is said and done, that's what this system's all about. The theatrics and some of the stuff that goes on is extraneous. I must admit I often find some of it fun, but when all is said and done, we must be receptive and responsive to the people who send us here, to the people who sponsor the budget, not indirectly, Mr. Speaker, but they sponsor the budget and fund it very directly. And whenever we refuse to let the public be heard when they are here to be heard, that is ... well, that's shame on us, whatever party is in control of the chamber. When we limit public access to the process, shame on us, shame on all of us for letting that happen."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise because something that's bothered me since we came into Session and we elect our Leaders to make decisions for us and I respect that process. But I'm remiss because I haven't stood on the floor in the past and told our Leaders that I think to limit discussion on legislation to three House Bills and two Senate Bills, is bad public policy. We ought to try to let our Leaders know that it's our responsibility to give direction to our Leaders. And we should not just simply say, 'Okay, that's the agreement. It's acceptable.' I don't think it's acceptable. There are ideas that all of us have, that come from our district, that may be more than three Bills. I think we should share with our Leaders, that this is not the way we ought to run the House and the Senate. And that we ought to let them know that we don't want to do this

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ever again this way. Now, I understand it's a shortened Session. But that in itself might be the wrong thing to do, also. So, I think we have a responsibility to let our Leaders know what we think is the way the Body ought to be run. They're receptive, but I don't think that they're going to pay attention to us unless we sit down and talk to our Leaders about it. And one last thing, at a time when our economy is the best it's ever been in the history of this country, to not discuss and debate tax relief to the Illinois taxpayers is inexcusable. I don't care what kind of agreement, I was not part of it, but that agreement was made. I was unaware of it until the Speaker spoke on it today, that there was an agreement that no tax legislation was to be presented to the Body without it going through the appropriation process. That also is terrible public policy. We ought to give the taxpayers tax relief, because if not now, when? And I don't know when, if we can't do it now."

Speaker Madigan: "Representative Sharp."

Sharp: "Thank you, Mr. Speaker. I've sat here and I've listened to both sides argue back and forth on this pharmaceutical issue. How dare you put our seniors in a position like this. The longer we fight, the longer they suffer. We have a Bill already in place. What's wrong with you coming along and working with us? Why does it have to be like this? We're not hurting anyone else but our seniors, saying that this Bill is not going to go anywhere. What does that do? That hurts our seniors. So in other words, you've already determined what's gonna happen. Where does that put our seniors? You say you're trying to help them? No you're not trying to help them. You're trying to kill them. We did a good Bill last week, but yet and still we

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want to come back and fight over issues that don't make sense. If it had of been any other Representative bringing that Bill, the Bill would have flew out of here. But we want to include politics in this. This is a shame that we put our seniors in jeopardy like this for our own greed. We need to look at the issue and the issue is helping our seniors. Our seniors are suffering because they cannot afford a pharmaceutical. If you had a Bill like this, why didn't you pass it years ago? Now one of our Representatives comes up with a Bill now everybody has got a 1001 different issues. Let's get all in one accord to help our seniors. It's not about us. It's about our community and our seniors. They need our help. They don't need us down here fighting like this. It doesn't make sense. We passed a good Bill last week, let's all come in one accord and unity for a change, and make a difference in the State of Illinois."

Speaker Madigan: "Mr. Fritchey. Representative Fritchey."

Fritchey: "Thank you, Speaker. I rise just to announce that the Committee on Tobacco Settlement Proceeds Distribution, which is scheduled to meet tomorrow morning, will be cancelled."

Speaker Madigan: "Any other announcements? Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Just to remind the Body, the Sportsmen Caucus, the House and Senate Members, are invited this evening to the Artisan Building at the fairgrounds for our annual auction and reception and would like to see all the Members out there and we have some demonstrations going on. We might be able to buy something... fishing gear or something like that. We've got some nice prizes and would like to remind everybody to stop by and say 'hi'."

Speaker Madigan: "There being nothing further to come before the

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Body, Representative Currie moves that the House does stand adjourned until tomorrow at 12:00 noon, providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 12 noon tomorrow, providing perfunctory time for the Clerk."

Clerk Bolin: "House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 1248, offered by Representative Bost, a Bill for an Act creating the Fire Equipment Distributor and Employee Regulation Act of 2000. First Reading of this Senate Bill. Attention Members, the Judiciary II-Criminal Law Committee will meet at 10:00 tomorrow rather than 9:00. The Judiciary II-Criminal Law Committee will meet at 10:00 rather than 9:00 tomorrow morning. Introduction of Resolutions. House Resolution 652, offered by Representative Kosel. This Resolution was referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in Regular Session on Thursday, May 9th, at 12:00 noon."