

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

149th Legislative Day

December 5, 2002

Speaker Madigan: "The House will come to order. Members will please be in their chairs. We shall be led in prayer today by Dr. Walter Peacock of the Medinah Baptist Church in Medinah. Dr. Peacock is the guest of Representative Pankau. Guests in the gallery may wish to join us and join us for the invocation and remain standing for the Pledge of Allegiance. Pastor Peacock."

Pastor Peacock: "Thank you, Sir. I'd like read from Psalm 15. 'Lord, who may dwell in Your sanctuary? Who may live on Your holy hill? He whose walk is blameless and who does what is righteous, who speaks the truth from his heart and has no slander on his tongue. Who does his neighbor no wrong and casts no slur on his fellow man. Who despises a vile man but honors those who fear the Lord. Who keeps his oath even when it hurts, who lends his money without usury and does not accept the bribe against the innocent. He who does these things will never be shaken.' Would you join me in a word of prayer? Our Father and our God, we thank You for these men and these women who You have chosen and put in the place of Leadership for this great State of Illinois. We thank You for their willingness to serve You and to serve the people. And we pray for them this morning. We ask that indeed, You would give them wisdom, that You would give them direction. We ask that You would help them as they discuss and as they decide, as they make decisions that will affect the lives of people throughout this state. We thank You for them and we ask Your continued blessing upon them. In Jesus name, we pray. Amen."

Speaker Hartke: "We shall be led in the Pledge of Allegiance by Representative Pankau."

Pankau - et al: "I pledge allegiance to the flag of the United

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States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hartke: "Roll Call for Attendance. Representative Currie, report on the Democrat side."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Collins, Granberg, Lou Jones, Kenner, McCarthy, and Younge are excused today."

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Hoeft is excused today."

Speaker Hartke: "110 Members answering the Roll... Take the record. 110 Members answering the Roll Call. A quorum is present and we're ready to do business."

Clerk Bolin: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room. Committee Reports. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, December 4, 2002, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #2 to Senate Bill 912. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, December 4, 2002, reported the same back with the following recommendation/s: 'do pass Standard Debate' for Senate Bill 2291."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "Would Members in the Stratton Building please come to the floor, we are about to conduct business. Mr. Clerk, Rules Report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson

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from the Committee on Rules, to which the following measure/s was/were referred, action taken on December 5, 2002, reported the same back with the following recommendation/s: 'direct floor consideration' Floor Amendment #3 to Senate Bill 912, Amendment #3 to Senate Bill 1258, and Amendment #2 to Senate Bill 2390."

Speaker Hartke: "Mr. Clerk, would you read the Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 1045, offered by Representative Daniels; House Resolution 1051, offered by Representative Daniels; House Resolution 1055, offered by Representative Moffitt; House Resolution 1111, offered by Representative Dart; House Resolution 1112, offered by Representative Schoenberg; House Resolution 1113, offered by Representative Mulligan; House Resolution 11... House Resolution 1114; House Resolution 1115; House Resolution 1116; House Resolution 1117; House Resolution 1120; House Resolution 1121; House Resolution 1122; House Resolution 1123; House Resolution 1124; House Resolution 1125; House Resolution 1126; House Resolution 1127; House Resolution 1128; House Resolution 1129; House Resolution 1130; House Resolution 1131; House Resolution 1132; House Resolution 1134; House Resolution 1135; House Resolution 1136; House Resolution 1137; House Resolution 1138; House Resolution 1139; House Resolution 1142."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. On Supplemental Calendar or on Calendar... or on Regular Calendar page 2, on Senate Bills, appears Senate Bill 912, Representative Lang. Mr. Clerk, read the Bill."

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Clerk Rossi: "Senate Bill 912 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Hartke: "Representative Lang on Amendment #2."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The inaction of the General Assembly in properly funding education is beginning to come home to roost. As you know, last year we had to craft special legislation to make sure that the Round Lake School District did not go under. Today, we're faced with another school district in crisis, the Hazel Crest School District. This is a school district that some could argue and maybe properly so that has been mismanaged, but there are about 11 hundred students that go to this school district. The school district is insolvent. Immediate action is needed by this General Assembly to insure that those 11 hundred students can continue to go to class uninterrupted. And when I say immediate, I mean immediate. This Amendment which came out of the Elementary Education Committee on a unanimous Roll Call is an Amendment that is modeled after the Round Lake approach that we took with a few different nuances. Nuances particularly important that would allow a new school authority to borrow money sufficient to pay the bills of the school district and to continue the operation of the school district. This money would be paid back and this is not an authority that will last forever. It's an authority that has a time limit within the confines of the Amendment. Rather than go through all of the details of the Amendment, I'd be happy to answer your questions, but suffice to say that this Amendment was crafted over a period of time with a lot of people in the room. The State Board of Education

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is the final drafter of this. All parties involved believe this is the one and only way we can keep the children in Hazel Crest going to school at the present time. And so, I strongly urge your support of this Amendment so that we can take care of these kids."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Whiteside, Mr. Mitchell."

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, J.: "Representative, could you, in any way, characterize this as a possible bailout for this school district?"

Lang: "I wouldn't characterize it as a bailout because the money that would be borrowed from the State Board of Education is to be paid back. The stated intention, the stated language of this Amendment requires the dollars to be paid back. And so, while it's a temporary measure to keep the school district afloat, I would not characterize it as a bailout."

Mitchell, J.: "And would you explain to the Body the mechanism by which this money would be paid back, or I can if you want me to."

Lang: "Well, since you are the spokesperson on the Education Committee, Representative, I'd be honored if you would do the explanation."

Mitchell, J.: "Ladies and Gentlemen, this is a really complicated issue and I guess, the only innocence in this whole thing are the kids themselves. Basically, what the state board is empowered to do when we pass this Bill, if we pass this Bill, is that they will take the levy that has been passed by referendum in that district and implement it. Now, the Board of Education, for their own reasons, and the superintendent decided not to implement the new levy, even

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though the people voted for an increase. Now, that's gonna be about 500 to 550 dollars per household on a hundred thousand dollar home. Then that money will stretch as far as it possibly can to cover the debts the district has incurred, but it won't get all of the debt covered. So, to use a formula that's been devised and it's one that says that they will fund up to \$4 thousand per student in that district, then they are going to have to levy another tax on the people and that state board, through the finance authority, to levy the tax. That tax, they estimate, will be somewhere around another hundred and fifty dollars on a homeowner. This is unprecedented. It makes me a little squeamish to not have a vote of the people, but time is of the essence to keep these kids in school. That money must be paid back to the state. That money to bring it up to \$4 thousand would be a loan from the State of Illinois and the way they pay it back is to tax the people a second time to levy another tax on the homeowners. There's no business, no industry, no corporate help in that district. It's pretty much a bedroom community. The mismanagement and all those problems... yeah, they're probably there. But the matter of fact, as the Representative said, it's the only way we're gonna keep the kids in school at this point and they deserve an education just like everyone else. The bailout portion of this thing comes then after the decision is made. The authority... the finance authority also has the authority to recommend either a consolidation or annexation to a neighboring district. Once that happens, that recommendation goes back to the State Board of Education who can then implement a consolidation or an annexation. And basically, that's a forced annexation, forced consolidation, because again there will be no vote

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of the people in that district. The new district that takes them over will then accept that district and the incentives that go with it. Now, those incentives amount to pretty close to enough money to just bail out the old district, if they use it that way. But that old district is gone. Okay? So, you're not really bailing out a district. The district is dissolved, it's now part of a larger district. The new elementary district then would have to shoulder the burden of the cost of educating those kids down the road without the incentive money if the incentive money is used to pay off the debt. So, either way, it's going to be difficult to encourage any of the neighboring districts to accept this financially bankrupt district. And the reason that they won't accept this district, is that the incentives are not great enough to allow them to survive and stop a domino effect in that whole area. But at this point, and cautiously for some of the Members, we need 'yes' votes to move this thing forward so that the students themselves will have an uninterrupted education. And I, quite frankly, with what I know and those I've talked to, can't figure out a better solution. I wish there were one. I'm sure Lou wishes the same thing. But at this point, I think this is all we can do and I'll stand with the Representative and continue to answer questions if you have them. Thank you."

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

Slone: "Thank you, Mr. Chairman. Representative Lang, I guess I, having not followed this as closely and I did listen to what Representative Mitchell had to say, but I haven't followed this as it developed as closely as I might have. How did we get to the point where these people are gonna

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have to close the doors in a week before we addressed the problem or before somebody addressed the problem?"

Lang: "There are a number of issues here, Representative. First, as Representative Crotty so eloquently stated in committee yesterday, this is a very small community of bungalow homes. This community has homes that are in the area of 80, 90, a hundred thousand dollars where the taxes they pay are 7 or \$8 thousand because there's no business in this community of any kind. There's no industry in this community of any kind. Many homes have been shuttered and abandoned. There aren't... There are a lot of people don't pay their taxes because they've just left their homes. It's a very poor community or certainly lower-middle-class community, so they have money... difficulty in that direction. In addition, while there was a referendum passed to increase the tax levy, the school board never implemented the new dollars. And so, let me just say, there... we can talk about mismanagement and we can be very difficult and hard about it and say, well, no, we're not going to help because this school board didn't do what it should have done, because this school board was irresponsible. But that would make us irresponsible because there's 11 hundred kids involved here. And so, we've got difficulty piled upon difficulty, but an emergency situation. This can't even wait 'til when we return in January. This must be done now, in fact, this legislation when we pass it, if we pass it, has an immediate effective date and allows the State Board of Education to put this authority together within five days and within five days only and that's how emergent this situation is. So, there's many factors, some of which we can't do anything about, but we've gotta take care of the

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kids and I'm sure you agree."

Slone: "Yeah. I suppose I agree that we have to take care of the kids. I don't agree that nobody could see this coming sooner than when we're put in a situation where we have to address it in this fashion. I'm interested in knowing how long this temporary solution will last and whether these kids could be placed, along with their state share of their money, in other school districts, so that they continue their education without rewarding the school board and the community for acting in an irresponsible way toward their own kids."

Lang: "Other school districts will have to accept the kids. There is an incentive built in to allow them to do that. It's not a great incentive, but I think the state board was convinced there would not be an issue and that this would happen. The..."

Slone: "Mr... We're talking about moving these kids in the middle of the school year which is ludicrous in itself, but it..."

Lang: "Well, it's a far better solution than having them have no place to go to school. Those are the only alternatives. You talked about, could anybody see this coming, presumably the school board should have seen it coming. The state board talked at the committee yesterday about putting new mechanisms into place to take a different kind of look at school districts around the state. There are 85% and this is critical as we move forward on these issues. Eighty-five percent of the school districts..."

Speaker Hartke: "Shhh..."

Lang: "... in Illinois run at a deficit."

Slone: "I was going to point that out to you. I find it absolutely absurd."

Lang: "And as we, in this Assembly, have failed to properly fund

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education, these issues are going to be more and more on our plate. And so, I stated at the committee yesterday, while we must do this, the General Assembly must also craft long-range planning so that we're not dealing with this one school district at a time. Last year Round Lake, this year Hazel Crest, next spring two or three more. We have to come up with a plan. The state board indicated at the committee hearing yesterday that they were in the midst of trying to put that together. And it is their hope that before the end of the next Spring Session we'll have a much better plan of attack to deal with these schools and a much better plan of attack to do advance notification to school districts when they are in trouble, even when they don't recognize it themselves."

Slone: "Don't we have a financial watch list for school districts?"

Lang: "This school was on the financial watch list, but this..."

Slone: "Nobody was watching?"

Lang: "Well... Representative, even schools on the financial watch list, while they're on the watch list, the state has not really put together the right mechanisms to follow up sufficiently in advance to avoid these kinds of problems. And that's exactly what they talked about at the committee yesterday. They're going to be going school district by school district and checking several different types of data and doing more advanced planning with school districts directly. So, but this, frankly... I'll be happy to answer your questions. But this, frankly, is something for next spring..."

Slone: "I understand that..."

Lang: "It has little to do with the Hazel Crest problem, today."

Slone: "I understand all of that. But it's just extremely

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bothersome to think that the State Board of Education bureaucracy is not able to flag these problems and help us solve 'em in a way that does not require this kind of an emergency stampede, last minute, ad hoc type of solutions like what we have here. And it's... it's a terrible precedent and it's very worrisome."

Lang: "Well, we all agree. Thank you."

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

Bellock: "Thank you, Mr. Speaker."

Speaker Hartke: "Sponsor will yield."

Bellock: "I wanted... Yes. Will he yield?"

Speaker Hartke: "Sponsor will yield."

Bellock: "Thank you. I wanted to ask to clarify this 'cause there seems to be a lot of discussion. If the money going to the school district is going to be out of cash from the State of Illinois? The loan."

Lang: "Can you repeat your question, Representative? I'm sorry."

Bellock: "There seems to be a lot of discrepancy as to where the money is coming from that will be given to the school district. Is it going to be cash from the State of Illinois or is it from a private source with backing from the State of Illinois?"

Lang: "The Amendment states, Representative, that... well, first of all, the first part of your question is where's the money coming from. It's coming from the State Board of Education. The second..."

Bellock: "Well, that's from the State of Illinois, then?"

Lang: "That's a loan to be repaid."

Bellock: "But where is the..."

Lang: "But the Amendment... Let me finish, please."

Bellock: "Okay."

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Lang: "But the Amendment also says that the school district must first attempt to borrow money from private sources."

Bellock: "But when we vote on this today, it can be money coming from the State of Illinois if they are not able to borrow from a private source."

Lang: "That is correct."

Bellock: "So, I guess my question is, besides all the other discussion that we've had for the last two days over mismanagement of the school district and other things, those of us that have fought for almost a year straight for Medicaid funding for nursing homes, that'll now take a back seat to... I'm wondering where all the money that everybody's said we couldn't restore, that Medicaid funding, all of a sudden now we're going to have money to give to the school district. Where does that money come from?"

Lang: "Well, I've been fighting with you, Representative, to create better Medicaid reimbursements for nursing homes. This is a situation that involves 11 hundred plus school kids today, right now. We can throw out these red herrings on the floor, but to vote 'no' on this is to tell 11 hundred school kids in Hazel Crest, you won't have anywhere to go to school next week. So, we can talk about Medicaid, we can talk about how we need more money for prisons. We can talk about a lot of things, we can even talk about how we need more money for schools all over the State of Illinois. But today, 11 hundred school kids have to have a place to go to school when they wake up tomorrow and that's what this is about."

Bellock: "I understand that, Representative. I also understand that last spring we had private pharmacies and we had private nursing homes closing because we were so far

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delayed on our Medicaid reimbursements. And certainly, I care about the children in that school district, but I'm just saying, I don't know where the money is coming from to pay them. Are we then going to have to take out a loan, again to get money? Where is that money gonna come from if they don't get it from a private source, if we're \$2.8 billion in deficit ourselves?"

Lang: "I'm not sure I can answer that question for you directly and I actually think it's more of a rhetorical question you're asking than anything else. The answer is, we all agree with what you're saying, but we've got this issue that has to be taken care of today. That's all I have to tell you about it."

Bellock: "I had another question. In the discussion that we had with the state superintendent, are they definitely going to dissolve the school district?"

Lang: "That is not definite. They're first going to try to attempt to negotiate a plan of attack among all of the affected school districts locally."

Bellock: "So, we're being asked to vote right now for an open-ended Bill that we don't know if we're gonna have to give the money and we don't know if they're gonna dissolve the school district. Correct?"

Lang: "Well, we know one thing they're going to do. They're gonna create an authority that's gonna oversee the activities of this school district and oversee the resolution of this issue. So, we're not leaving it to this particular school board and this particular superintendent to resolve these issues. That's why we're creating this authority. And Representative, you did exactly the same thing when you voted to allow the Round Lake School Districts last spring to do this very thing."

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Bellock: "But I think this is more open-ended because in this case if they dissolve the school district, all contracts are null and void. What does that do... That's what we were told in the discussion by the state superintendent. If they dissolve the school district, that all contracts are null and void. I'm wondering what that does to the referendum that was voted on by that school district, if, when they dissolve, there no longer is that school district."

Lang: "Representative, if a school district has contracts, those contracts are still valid contracts even if the school district dissolves."

Bellock: "That isn't what we were explained yesterday."

Lang: "Representative, assuming that these... assuming that the school district dissolves and we move these 11 hundred kids to other school districts, the other districts are not going to take these kids unless these issues of these contracts are resolved. You wouldn't, they won't. So, all of these issues are going to have to be resolved, the contracts, the kids, the teachers, the noncertified staff. All of these issues will have to be taken care of or these kids won't be able to move any place."

Bellock: "I understand that. And I guess I would say that I wish we were able to wait a couple of weeks to find out about these issues before we give a blanket open... pass a Bill here without knowing... especially about... and has there been an attempt to consolidate?"

Lang: "The important thing that you need to know, Representative, is that this authority does not have blanket authority to do anything they wish with this school district."

Bellock: "Well, there are a lot of questions that we're being asked to vote on something ahead of time with about ten

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questions here that we've just asked that we really don't know the answers to. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Beaubien: "One specific question. This Bill has been drafted so that it just applies to Hazel Crest, is that correct?"

Lang: "That is correct."

Beaubien: "That's the way I read the Bill, also. I... I was listening to the discussion before about financing. There's nothing preventing them from running to a local bank once this authority's in place and there's a separate levy to borrow the money locally. Is that a possibility? Isn't that what we attempt to do first?"

Lang: "You're correct, Sir. The whole idea of having the authority is to make it... to make it much easier to go to private sources and borrow the money. The thought is that private sources are not going to be too anxious to go to the current people in Hazel Crest who have put them in this situation and loan them the money. So, this authority will make it much easier to go borrow the money."

Beaubien: "That's my understanding, that will be our first option. In the event this does not work, then you'd have to go to the state. Is that correct?"

Lang: "Mr. Speaker, I'm having difficulty hearing Mr. Beaubien. Mr. Speaker, I cannot hear."

Speaker Hartke: "Shhh... Please."

Beaubien: "It's my understanding that the first effort will be made to place the money privately. If that does not work and only when that does not work, then we go to the state as a last resort."

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Lang: "That is correct, Mr. Beaubien."

Beaubien: "Okay. By the way, I want to thank you for your prior statements dealing with the crisis that's coming. It is real. We do need to change our oversight panels and our financial authorities. They're woefully inadequate and it's going to be a very difficult job for the General Assembly next spring. The one comment I would make to all of you, having worked along with Representative Osmond for well into six months into drafting the legislation that was particularly drafted for Round Lake. This could be anyone of these people sitting in this room. You may be coming back here next year for your own district. This Legislature cooperated fully with Tim Osmond and myself when we came back to you and said, this is what we need, this is what will work. We didn't need to borrow money from the state, but this is a different situation. So, I would urge all of you when you're pressing the buttons ultimately, to remember, you may be sitting right where Lou Lang is next year. So, keep that in mind when you cast your vote. Thank you very much."

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

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

Speaker Hartke: "Sponsor indicates he will yield."

Giles: "Representative Lang, I believe you have stated about certain school districts on the watch list. Do you... do you in... right now, do you have a list or a number of how many of these schools on the watch list, financial watch list?"

Lang: "Representative, there are about 12 schools today on the financial watch list, but that is under the current

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mechanism that the state board uses. As you heard in committee yesterday, the state board is going to commit an entirely different kind of mechanism so that another Hazel Crest or another Round Lake does not occur. And when they do that, we could have dozens, hundreds of schools on a watch list. As you also heard in committee, 85% of the school districts in Illinois today run at a deficit. Now, some of those are just paper deficits and they're really in no financial difficulty. But many of these school districts in the next year or two or three are going to be in very severe financial straits unless we, moving forward, put together a much different kind of approach to deal with these problems."

Giles: "Thank you, Representative Lang. And I believe you have well-spoken on that and I tend to totally agree with you. But also, let me just simply share with you what the State Board of Education has said, as well. They have here... before me I have about, at least two school districts that are in what they call certified as in financial difficulty. We have about, of course, as it's been stated, we have about three of the school districts that is in Financial Oversight Panel according to the State Board of Education. And also, as Representative Lang just stated, we have about over 85% of the school districts that has consecutive... three-year consecutive school deficit. The State Board of Education is stating that we have about 163 of these school districts with three consecutive years of deficit. This is the trend in the State of Illinois, everyone. And I believe two of my colleagues on the other side of the aisle, Representative Mitchell, who so eloquently stated that the real issue here is about the children of the State of Illinois. That's the real issue. If each Legislator

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keep their mind on what this is all about, it's about the children of the State of Illinois, those innocent children, will be deprived of an opportunity for education in this state. Representative Beaubien just made a statement that simply, you know, says it all to each and every one of us here. Tomorrow we can all be in the same situation. We could be right back here dealing with this issue in each of our school districts. This is... this is a travesty and this is a hard pill to swallow, but it's a travesty. We have a situation in which a school district now have to continue to burden its taxpayers... its taxpayers, to try to fund public education in this state. This is the travesty that we have in this state and this is the reason why we continue to stress upon each and every Member to open their hearts, to begin to really look at this mechanism in this situation of funding, how we fund education in the State of Illinois. We're gonna continue to do that and with the Governor-elect, we hope that his heart is open and amenable to what needs to be done to really solve this problem, to take the Band-Aid off this problem. This is a Band-Aid today, but we need to take this Band-Aid off and truly resolve this issue. We tend to resolve many issues dealing with Corrections or whatever, but when it comes to education, we continue to put a Band-Aid on the problem. And I'm sick and tired of continuously putting Band-Aids on this problem. Ever since I've been here in '93 we have been putting Band-Aids on education. We continue to fund education with sin taxes, tobacco to cigarettes. We contend to... we contend to burden the problems of not funding education the right way. We do not take the General Revenue dollars, the good clean taxpayer dollars, to fund education. We continue to do

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these things. It's time for us to take a good look at this and truly try to resolve this issue, because each and every one of our school districts, we will be in this scenario. We will be in this situation. We continue to... we continue to fund everything else that we want. We want to bail out major corporations in this state. We want to bail out entities that we think that 'social feel good'. But each and every Legislator in this Body has campaigned on the idea of fair and equitable and a good edu... quality educational opportunity for a quality education in this dome. And so, each and every one of us has a responsibility to make tough votes sometimes and this is a tough vote. It's a very tough vote. I have a school... I have a school district in my district that has one of the high property tax in the State of Illinois. This is a very tough vote, but we must, as Representative Mitchell say, we must look at the children of the State of Illinois. And that's what this Bill is all about. And we hope that we will... we will open our hearts to that and do the right thing and vote 'yes' on this piece of legislation."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black. You have two minutes."

Black: "Thank you very much, Mr. Speaker. I hope not to take two minutes, because I wanna just speak to the Amendment, not to the overall..."

Speaker Hartke: "To the Amendment."

Black: "... school funding crisis. You've all had a chance to vote on that twice in the last two years, some of you did, some of you didn't. So, this isn't the time to pontificate about the fundings crisis in education that's been around this place as long as I've been. Some of us have addressed that issue, some have chosen not to, but that's past

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history. The Amendment before us is what concerns me.
Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, there's one thing that I don't understand about this situation with the school district addressed in the Amendment and I'm gonna rely on your legal expertise. The citizens of the district agreed to pay higher property taxes to alleviate the fiscal crisis of this district. As I understand it, the Board of Education then said, 'No, we are not going to levy the tax increase that you passed.' Now, in a case like that, Representative, and I defer to your legal expertise, why was not a lawsuit filed from a teachers' group, a parent group, an education advocacy group? Why didn't somebody file a lawsuit saying to the board, you have no choice in this matter, I'll file a writ, you are charged with carrying out your legal responsibilities and the voters have spoken, levy the tax increase. And they have refused to do so. Where's the lawsuit, the writ of mandamus I believe, saying to them, you must do what the voters told you to do?"

Lang: "Representative, a lawsuit is still possible, however, this is a referendum that just passed."

Black: "I understand that."

Lang: "They wouldn't be... even if they put it into effect, even if they didn't make whatever errors of omission or commission they may have made, they wouldn't have the money in time..."

Black: "That's right."

Lang: "... to deal with the payroll that's due Friday. That's really the bottom line here."

Black: "And that leads into my next question. I hope a lawsuit is in fact filed, because if it isn't, you've already

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stated clearly and I... you and I both could probably name the school district that will be here in January or February in the very same situation. And I think my fear is that this sends a message to that school board, oh, the heck with it, just, ya know, turn it over. But my concern is this board has attempted to borrow money. They have been rejected by all of the banks in their area, have they not?"

Lang: "My scholar here, tells me yes."

Black: "Okay. The point you just made is one that I raised yesterday in a meeting with the superintendent. You understand the property tax levy and I came out of local government and I do. These taxes would be levied in 2003 to be collected in 2004. So, the only thing you can do and, if I understand your Amendment, is we will become the bank and give anticipation warrants on the anticipated tax levy. Is that in effect what we're doing?"

Lang: "That is partially correct, Representative. But let me also add, that even the approval of the referendum, even the new taxes that are authorized, even if levied, would not fill this hole. In addition, the authority is going to take this process over not the current school board."

Black: "No, I understand that. Now, let me follow up on that. If... if the referenda that was passed by the voters of the district, to my understanding the first one that they'd even had on the ballot in 40 years, if that isn't enough... well, that's an issue of management, I don't even need to get into that. But the... the authority that you're creating by this Amendment appears to me to have some extraordinary powers. Is there... I don't see any sunset clause or... what's the timeline? What I don't want is ten years from now, when many of us are gone from this chamber

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is for a General Assembly to say, 'What is the... is there a process by which the state board can impose a tax on the residents of a school district without their vote?' Because I think the author... this... if I understand the Amendment, it does give this authority that kind of very rare power."

Lang: "They do, but it's limited. The authority, not the state board, but this authority that..."

Black: "Right."

Lang: "... would be created can impose property taxes but only up to the limit that the district is allowed to impose under the law."

Black: "All right."

Lang: "So, they could go up to the limit of the new authorization in the referendum, but they can't go beyond that."

Black: "All right."

Lang: "And it is exactly what was done in Round Lake, by the way and we voted for that last spring."

Black: "Lou, to the best of my... to the best of your knowledge or Representative Scully's knowledge, has this board ever seriously entered into consolidation or annexation talks with surrounding districts or have they just not even faced that issue?"

Lang: "The answer is, yes. Not only has the local board been doing that, but the state board has been very involved in trying to make that happen. Now, I think this has probably happened very late in the process, because of factors that we've already discussed. But it's not ready to happen and we need this authority to jump-start all of that."

Black: "Okay. Would the authority have the ability to say after studying and doing the financial... the painful financial decisions that the authority's gonna have to make in this

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case, would the authority then have any power to say when all is said and done these students, this district will be dissolved and you will become members of an adjoining school district, whatever one they choose?"

Lang: "The answer is, yes, but let's understand the other school districts have to agree and accept these students..."

Black: "Okay."

Lang: "...accept the staff, as well."

Black: "Right."

Lang: "Because it's important to point out here that the teachers that move along with this process will continue their seniority rights, et cetera."

Black: "And I think that's the point I wanna focus on. If that consolidation is, in fact, suggested or... mandated is probably too strong a word. But if that is what is done and said, look, you're going to consolidate. The district obviously must agree. But does the authority have the power to say we don't need a referenda from the residents of the affected district, all we need is an agreement from the school board and you are now consolidated with that district?"

Lang: "Yeah, the school board..."

Black: "All right."

Lang: "... makes that decision, not the voters."

Black: "But that is a... that is a departure from current law, is it not?"

Lang: "That's correct, Sir."

Black: "All right. Fine. Thank you very much."

Speaker Hartke: "Further discussion? Ladies and Gentlemen, we have around seven or eight Members yet in the... wishing to speak on this Amendment and we have another Amendment after that. What is your pleasure? Shall we continue or shall

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we call for the question? The Chair recognizes Representative Miller."

Miller: "Thank you, Mr. Speaker. I'll go directly to the Amendment. Hazel Crest School District 152 1/2 is adjacent to my legislative district. And I would first al... would like to commend the Legislative Leaders and the Governor for trying to work this out, and the superintendent of education of trying to come up with a solution. There's some things that we have to understand here of why and how this school district has gotten into this condition. There's been speculation on mismanagement, I'm not here to say there has been or has not been. But I know that school districts in my adjacent area 155, 132, 148, 159, 15... 149, 168, 158, and 205 which are all within my representative district, all will be facing this type of financial problem. So, you can't say that it's entire mismanagement on all these school districts as opposed to a systematic problem of educational funding here in the State of Illinois. In our area in the south suburbs, there have been an increase of special education children in our district. With that increase in special education, that the monies have not followed and has been dependent upon those local school districts to fund the mandated requirements by the State and the Federal Government on them and therefore helping to... for this particular school district to get in this situation, that in addition to the loss of businesses. We're at a point now that we have to decide on what we're gonna do with education and I do think this is just the beginning and is the... is the... just the tip of the iceberg of what's happening in the State of Illinois. We have to fund education first. We have to have clean dollars as other speakers has mentioned before. And

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I would like to urge all Members to really consider this legislation and have... to make sure that they have the same vigor and energy when this comes up in the... next year's Session. Thank you."

Speaker Hartke: "Ladies and Gentlemen, we've had about four or five people speak for or against this Amendment and we still have seven people wishing to speak. What I would like to do is to move this Bill to Third Reading and I've taken the Members down who have their lights on in the order of Garrett... well, I had them in order... Represen... Mr. Mapes here has the order down. We'll move this Bill to Third and then debate it on Third Reading. Okay? Representative Lang to close on the Motion."

Lang: "Vote 'aye'."

Speaker Hartke: "You've heard the... you've heard the Gentleman's Motion on Amendment #2 to Senate Bill 912. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies, and Gentlemen. This is a clarification. There's two items in this Amendment which is technical. The first, the Amendment clarifies that the amount of borrowing for any of the new levies adopted by the authority is limited to an amount equal to \$4 thousand per student. Second, it clarifies that any dissolution agreement among the authority and adjoining school districts must be approved by a majority vote of each respective school board, not the district voters. I would ask for your support of Amendment 3. If we do it quickly,

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we can just answer any questions on Third Reading."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Anyone seeking discussion on Amendment #3? Seeing none, the question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 912?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 912, a Bill for an Act regarding education. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lang."

Lang: "I'll answer questions, Mr. Speaker."

Speaker Hartke: "Chair recognizes Representative Garrett."

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

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative Lang, the only question I have about this, I'm just not clear, I asked some of the questions in the Education Committee meeting last night. The school finance authority is being set up for a period of ten years."

Lang: "At a maximum of ten years. There are other mechanisms within the Bill that allow the authority to dissolve earlier."

Garrett: "And the school finance authority will be appointed by...?"

Lang: "The state superintendent will do this, five members, two of which must reside within the district."

Garrett: "And then the other members would come from where? I mean, I just wanna understand what... who these people are going to be."

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Lang: "There are no geographical bounds, but the other three members will be chosen by the state superintendent after he reviews credentials and determines whether they have sufficient experience or background in education to be able to properly do this work."

Garrett: "So... so, the number of members on this authority?"

Lang: "Five."

Garrett: "Five and three of which will be...?"

Lang: "Three of which, I guess you'd call them public members and two would be public members who live within the district. All five could be within the district, but a minimum of two have to live within the district."

Garrett: "But no... you haven't set criteria yet or that hasn't been established?"

Lang: "State superintendent will do that. They need to have some sort of expertise in education to be able to function within this authority, but that would be left up to the superintendent."

Garrett: "Is there a prototype that he has dra... the state superintendent is drawing from when putting together this type of authority, one in which that has been used in the past in some other way that has actually worked?"

Lang: "Round Lake, Representative."

Garrett: "And it's the same kind of framework that worked...?"

Lang: "There are differences, but in terms of how the authority is created..."

Garrett: "Okay."

Lang: "... and the membership, it's exactly the same as Round Lake."

Garrett: "Okay. That's the only question I have and I thank you for all your hard work on this."

Lang: "Thank you."

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Speaker Hartke: "Chair recognizes Representative Currie, for legislative intent."

Currie: "Thank you Speaker, Members of the House. I have two questions of the Sponsor again for legislative intent. Am I right in understanding that all new borrowing, not including any borrowing tax anticipation warrants, that they can do based on existing levies, any new borrowing that this new finance authority would do, would be limited, would be capped at \$4 thousand per child approximately \$4 million."

Lang: "That's correct."

Currie: "Is that correct?"

Lang: "That's correct."

Currie: "And secondly, the authority's ability to levying new taxes, new taxes, not the levies already in place, would be limited to the amount that's necessary in order to repay that additional money borrowed."

Lang: "That is correct, as well."

Currie: "Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Scully."

Scully: "Thank you, Mr. Speaker. To the Bill."

speaker Hartke: "To the Bill."

Scully: "Mr. Lang has done an excellent job in presenting this Bill and I thank him for his support. And he and many other speakers today have talked about the issue of addressing a long-term solution to this problem. I ask each of the Members of this General Assembly, and I ask each citizen of this state who is... shares a concern for the school funding to get a copy of the report that was issued by the Education Funding Advisory Board on October 22 of this year. This report contains a comprehensive

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series of recommendations for the long-term solution to the school funding problem. I support these recommendations. I support their proposals for a comprehensive change in the way we fund public education. The time for the discussion of this problem is over. The time to take action is before us and a comprehensive plan is before us. I ask each of you to review these findings and if you support these findings, publicly state your support. If you don't support these findings, show us your plan. But so... the time for... a vague discussion of school funding reform is over. If we do not do so, if we do not take some comprehensive step in the next six months, we should all be prepared to have this discussion over and over and over again as each of these school districts becomes insolvent and comes to the General Assembly for its bailout. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Righter."

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

Speaker Hartke: "The Sponsor will yield."

Righter: "Representative Lang, I've got a few questions about some of the provisions in the Bill, that I find curious. Our analysis says that a referendum in this area hasn't been approved in around 40 years."

Lang: "Excuse me, Representative. Mr. Speaker, I can't hear Mr. Righter."

Speaker Hartke: "Shhh."

Lang: "Thank you. Sorry, Sir."

Righter: "That's okay. Our analysis says that a referendum hasn't been approved somewhere in this district somewhere in the last 40 years. In that neighborhood it hasn't been approved, is that right? There hasn't been one."

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Lang: "That's correct, I believe."

Righter: "Is that because those were floated and failed or because there wasn't one on the ballot in the last 40 years?"

Lang: "I don't think we know the answer to that, Representative."

Righter: "Okay. That..."

Lang: "And... without cutting off your questioning, let me just, can I just make a comment?"

Righter: "Well, how about if I go through my questions first 'cause your gonna get to make your comment at the end of the Bill."

Lang: "The miss man... I know, but whether there's mismanagement in this district is a waste of our time today. Let's assume there is and move forward and just deal with this Amendment and this Bill."

Righter: "Okay. That's... and that's what I want to do."

Lang: "All right."

Righter: "I'm not going to preach about school funding issues and stuff like that. I want to talk about this Bill. As I understand the Bill, if a neighboring school board and the new school board put in place at Hazel Crest want to consolidate, as long as the state's... state board or the committee... the oversight committee signs off on that, then the consolidation takes place? Is that right?"

Lang: "So long as the surrounding school districts buy into the plan."

Righter: "Now, all of the surrounding school districts or the one that Hazel Crest..."

Lang: "It could be one or all of them depending..."

Righter: "Okay, whoever is involved in the consolidation."

Lang: "Everyone who's involved in the consolidation."

Righter: "Okay. Now, when you say as long as the school

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districts okay, are you talking about the boards or are you talking about the voters?"

Lang: "The boards."

Righter: "Okay. So, there is no required voter approval in any of the other school districts outside of Hazel Crest, for those school districts to get involved. Is that correct?"

Lang: "That's correct, Sir."

Righter: "Is there any voter approval required from the voters of the Hazel Crest School District that there be a consolidation or any other effort like that?"

Lang: "No."

Righter: "Okay. Then I want to ask you what is the rationale in seeing that the voters themselves in Hazel Crest approve, what is by any measure a significant property tax increase on themselves, to support their schools and their children? What is the rationale in taking them who... they appear to be the only group locally who's taken some measure of responsibility, taking them out of the equation from here on out?"

Lang: "The rationale is we have an immediate problem that has to be taken care of today. It can't be taken care of tomorrow or next week or after the levy is... is advanced, two years from now when the money is collected. The... any dollars that are collected here, any dollars that are collected here are going to be collected in the future. We have a problem today. Now, I would agree with you that... that voters... citizens that live in our state should have a right to control their own school districts. But this situation has gotten to the point where we must take action and we must take this action this very day."

Righter: "But, now, I want to stay on the consolidation issue. I mean, there's no consolidation schedule for next week or

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next month or the next six months on this. So, the rush in terms of allowing the voters to vote on the consolidation, I mean, I understand what you're saying with regards to immediacy of some of the issues related to this Bill. But that's not... that's not true with regards to a consolidation decision, is it?"

Lang: "Well... no, except that there's no requirement that they consolidate and they would, if these are public bodies that would have to have public hearings. So, it's not as if it's going to happen in a vacuum. They're going to have to publicize public hearings. People are going to have to come to the hearings if they wish, to testify do it, don't do it. And this is going to happen not only at Hazel Crest, but in every school district that's affected by any proposed consolidation."

Righter: "Then I want to ask you again then. Since a consolidation... I mean, I asked you first about the wisdom of taking the voters out of the equation and you said well, the immediacy of it. The immediacy does not apply to a possible consolidation. It applies with some of the other provisions and I understand that. What's the wisdom of not allowing the voters in Hazel Crest to vote on some kind of consolidation with one or more of the surrounding districts?"

Lang: "Well, first of all, it would take some time to put that on the ballot and accomplish it. While the consolidation portion of this is not immediate, as in they're gonna do it tomorrow, it is immediate in the sense that it can't wait six months or a year to put something on the ballot and then implement it. We have to give this authority the ability to negotiate, to talk to, to resolve the issues relative to these children and we have to give them that

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authority right away. It cannot wait."

Righter: "Okay. The other provision I want to ask you about and this was, I think, this was contained in Amendment 3, has to do with the \$4 thousand per student limit on borrowing. That's lower than the state's foundation level, isn't it?"

Lang: "Yes."

Righter: "Why... why are you capping that limit at less than what the foundation limit is, I mean, foundation level is?"

Lang: "Two things, Representative. First, it represents the number that they would reasonably need to get through June, to get through this school year. Secondly, that's the number that's been used many times in the statues or many times by the state board to deal with financial crises in particular school districts, \$4 thousand. Now, that may be an arbitrary figure that's been used in the past, that was based on what used to be the foundation level. But that is the number that's been used in the past and it represents the amount they need to get through this school year."

Righter: "And... so, I want to make sure, then the importance of that number has more to do with the total dollar figure that they need to get through the school year than it does what they think they need to spend per student."

Lang: "That is correct."

Righter: "Okay, thank you, Representative. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Chair recognizes Representative Wojcik."

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

Speaker Hartke: "Sponsor will yield."

Wojcik: "Representative, is it fact that they did have a referendum and the taxpayers approved their referendum to go and raise the taxes on their property?"

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Lang: "That is correct, Representative."

Wojcik: "Then can you tell me why that board did not listen to the voters?"

Lang: "Well, I can't answer that question. But as I've said here a couple of times already, even if that board implemented the new levy, it wouldn't be enough to fill the hole. And even if it was enough to fill the hole, they wouldn't get this money for almost two years and they have an immediate problem today."

Wojcik: "Well, could you tell me how that board, if they were an effective board, how could they allow the conditions of the school to get this bad?"

Lang: "I think you'll have to draw your own conclusions on that, Representative. Let's... let's assume that mistakes were made by the board, by the superintendent. I don't know who they were made by. My issue here and I'm sure yours is 11 hundred kids."

Wojcik: "What about tax anticipation warrants? If they would have gone for the increase in the property taxes, they would be able to go out and borrow off of tax anticipation warrants."

Lang: "That's what we're trying to allow this authority to do. To go back in time on this floor today and debate what this board could have done, what they should have done, what they might have done, begs the issue of this Bill. We all know things they could have done or should have done. We all know that this could have been done better. But we have an immediate emergent problem today."

Wojcik: "Well, I think the residents of that area should be alerted and get some new school board members."

Speaker Hartke: "Further discussion? Representative Parke. He declines. The final speaker, Representative Crotty."

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Crotty: "Thank you, Mr. Speaker. I'm gonna try to just address some of the..."

Speaker Hartke: "Shhh."

Crotty: "... some of the issues that may have been brought up on why a school board would go for a referendum and then not levy for those taxes. My understanding is that when they did go out for a referendum, they didn't know exactly how it would impact the taxpayers. I can only say that this district will now be in my senatorial district. And in going out to the different areas, the average tax bill in this middle-class neighborhood is, I'm gonna say, around \$5 thousand, average. Those taxpayers aren't asking for their kids to go to Yale or Princeton. Those taxpayers were asked, do you want your kids to attend school through the holidays. And that's why those persons went out and increased their taxes. It's just to get what most of our kids are getting and that's their elementary and high school education. When in fact, the referendum was passed because those parents in that community did want their schools to thrive, the school board then looked to see what is happening in the surrounding areas. And in an area right next door to Hazel Crest we have Park Forest. And I was invited along with the Representative who was George Scully in Park Forest, currently, to come to a town meeting. And we have act... in my area we have two-bedroom townhomes, frame, no fireplace that have... 12 of these townhomes were already boarded up. I had testimony from two people. One of their taxes on that townhome was 71... 74 hundred, another gentleman got up \$84 hundred in property taxes. That is what's wrong with the funding issue, with placing such a burden on some of our communities. Eighty percent of their tax bill goes to

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their schools, their high school and their elementary schools. I stand in... in great support of this... of this Bill. Not because it's a bailout, it certainly isn't. Those taxpayers are gonna have to pay for their loan and for their school. They're also going to continue to pay as this school district may be consolidated. But I also stand because 20 years ago I used to drive down here on a school bus and ask Legislators to look at the way we fund schools. And although that's not part of this particular Amendment, it certainly is for next spring and next year because 85% of the school districts in the State of Illinois are in deficit spending. This is the second school district that I've dealt with, Round Lake and now Hazel Crest, in a crisis issue. But I'm telling you and I agree with the previous speaker, Mark Beaubien, in saying it's going to happen to your school districts, too. This is a school district that is probably middle class. So, if I'm looking at this in the middle class, I'm telling you that the other school districts that are on the financial watch, it's just around the corner. So, I ask my colleagues to help out in this Amendment. And I will certainly be there for more of the school funding issue debates. Thank you very, very much."

Speaker Hartke: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I appreciate the spirited debate and questioning on this piece of legislation. Ultimately, this is about 11 hundred plus school kids. It's not about board mismanagement. It's not about anything other than making sure kids can go to school. Having said that, the joke will really be on us if in the next several months this coming spring, we don't find a way to deal with these problems because otherwise

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we'll be here crafting solution after solution after solution for school district upon school district. We have to find a better way to fund schools. We have to craft a new way this spring. We cannot let it go any farther. For these 11 hundred school kids, they need a special remedy and they need it today. And I appreciate your help."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 912?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr Clerk, take the record. On this question, there were 77 Members voting 'yes', 32 Members voting 'no' and 2 Members voting 'present'. And this Bill, having received a Three-fifths Majority, is hereby declared passed. On Sup... on the Regular Calendar on page 2, on Senate Bills-Second Reading, appears Senate Bill 2390, Representative Hannig."

Clerk Bolin: "Senate Bill 2390, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has approved for consideration."

Speaker Hartke: "Representative Hannig on Floor Amendment #2."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the companion appropriation Bill for the substantive language we just adopted. So, it would appropriate \$4,528,000 to be deposited into the School District Emergency Financial Assistance Fund. So, that's what the Amendment does, it becomes the Bill. I'd ask for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #2 to Senate Bill 2390?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendment?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 2390, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Again, this is the companion Bill... the companion appropriations Bill to the substantive Bill that we just passed. The amount in the Bill represents a maximum amount. Hopefully, we can get by with less, but we need to provide for a worst case scenario. So, I'd be happy to answer any questions and I'd ask for your 'yes' vote."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Slone."

Slone: "Thank you, Mr. Chairman. Mr. Hannig, what is the source of these funds?"

Hannig: "This would come out of the General Revenue Fund."

Slone: "I thought the General Revenue Fund was broke?"

Hannig: "Well, Representative, we have day-to-day balances from time to time and this would be an item that would be appropriated unless and until we got to a point where a voucher was issued. There would be no draw up on this line, then when there would be a draw up on the line the comptroller would put it in line with the other Bills, so..."

Slone: "From the debate on the previous Bill I, understand this funding is needed immediately, like within days. If the comptroller is not paying Bills for 60, 90, 120 days..."

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Lang: "Well, with the Comptroller..."

Slone: "... does this go to the head of the line somehow?"

Hannig: "So, what we hope actually happens, Representative, is right now these school districts... this school district simply cannot borrow any additional money, no one will loan it to them. I think just the fact that we pass a substantive Bill and a companion appropriation Bill immediately gives them an opportunity to go to a bank and say, now you can loan us some money, we have a mechanism to repay it, we have a state plan in place. And so, in this very short run, like in the next couple days they can go borrow some money at a bank. In the long run, we'll have to work through the process of how these payments actually get out to them."

Slone: "Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Thank you. Representative, is there anything else in terms of funding other than the money going into this account? There's no other spending?"

Hannig: "No, no, Representative, this is the only item on that appropriation Bill."

Parke: "And how much is it?"

Hannig: "It's 4.5 million and a little change."

Parke: "And that money is gonna come out of a General Revenue Fund that is short right now?"

Hannig: "It will... it will..."

Parke: "What programs are we going to not fund to fund this one?"

Hannig: "Representative, this only adds the authority on the state statutes to appropriate this money. It does not

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subtract any."

Parke: "If we do appropriate this money and we're authorizing it to be appropriated, what programs are we not going to fund because we are so short of revenue now? What... do you have any idea where we're gonna take this from, what other areas of our state budget, to pay this?"

Hannig: "Representative, this appropriation Bill does not address that question."

Parke: "Yes, it does not address that question. And Ladies and Gentlemen, to the Bill. I am, unfortunately, going to rise in opposition to this. The underlying Bill has merit. There's no doubt about that. And none of us want to see any of these school children not being able to get a proper education. But the fact of matter is, that in essence, we're being blackmailed into havin' force, in a crisis mode, something that we should've been aware of over the last months instead we're coming to a deadline date, forcing the General Assembly to come in with a stopgap and there's no guarantee this money'll ever be repaid. Ladies and Gentlemen, we do not have money to pay the current bills that this state has and now, in an emergency, we are now asking us to spend another \$4.5 million of which we don't have, no funding sources are available. I think this is bad public policy and I personally am gonna vote 'no'. You must search your own conscience and decide what to do. But this is just the beginning, the beginning of what's gonna happen in the Spring Session. And you better think long and hard of how we're gonna take care of the problems of all the other state needs in this great State of Illinois."

Speaker Hartke: "Further discussion? Chair recognizes Representative Mitchell, the Gentleman from Whiteside."

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

Speaker Hartke: "Sponsor will yield."

Mitchell, J.: "Representative Hannig, this money is directly tied to the Bill that we just passed, is that correct?"

Hannig: "Yes, Representative, under the constitution we're not allowed to tie the substantive Bill and the spending Bill into a single Bill. So, we have the substantive Bill that we just passed and now we have an appropriation Bill that simply mirrors what it is we sent out of this chamber about five minutes ago. So, we're just trying to be honest here and say, that on the one hand when we passed substantive language, on the other hand we need to back it up with the money."

Mitchell, J.: "So, as this chamber has done many times, we pass a substantive Bill that has merit, must have a funding source, must have a supplemental and a appropriation Bill attached to it in order for it to be viable. If you in fact voted for that Bill with merit you were then saying, I agree with the Sponsors of the Bill at this point, whether I like it or don't like it, I agree something as to be done. Then in fact, you have to stand by your word and vote for the money that has to be appropriated in order for the authorities to act on the Bill of merit. Now, to me, that's the only thing that makes sense, is that...?"

Hannig: "You absolutely have framed the issue the way we need to look at it, Representative. If we don't... if we don't back our promises with money, we have really accomplished nothing with the Bill that we just passed."

Mitchell, J.: "Ladies and Gentlemen of the House, to the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Mitchell, J.: "You've got to search your conscience and I agree

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with the former Representative, but at the same point, if you voted for the Bill and you don't vote for the appropriation then you're in fact sending a mixed message. And you can't go home and say, well, I voted to help that district, in good conscience. You can't say that unless you vote for the appropriation that goes with it. Now, it's a tough vote, it was a tough Bill to pass and I appreciate the Body's indulgence to say, okay, this time, but by golly, we're gonna start paying closer attention and we must. There's no question about that. This spring must be dedicated to straightening out a lot of the problems that we have and it's not just with Hazel Crest School District, it's with our own State Board of Education. The fact that the early response time wasn't given to us, we had no knowledge that this was gonna happen. But, ya know, we'll have all spring to pass blame and make amends, but right now we gotta keep those 11 hundred kids in school. It's just... that's just the fact. So, if you voted for the Bill, vote for the appropriation and we'll head on down the road. Thank you, Mr. Speaker."

Speaker Hartke: "Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. It's inconceivable to me that we would spend the time we spent on the previous Bill to help the kids in Hazel Crest, 11 hundred plus, and then have a real serious debate on whether we should pay to implement the Bill we just passed. I would expect that all 70-plus people who voted for the previous Bill would be voting for this one, but I also expect that those of you who didn't vote for the previous Bill are gonna vote for this one, because we now have to support the action the General Assembly has taken. You either wanna support children or you don't. You either

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wanna have a place for these 11 hundred school kids to go to school or you don't. Now, I don't think any of you that voted 'no' on the last Bill live in Hazel Crest, I don't think you even live in the neighborhood of Hazel Crest, but it's a good opportunity to support a Bill that we passed. Now, you can tell these kids, well, 77 or so people in the House think that we ought to do this, but we aren't gonna pay for it. I mean, that's kind of silly. So, why don't we do the right thing? Why don't we say up front and recognize that we have a problem with funding of schools, we have a problem with our state budget, we have a huge deficit, we have Medicaid reimbursements rates we need to increase, we have a lot of health care problems, we have a lot of road problems, we got all kinds of problems, but these 11 hundred kids need to go to school. And that's our responsibility because the people in Hazel Crest have not taken it upon themselves... or the people have, but the school board, the superintendent haven't gotten it done. We passed the previous Bill, now we have to fund it. Please vote 'aye'."

Speaker Hartke: "The last speaker, Representative Crotty."

Crotty: "Will the Speaker yield... I mean, will the Sponsor yield?"

Speaker Hartke: "Sponsor. Yes."

Crotty: "Thanks. I just wanna make sure that I'm really understanding this, because some of the previous speakers may have been clouding some of the issues, but this is a loan that must be paid back, correct?"

Hannig: "Yes, Representative, the underlying Bill... the substantive Bill that we passed created a loan. This appropriation puts in motion a method where we can give the cash to the school district on the front end with the

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expectation that in the end it'll come back."

Crotty: "Okay. But it is a loan, the school board must pay that back... the school district... consolidated?"

Hannig: "The Bill that we passed... the previous Bill that we passed setout those perimeters and it's a loan."

Crotty: "Okay. And this loan will be paid by the taxpayers through that referendum, but they cannot... the district itself cannot or the financial authority would not be able to run the schools because that tax referendum does not come until 2004. So, this is a loan that would be able to keep the school running until those dollars come. Then when those dollars do come to the financial authority, those dollars are then sent to pay back the loan."

Hannig: "Right. This is a part of the solution we hope that as we go forward we're able to recoup all the monies and put the school... the children in the proper school. I mean... but we... but the important point is we passed the substantive Bill that laid out a plan, we need to have this Bill, the companion appropriation Bill, in order to put that plan in motion now."

Crotty: "And I understand that, but I wanted to make sure that others understand it the way I do, is that it is a loan. It's not a bailout, it is a loan, it will be paid back. To the Bill."

Speaker Hartke: "To the Bill."

Crotty: "It's not only through the taxpayers, but my understanding is is that once the financial authority is set in place that private investors do feel far more comfortable and readily able to give those dollars out to Hazel Crest in this situation. So, I wanna commend all the powers that be that are able to help the district help itself. Thank you."

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Speaker Hartke: "Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the Assembly. Just to reiterate, the purpose of the substantive Bill that we just passed was to try to layout a plan whereby we can keep this school district in operation and move it in a direction that eventually allows these students to attend school some future date, perhaps somewhere else perhaps not, but we want to address the immediate problem of the day. So, that's what the substantive Bill did, it laid out a plan to address that immediate problem and part of that solution is that there should be a loan. Now, in order to loan them money we have to have an appropriation Bill so that at least there is a mechanism for the money to go from the state treasury to the school district, even though it is a loan and should be repaid and even though they may not even actually need state money once banks recognize that they can now loan the school district money and that the full faith and credit of the state actually stands behind that loan. So, all we're really asking with this appropriation Bill is that we be honest with ourselves and with the school district and enact the rest of the program. We can't simply say that we're gonna pass a substantive Bill but not an appropriation Bill. That's a dishonest statement. Let's be honest, we passed the substantive Bill, now let's pass the appropriation Bill to close the book on this chapter and move forward. So, I'd ask for your 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2390?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this record, there are 71 Members voting 'yes', 39 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Three-fifths Majority, is hereby declared passed. Representative Erwin for an announcement."

Erwin: "Thank you very much. Next week there is a very special occasion that we're going to miss because we won't be in Session and the crowd looked a little hungry, so I wanted you to all join me in wishing my seatmate and good friend, Sara Feigenholtz, a very happy birthday."

Speaker Hartke: "Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. Some months ago, I filed a Motion to Reconsider the Vote by which House Bill 5169 passed this chamber. Today, I would ask leave of the Body to withdraw that Motion."

Speaker Hartke: "Leave is granted. On page 2 of the Regular Calendar, on Senate Bills-Second Reading appears Senate Bill 1650. Representative Brunsvold."

Clerk Rossi: "Senate Bill 1650 has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. Floor Amendment #4, offered by Representative Yarbrough, has been approved for consideration."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. I have today for you the Amendment #4 for Senate Bill 1650. During the transition period following the sudden death of the Maywood Library Director, personnel in the business office confused the appropriation levy, which was adopted with the working fund levy, which was not adopted. The working fund levy is the annual levy that's passed to fund the operation of the district and the failure by the

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district to operate... to adopt that working fund levy in essence leaves the district with no authority to collect the ordinary revenue it needs to keep its doors open. As a result of the failure to pass the levy, the district will have to borrow to meet its obligation and without this legislation will not have the revenue to meet its bond obligation. This legislation would validate the district conduct and allow the district to enact its 2001 levy on top of its 2002 levy so it can make its 2002 bond payment and have operating money. In short, this legislation will allow the library to keep its doors open. In committee, there were issues raised concerning this Amendment regarding the scope of legislation and in this Amendment #4 we have tried to address all of the concerns raised and believe we have worked with both sides of the aisle to present a clean a piece of legislation as possible. The levy to be passed is the ordinary operating levy passed annually by the district and the Amendment also is limited to the Maywood district and to the specific year affected by the missing levy. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I agree this is a unique situation, it's a real desperate situation. I represent part of Maywood and I've been following this for the last couple days when they were... when it was indicated to them that they may have to close the doors if we don't accommodate them with this legislation. This is a very, very unique situation and I'm fully supportive of it because otherwise the people of Maywood won't have access to their library until we're able

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to levy those dollars and fund whatever they need to run their operation. So, I stand in strong support of this. I know it's a different sort of a situation, but it's a necessary... this legislation is necessary to correct a very unique problem. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Beaubien."

Beaubien: "Yes, thank you. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that she will yield."

Beaubien: "I would just as soon actually directly talk to the Bill as stated by Representative Saviano. The concerns we had in terms of years and scope, that is scope being strictly limited to the library, have been answered and our staff agrees with that, that those two issues have been resolved. I would only ask everyone in this room to remember what happened here and how this happened. I'll give the same admonition I gave before, this could happen to anyone of us and we're gonna be coming into this General Assembly if you're here long enough, because somebody in your district died, didn't file the appropriate levies. I almost missed one for the Palatine Rural Fireman District once, I made it, but I almost missed it. It can happen and you all must remember, you're gonna be coming to this Body asking for the same concession. This is gonna fall on the taxpayers of that district, this does not have any affect on the state revenues or the general revenues at all. Thank you very much and I urge an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes Representative Pankau. Shhh."

Pankau: "Thank you, Mr. Speaker."

Speaker Hartke: "Thank you."

Pankau: "Several of us on the committee had concerns with the

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original Amendment that Representative Yarbrough presented, that it did not allow... it allowed the library district to come out of the tax cap, but didn't necessarily say that the tax cap is put back on. With this Amendment, I am now assured that that does that and it also makes it very specific to this particular library district. And with those concerns answered, which were our true concerns, I would urge you also to vote for this Amendment."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #4 to Senate Bill 1650?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 1650, a Bill for an Act in relation to taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill now includes Senate Amendment #... House Amendment #2, which includes a correction of a mistake in paperwork that was done by Moline and also a correction in language for Milan, which was adopted yesterday. And now with Representative Yarbrough's on it, it was just discussed. I know of no opposition to the Bill and ask for the passage of Senate Bill 1650."

Speaker Hartke: "Is there any discussion on Senate Bill 1650? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1650?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Righter, would you care to vote? Mr. Clerk, take the record. On this question, there are 86 Members voting 'yes', 25 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Three-fifths Majority, is hereby declared passed. On page 2 of the Calendar, on Concurrence Motions appears House Bill 1264. Mr. Black. Mr. Black."

Black: "With the permission of the Speaker, I'm a hyphenated Sponsor, I'll be more than happy to present the Bill."

Speaker Hartke: "Proceed."

Black: "Thank you. We're being asked to concur in Senate Amendment #1 to House Bill 1624. My understanding that the Amendment grants a permanent property tax assessment freeze to fraternal organizations chartered in Illinois on or before February 1898. We have done this before. This also adds fraternal organizations chartered in Illinois on or before 1920. There are a number of organizations we have granted this exemption to. The fundamental reason, as I understand it, behind these Bills is that membership is dwindling, many of these lodges and fraternal and civic organizations have ceased to exist and the volunteer and civic and charitable contributions of these agencies should be encouraged and the property tax situation makes it impossible for many of them to continue to operate. So that, as I understand it, is the genesis of the Bill. I'd be more than happy to try and answer any questions you might have."

Speaker Hartke: "Is there any dis... further discussion? Representative Hannig."

Hannig: "Yes, will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates he will yield."

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Hannig: "Yes, Representative Black, will this Amendment now take in all these... all the fraternal organizations or are we still...?"

Black: "It's my understanding that... that we're adding to those that we've already approved, specifically the Eagles Organization and the Shriners. And it's my understanding that those are the only two being added to the ones we have already exempted. And Representative, to the best of my memory... let me check with staff. I think we've already done it for the Masonic Organizations, I believe the Elks Club, the Moose, the Knights of Columbus, the Loyal Order of Mushrooms... I think that's about it."

Hannig: "Are we... but there's still groups out there like the Lio... I think the Lion's Club and some of the others..."

Black: "I believe... I believe that there would be some out there, however in my experience in civic activities, Representative, clubs like the Lions, Jaycees, et cetera, normally do not have physical assets; club houses, lodges, or meeting room facilities that they in fact own."

Hannig: "In some cases they might, though, Representative..."

Black: "Well, I..."

Hannig: "... but my... I guess my real question is, why don't we just have or try to develop an overall policy for all these groups as opposed to what we seem to be doing, is putting them in one at a time?"

Black: "Well, it probably in the future may be a good idea, I think, Representative, you've been here long enough to know that most of this started with a Constitutional Amendment to specifically exempt American Legion posts, 10, 12 years ago that just narrowly failed by the smallest of margins, I think it got 58.9% of the vote and it had to get 60 and I think that's what started this. Your suggestion to perhaps

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do a comprehensive Bill next spring would certainly not meet with my objection."

Hannig: "Yeah, and I'm in support of what you're doing, I guess what I'm saying is I'd probably like to go further and try to create a policy for all these. So, I..."

Black: "And I think it would probably make more sense to create a public policy that encompasses this once and for all rather than piecemeal it. I would say that I would certainly help you do that."

Hannig: "I mean it probably won't fail, but when we go home today somebody will call us tomorrow and say, well, what about... what about our group."

Black: "All right."

Hannig: "So anyway, well, thank you, Representative."

Black: "Thank you."

Hannig: "You're doing a fine job and I support your Amendment."

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

Black: "Thank you very much, Mr. Speaker. I simply ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1264?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, on Senate Bills-Second Reading appears Senate Bill 1258. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1258, the Bill's been read a second

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time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Slone, has been approved for consideration."

Speaker Hartke: "Chair recognizes Representative Slone for Amendment #2."

Slone: "Thank you, Mr. Speaker. I move to table Amendment #2."

Speaker Hartke: "She withdraws Amendment #2."

Slone: "Withdraw."

Speaker Hartke: "Further Amendments?"

Clerk Bolin: "Floor Amendment #3 offered by Representative Slone."

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies, and Gentlemen. This Bill is concerned with tightening some of the requirements for the Director of Central Management Services to lease state property. It would require the director to lease property at a fair market rate and to have an appraisal. This is similar to what we do with property... full property transfers or purchases of state property. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? The Chair recognizes Representative Franks."

Franks: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that she will yield."

Franks: "Representative, I don't have the analysis on our computer here. Could you please explain what this Amendment does?"

Slone: "Under current law, Representative Franks, the Director of Central Management Services has almost unlimited authority to lease state land on terms and conditions... this is a quote from the existing law, 'in terms and conditions and in the judgement of the director are in the best interest

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to the state', that's the whole statute that governs leases. Under the Property Control Act that governs transfers they have to get an appraisal, they have to sell... offer it to other state agencies and then offer it at fair market prices determined by appraisal. This would require the director to lease property at a fair market rate in general that would be determined by one appraisal and to..."

Franks: "Can I stop you there for a second?"

Slone: "Sure."

Franks: "'Cause in House Amendment 2, I think it required three appraisals, is that the substantive change to make it one appraisal?"

Slone: "Yeah, I should say that the earlier Amendment that passed the committee, the committee Members in Judiciary Committee did vote for the Bill to bring it out to the floor. They had a number of concerns about the Bill, that was one of them, that it required three appraisals, which is similar to what's required for property sale. This would require only one appraisal for a lease, that seemed less onerous. And that is one of the changes that's been made, yes."

Franks: "Can you tell what else it does?"

Slone: "Originally, we had some legislative oversight in there. The sense in the committee was that that was too much micromanagement. Instead of that, we now have if they're going below 60% of the fair market rate the director would have to certify in writing why they're doing that and why it constitutes fair and adequate compensation to the state."

Franks: "I appreciate that, thank you."

Slone: "Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the

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Gentleman from Peoria, Mr. Leitch."

Leitch: "Will the Lady yield?"

Speaker Hartke: "The Lady will yield."

Leitch: "What is the genesis of this Amendment?"

Slone: "It arises from a situation in Peoria County."

Leitch: "Specifically?"

Slone: "The lease of the Zeller property, although that would not be affected by this because it would be prospective in application if it is passed."

Leitch: "So, you do not believe the... this would in any way affect the Zeller lease?"

Slone: "No, I don't."

Leitch: "Why would you wanna tie the hands of future Governors and future administrations?"

Slone: "I don't think the intent here is to tie the hands of future Governors but to put a process in place that offers a little more oversight than what we've had in the past."

Leitch: "Well, I think this is a very unfortunate Bill and I think it's one that is very poor policy, because it denies the flexibility to the administration, regardless of party, on issues as they will come, often unforeseeable situations as they come into the future. And I think it's very ill-advised and an Amendment that again would be... make for very poor public policy. And I would hope that the measure will be rejected."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 1258?' All those in favor signify by saying 'yes'; those opposed say 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. However, notes have been

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requested on the Bill as amended and have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Chair recognizes Representative Delgado. For what reason do you seek recognition?"

Delgado: "Thank you, Mr. Speaker. On Senate Bill... Third Reading... tryin' to get a Bill number here... 2390, my switch apparently was not working. My vote would've reflected a 'yes' on 2390 and I wanted that just for the record."

Speaker Hartke: "The Journal will reflect your wishes. On Supplemental Calendar #1 appears Senate Bill 2291, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2291, a Bill for an Act in relation to gaming. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A fiscal note and state mandates note have been requested on that Bill and have not filed."

Speaker Hartke: "Hold that Bill on Second Reading. On Supplemental Calendar #1 appears Senate Joint Resolution 56. Representative Winkel. Mr. Winkel on the Resolution."

Winkel: "Thank you, Mr. Speaker. I'm presenting Senate Joint Resolution #56. The purpose of the Resolution that's offered on behalf of the University of Illinois. It's in accordance with the State College Housing Construction Act. That Act prohibits any state-supported higher education facility from building or operating directly or indirectly any new housing project without the prior determination by the General Assembly that the project is in the public interest. The purpose of this Resolution then is to find that determination that it is in the public interest. And I'd ask for it's adoption."

Speaker Hartke: "Is there any discussion? Seeing no one is

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seeking recognition, the question is, 'Shall the House adopt Reso... Senate Joint Resolution 56?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt Senate Joint Resolution 56. Chair recognizes Representative Burke for House Resolution 1133."

Burke: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I appreciate this opportunity and I'd ask the Clerk to please insist that Representative Wojcik's name appear on this Resolution, as well. Thank you so much for the opportunity to allow me to formally say farewell and congratulations to all of our colleagues that are going to be leaving this esteemed Body and the House of Representatives. I guess the best thing about this Resolution is that it doesn't begin with the language, 'God, in his infinite wisdom has called, Representative whoever', but it's a sad day for many of us that have had wonderful friendships, wonderful collegueship, and a wonderful working relationship with so many that are leaving. It's tough. It's not our last day, certainly, we'll be back in January, but I thought now would be the most appropriate time to say formally that we wish those who are leaving, going on to either the Senate or to private life, nothing but our best wishes and hopes that they succeed in whatever endeavors that they would continue with in the future. Thank you, Mr. Speaker."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. And I echo the same words from Representative Burke. I do wanna wish all of you much

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happiness in your new endeavors. For those of you going over to the Senate, may you enjoy the 'House of the Lords'. I don't think you'll have as much fun as us 'commoners', though. We've all become family and that's one of the things I've always felt so strong about being here and especially on the House Floor. We look around and I can see only two of my classmates left from when I came in, but we wanted you to know how dearly we feel for all of you and we do wanna wish you all the best and whatever you're planning to do in your life now maybe another door will open as another door closes. So, God bless you, Godspeed, and may you have a happiness forever. Bye bye."

Speaker Hartke: "Representative Johnson. Tom Johnson."

Johnson: "Ya know, as a Member who's been here ten years and who is leaving, the language up there congratulates us for leaving. Ya know, I really feel wanted. But all kidding aside, you know, for myself this has been just a wonderful ten years. The people in here who I consider all of you friends, I have thoroughly enjoyed this time. And most of all, you know, I was one of these guys who came in here wanting to change the world and my Leader felt that incumbent upon himself to stick me in this chair for ten years where I had Cal Skinner on my right, Monique Davis on my left, and that made me a middle-of-the-roader. So, ya know, I credit Lee to making whatever successes were possible for myself here. And I want you to know that there is life after we leave. I talked to my seatmate just two days ago, Cal Skinner, and as you know he made a great race for Governor and he said, 'It's great, Tom.' And so, I know that there's a future for all of us who are leaving. If Cal found a future, I can find a future. But at any rate, thank you so much, all of you and I look forward to

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seeing you often in the future. This is a wonderful place. We deal with a lot of serious issues that affect for all of us about 12 million people in this state and we need to keep reminding ourselves every time we punch this switch, that it does impact the lives of 12 million people and not just my people. And so, thank you for the opportunity of serving with you and God bless all of you."

Speaker Hartke: "Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I would like to have my name added, Representative Burke and Representative Wojcik, as we say goodbye to those wonderful friends we've made. Who will take up the mantel of Representative Johnson, who on the Judicial Committee sought fairness for those who find themselves going through the penal system. Who will take up the mantel of Representative Johnson? Who will take up the mantel of Representative Harold Murphy? Harold Murphy, the Chief of Pension, a ten-year veteran in this Body. Who will take up the mansion... the... fighting for the working man when he leaves his job that his pension is adequate. As our Members go on to better things or different things, someone remaining in this Body must take up the fight that they championed. They've become experts in those fields. They've offered a great deal to this Body and they were committed to the chairmanships in which they were honored. And I would like to be added as a Sponsor, I think all Members should be added as Sponsors on this Joint Resolution. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. It's always a pleasure to get to speak after Monique. I just wanted to take this opportunity to collectively thank each and every one of the Members who's retiring and congratulate you all, that would

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be on both sides of the aisle. For me as a freshman, it's been a wonderful experience to be able to count on the mentoring from both... both sides, my Republican friends, my Democratic friends, and I wish you all the best of luck. I know that we have a pretty large class of freshman coming in and they have some big shoes to fill. So, I wanna thank you, God bless you all, happy holidays and know that you're always... you will always be part of our family like everyone else is, when they come in you'll all get standing ovations, which is a nice thing, of course. So, congratulations y vaya con Dios (and go with God)."

Speaker Hartke: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Add my congratulations to those who are leaving and as Mr.... Representative Johnson said, that there is life after the General Assembly and I'm sure you'll all find a place in life that'll make you happy. But I'm sure gonna miss my seat partner here, Mr. Bugielski, who has driven down with me for the last 16 years. Ya know, he's deaf in his right ear and I always had problems talking to him. I used to could bend over and say, 'Bugsy, what does this Bill do?', and he wouldn't respond to me and I never understood that and one day he said, 'Ya know, you've gotta talk to me in this other ear.' So, I had always run around him. So Bugs, I'm gonna miss you a lot and I hope you find something that you'll be happy with. Thank you very much."

Speaker Hartke: "Chair recognizes Representative Berns."

Berns: "Thank you, Mr. Speaker, Members of the House. I rise to thank you for the opportunity and the privilege to serve with you. My expectation of how it would be to serve in the Illinois General Assembly has been enhanced by this experience. I will always remember and honor the privilege

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to serve with you. Thank you very much."

Speaker Hartke: "For those Members who are unaware, the person sitting in the seat to the right is Mrs. Berns, not Dale Righter. Mrs. Berns, would you... Representative Judy Erwin."

Erwin: "Thank you, Mr. Speaker. I must confess, I really wasn't prepared to do this today, Danny and Kay. It's... I mean, we're not like leaving tomorrow, we're gonna be back in in January. But forced to it, not being prepared, I just wanted to say thank you so much. Ten years ago I walked in here having been a staff member, I was sworn in early as my new colleague Ken Dunkin was in the same area and I was sworn in early having spent 15 years working in the State Senate. And it was a passage and it was a wonderful one. I have so many good friends here and have learned so much from each and every one of you. How you have all enriched my life in the last ten years. I have such great respect for this process, the governmental processes that we're all involved in, the Executive Branch, be it the current one, the last ones, the last three Governors I've served under and worked in this... this building. And somehow, I feel that in this passage it's a... I'm gonna learn a new chapter of how to work in the public policy and government arena without being elected. So, I'll volunteer to work on all your campaigns, volunteer to help you, and I don't wanna ever leave here. I don't ever wanna leave this process and the wonderful things it does and all of you do for the people in this state. So, I look forward to continuing what... the great relationships and friendships that I have and wherever I am, I'll put it in a letter soon, I hope. Please call upon me, stay in touch and I hope to see you soon in another life. So, thank you so

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much for being a part of my life."

Speaker Hartke: "The Chair recognizes Representative Durkin."

Durkin: "Thank you, Mr. Speaker. And I tell ya what, at the age of 41 I never envisioned that I'd be giving a retirement speech, but this has been a... eight years has been a... it's been a great process and I just wanna thank the men and women in this chamber who've contributed to this very noble cause, the one that which we've taken up because this is a job in which, it's not an easy job and sometimes we take a lot of criticism. But everyone in this chamber has stepped up to the plate and you've made the difference. Ya know, we wake up in the morning we can look in the mirror, because we know that we've been true to our heart, we've been true to our oath, we've been true to our Constitution. And I just wanna say it's very bittersweet to leave here, but I've got a young family to spend time with, but I'm also leaving a family, a family who've I've been with for the past eight years who I will say that I do love you all very much. And I'll be back at some capacity over the years. But it's been an absolute pleasure. And maybe I can help with you in the future in some way, but you are my friends and just remember the bond that we've made in this chamber is something which will carry through the rest of our lives and it's something that's very special and I'm just very proud to be part of it. Thank you very much."

Speaker Hartke: "Representative Krause."

Krause: "Thank you very much, Mr. Speaker. And it is for me to acknowledge my seatmate who I've had the pleasure of sitting with and working with for the past ten years and that is Mary Lou Cowlshaw who is leaving after service here in this chamber for 20 years. And Mary Lou, I have to say it's bittersweet for me that you are leaving. You did

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a tremendous job here in the General Assembly and of course, you are recognized for your work in education. But I learned a lot from you, but certainly one of the things was to always remember who brought you to the dance and that is to remember your constituents and the people in your district and to serve them well. And that you did, Mary Lou. I know that you've got already plans in the future that you're doing and we wish you all the very, very best. Thank you."

Speaker Hartke: "Chair recognizes Representative Lawfer."

Lawfer: "Thank you, Mr. Speaker. It's been an honor and a pleasure to serve in the Illinois General Assembly representing northwest Illinois for the last ten years. It's been extremely humbling to be in a seat over here to the extreme right, but also under a large portrait of Abraham Lincoln who at one time said, 'the greater part of one man's life consists of his friendships.' So... and I really feel that the friendships that I've enjoyed here in the last ten years, I'll remember the entire time. And Mr. Speaker, if I'm ever in the Effingham area and see a pig with a wooden leg, I'll stop in to see you. Thank you."

Speaker Hartke: "The Chair recognizes Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I think that all of us know that regardless of which faith we happen to practice that the role of rituals in religion is that it helps us stay the course during times of a... when our emotions run high and rituals keep us grounded to remind us of what indeed our priorities are and where our values lie. And this institutional ritual which we are experiencing right now is certainly doing that. For the past 12 years I've been blessed to serve with each and every one of you to work with you as

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colleagues, to work with you as friends, to sit in foxholes with you over issues which, despite our differences, make an indelible mark upon the lives of so many people who we know and so many people who we don't know. When I first came here 12 years ago I was a young, single guy who could do politics 20 hours a day. And my life has been enriched and has grown significantly since then as a result of getting married, not only do I have my own wonderful wife and two beautiful children, my daughter Nnimal and my son Nadav, who you've watched me change their diapers here on the House Floor and watched them run through the aisles as we've tried to make people's lives better. And perhaps they've reminded us why at times we do what we do. But I also as a result of being a member of this chamber I inherited two new members of my family, Representative Mathias and Representative Feigenholtz, through marriage have become members of my family as well. But the bond that I feel extends beyond them, it's a deep... it's a deep bond that will never be severed. Not just because of the joint experiences that we've shared, but because each of us brings a set of perspectives, a set of personal traits, a set of values that in the collective mix really, but we don't realize it at times, makes quite an impact and touches upon the personal growth that each of us experiences. And I can tell you that I am undertaking a challenge that will literally have me moving my things just across the hall. And George Washington once said, 'that the role of the Senate is akin to the saucer that cools the cup of hot tea.' The institutional passions, the legislative passions that come from the House often driven by an election cycle which comes every other year, that the Senate provides that perspective. I'm gonna go find out if

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George Washington was right or not. But what I do know, is that each and every one of you have been indispensable in my life, whether it's been here at the State Capitol, whether it's been in the course of private or public debate, each and every one of you who gets paid to have an opinion, whether I have agreed with that opinion or not, I've learned a great deal from it. And for that I feel particularly blessed. And for all of that I thank God for all that He has bestowed upon me and I thank all of you for helping Him make my life fuller, make my life richer, and make my life memorable. Thank you very much."

Speaker Hartke: "The Chair recognizes Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. I'd like to thank all of you. I mean, this is a great experience for anyone. In a state of 12 million people where we are a Member of a hundred and eighteen of just a bonding. It's a bonding that we have, it's like a fraternity down here. We have our own group, it's our own fraternity, the camaraderie of brotherhood and sisterhood that we have down here. The experiences that I've encountered over the last 16 years are very memorable. To see how we could argue during the day and it seems that when we walk out of here we leave our work here in the chamber and we still socialize and have a good time in the evening. I just... I cannot thank all of you enough, because it's... as I said this is really an experience that everyone... I wish everyone had the experience of getting into and they can't. I mean it's an honor for us to serve the hundred thousand people that we do serve. And just the experience of working with... along with one another down here what it has done to my life, the experiences and I know even for the newer people that our here just for the first term, the freshman and those that

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are here for four years, the longer you're here the more bonding there is. And I just wanna thank all of you for everything that you've done for me and as Representative Johnson said, 'life continues after the Legislature.' And hopefully I'll be around to see and work with you. I know I will come down and visit. As they say, one door closes another door opens and I'm sure that's gonna happen for a lot of us. And I just wanna thank all of you for everything that you've done for me over the last 16 years. And anything I can do for you, please, do not hesitate to contact me. Thank you very much."

Speaker Hartke: "The Chair recognizes Representative Marquardt."

Marquardt: "Thank you, Mr. Speaker. There's some things that I've been wanting to bring to your attention for a long time and this is my opportunity, really it is. It's been an honor and a privilege in coming from where I came from and going back, I guess, to Lombard, Illinois and with my dear friend 'Pate' Philip. Thanks again, it's been wonderful."

Speaker Hartke: "The Chair recognizes Representative Zickus."

Zickus: "Thank you. This is family to me. And last week we were looking through some old family pictures... some family pictures and I realized how much this job has been a part of our lives over the years. It's really been an honor and a privilege to serve here with each and every one of you. One of the things that always impressed me from day one was how we could work, there was no center aisle, we could work together to help solve some of the issues and the concerns of the people in our districts. The friendships that have grown over the years and the experience that we have are going to be cherished for my lifetime. And I wanna thank... I'm sitting here looking at my dear friend, Kay."

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She's gonna make me cry. Don't do it. She's like my sister and Lee and the Governor and Ralph and Danny and Joe and Buggy, ya know, you've been part of my family down here and we've had many special times and those I will cherish forever. And yeah, it's difficult to say goodbye because this has been such a special part of my life, but I have a lot of wonderful memories. Though, I just wanna wish each and every one of you well. It's like turning... being curled up with a good book for the last 12 years and now we have to turn a chapter and there's a new chapter out there. There's gonna be challenges and new opportunities and I think we're ready for it. Thank you so much everybody and my best of luck to each and every one of you."

Speaker Hartke: "The Chair recognizes Representative Wright."

Wright: "Thank you, Mr. Speaker. I just wanna take a brief moment to express my gratitude for having the privilege to serve here. Unlike many of the other speakers, my time won't be recorded in years, it will be recorded in months and that may please some people. But nevertheless, I don't take for granted what I've been able to take part in. For me, it's not a matter of life coming to an end or life after this process. For 18 months I have been given the privilege to take part in the greatest process in the this world. We read the newspapers of regimes that rise and fall continually, regimes of oppression, of dictatorships and I'm privileged to say I've never known that in my personal life and I'm even more privileged to say I never even had to have the burden of fighting for that on a foreign field as my father did and my uncle did and my ancestors before me. I've just been able to reap the benefit from it and I don't ever wanna take that for granted. For 18 months I will have exercised the greatest

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privilege politically or in terms of citizenship any person can exercise. So, I wanna express my gratitude and for me, my life is in no way coming to an end, because for me my life has always been my God, my wife, and my children. So, my life is still the same, it will just be a different chapter. Thank you very much."

Speaker Hartke: "Representative Crotty."

Crotty: "Well, thank you. When I looked at the board I didn't realize that we were going to speak if, in fact, I don't feel like I'm leaving. I'm just going over to the other side of the rotunda. But I do wanna say that it has been... it has been a great, great pleasure, to not only serve in the House, but really to make so many great friends on both sides of the aisle. I've learnt a lot when I think about what I thought and how I perceived things to be six years ago and what they are today. It's a... it was a great learning experience. I'll always feel a part of the House. I think anybody who has served in this Body knows that. But I do look forward to moving all of your legislation through the process as I go over to the Senate. So, thank you very much."

Speaker Hartke: "Mr. Burke."

Burke: "Thank you again, Mr. Speaker. And as Representative Monique Davis suggested, I think every Member of the House should be added as a cosponsor to this Resolution. And thanks so much."

Speaker Hartke: "You've heard the Resolution. House Resolution 1133. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 1142, Mr. Daniels."

Daniels: "Mr. Speaker, House Resolution 1142 honors the

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championship team of Driscoll Catholic High School and I wonder if the Clerk could read it. And by the way... Mr. Speaker, Ladies and Gentlemen of the House, if you look up in the gallery you have no trouble figuring out how these guys won the State Championship. So, this is in honor of them, if you could read the Resolution."

Clerk Bolin: "House Resolution 1142 offered by Representative Daniels.

HOUSE RESOLUTION 1142

WHEREAS, The members of the Illinois House of Representatives offer our sincere congratulations to the Driscoll Catholic High School Football Team on winning the Class 4A State Championship on November 29, 2002; and

WHEREAS, Driscoll Catholic High School, located in Addison, Illinois under the direction of the Diocese of Joliet, was first founded under the Sisters of St. Francis and the Brothers of the Christian Schools; and

WHEREAS, Driscoll won its second straight state championship, the team's third since winning the 1991 Class 3A Championship Title; and

WHEREAS, Under Coach Tim Racki, the Highlanders dominated the title game versus Mt. Carmel at the University of Illinois, Memorial Stadium, winning by a final score of 42 to 0; and

WHEREAS, Ending the season with a 13-1 record, the Highlanders tied for the Suburban Catholic Conference title; and

WHEREAS, Principal Stephen Marth and Athletic Director Robert Carlson have worked hard to continue the winning tradition of the athletic program at Driscoll Catholic High School; and

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WHEREAS, Campus Minister Loraine Parker guided the team spiritually throughout the season; and

WHEREAS, Quiet heroes such as Matt Mahaney, the all-state quarterback, and Jason Schulz, an honorable mention all-state pick linebacker, led the team on the field; and

WHEREAS, We offer our congratulations to graduating seniors who guided their team to victory; and

WHEREAS, The team could not have accomplished so much success without the assistance of Trainer Oliver Ramino, Statistician Bob Crowe, and President of Football Operations Ken Mahaney; and

WHEREAS, We recognize the accomplishment of these young athletes and their coaches; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby offer our congratulations to Coach Tim Racki and the members of the Driscoll Catholic High School Football Team on winning the Class 4A State Championship Title; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Coach Tim Racki, Driscoll Catholic High School, and the Highlander Team Members."

Speaker Hartke: "Mr. Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, as stated earlier it's my honor, my distinct privilege to introduce to you, the Members of the Illinois General Assembly, that great championship team of Driscoll Catholic High School. And please acknowledge their presence in the chambers today. Gentlemen, our congratulations. Ya know, it's always great when one of your local high schools win a state championship, but when they do it two years in a row

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and win their third state title since 1991, it just, as one of our local newspapers suggested, may be the beginning of a dynasty. I was talking to the coach, Tim Racki, who's standing along side of me here and he said, 'this is our third championship and we've won each one with 42 points.' Now, you remember last year, because they were here last year when they won in double overtime by a score of 42-41. So, I was kidding the coach about that last year and I said that was a close one. He just said to me, 'ya know, after we took your words to heart, this year we won with 42 points the opponents scored 0.' No chances this time, that's for sure. I especially wanna point out the outstanding leadership of senior quarterback Matt Mahaney. Matt where are you? Our senior quarterback. And senior linebacker, Jason Schulz, Jason, Jason. Now, I think, Ladies and Gentlemen, if you look at these guys, the Chicago Bears could use these guys right now. No question about that. In fact, I'm gonna go out on a limb, I think the Highlanders could beat the Chicago Bears and knock... So, coach Tim Racki, congratulations to you on what an outstanding job you've done. Those of us in the Illinois House know that achieving your goals, setting goals, setting victories is not an easy thing to do. It takes a lot of dedication, a lot of commitment, a lot of foresight, and a lot of ability. You have put that magic formula together to create the leadership that's necessary to win a championship. Men, relish this moment, you are winners, you are victorious people. Always remember what it takes to get to that point and some day, some day, we'd like to see you here in the Illinois General Assembly as one of the Representatives. I'd just like a few more years, though, if you don't mind. So, please, congratulate Driscoll High

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School on their championship. And Mr. Speaker, I move the adoption of the Resolution."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Chair recognizes Representative Bellock."

Bellock: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hartke: "State your point."

Bellock: "I'd like to welcome today another class from Hinsdale Central High School from the AP Government class. I'd like to have them stand and give them a welcome who came down to study Illinois government. Thank you."

Speaker Hartke: "Welcome to your State Capitol. On page 2 of the Calendar, on Second Reading appears Senate Bill 2424, Representative Mautino. Representative Mautino."

Clerk Bolin: "Senate Bill 2424, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "Senate Bill 2424, a Bill for an Act concerning state finance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2424 is a Bill which resulted from a meeting that we had locally regarding the closing of the Sheridan facility. I'm very proud to work Representative Lindner, Senator Welch, Senator Lauzen and there are a number of ideas that came out of that. At this time, I'd like to ask Representative Lindner, my cosponsor, to make the opening remarks. I'd be happy to answer any questions and will do the closing remarks."

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Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke. Mr. Lindner... or Representative Lindner."

Lindner: "Thank you. Thank you, Mr. Speaker. As Representative Mautino said, this is a total bipartisan effort of the Legislators who are concerned with the reopening of Sheridan Prison to try and find the funds to reopen this prison and to try and help the over 480 people who have lost their jobs and whose benefits will run out within the next couple months. And also, to help the village whose tax structure has been intertwined with the prison for a number of years. There is a structure in this state, as we all know, for debt collection and at some point the Debt Collection Board declares uncollectable debts. This is the money that we would like for Sheridan. There is approximately \$2 billion. And our Bill says that after the debt is declared uncollectable that the Debt Collection Board may sell the debts to private vendors or contract with them to have a last call to try and get this money. And we are asking that the... then in the state treasury there be a fund of \$28 million, that if this uncollectable debt is then collected that the 28 million will be saved to reopen Sheridan. This doesn't affect General Revenue Fund, it doesn't affect any agency budget, because this debt is uncollectable. And I would refer to Representative Mautino for any questions. This Bill passed the Senate with 48 'yesses', and 4 'presents', and 0 'no' votes."

Speaker Hartke: "Chair recognizes Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, now let me get this straight, this legislation is specific for Sheridan. Is that correct?"

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Mautino: "The... it is... the first 28 million collected would be for Sheridan, anything over and above that would also be... would be available for use in the general appropriation process. We're trying to create a revenue stream."

Parke: "Well, I commend you for that, but to the Bill. Ladies and Gentlemen, I happen to think that the underlying concept here is very valid and it's long overdue and that is that when the state decides that a bill can no longer be collected that it then will be turned over to a collection agency to see if they can collect it. And I don't know why we haven't done that... why we haven't gone to private collection agencies on a lot of our things. And I hope that in the process of the next year, trying to find revenue, that we do look to the private sector to go after deadbeats and people that owe the state and we have not been able to collect from 'em. The private sector many times has the ability and the tenacity to do a better job than government. Matter of fact, most of the time. But this Bill specifically earmarks tens of millions of dollars to a specific entity. I think that's wrong. At a time when we are struggling to pay for services to the elderly, to the disabled, to the handicapped, to our education community, we ought not to have special legislations such as this. As a matter of fact, I question whether or not this is constitutional. I don't even know if we can do this. This is a specific reference to a single entity and I'm not sure that that's appropriate. I don't... I question the constitutionality of this Bill, but I think this is the wrong thing to do. I commend the Sponsors, they're trying to solve a problem. If I were in their situation, I'd be trying to do the same thing. We ought not to be going along with that. At a time when this state

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needs every penny, every penny that this state needs we ought not to be putting a Bill like this up. Ladies and Gentlemen, I respectfully rise in opposition."

Speaker Hartke: "Chair recognizes Representative Mitchell, Bill Mitchell."

Mitchell, B.: "Thank you, thank you, Mr. Speaker. I rise in support of Senate Bill 2424. I would like to congratulate the Sponsors, Representative Lindner and Representative Mautino. You do a great job for the district that you represent. That being said, you lost 400 hundred jobs in Sheridan and it's a real difficulty for your area. I wanna remind this Body that in Logan County, with Lincoln Developmental Center, two years ago we had 700 jobs. They're not there anymore. So, I support this Bill, but don't forget about LDC, we're gonna be back."

Speaker Hartke: "Further discussion? Chair recognizes Representative Franks. Representative Franks. He declines. Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Thank you. Representative, one of the dilemmas that a Bill like this puts many of us in is that there were a number of institutions that closed throughout the state. And I don't think this is the time or the place to debate the wisdom of those closures. They have taken place and the fiscal crisis of the state certainly isn't any better now than it was a few months ago. But having said that, the Paris work camp... the Ed Jenison work camp in Edgar County that used to be in my legislative district is only about 25-30 miles from my residence. Although not in my legislative district, many people who live in my district

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work at the Ed Jenison work camp. It was only ten years old, did a remarkable job, in fact, the inmates there gave more than 50 thousand hours of public service work to entities that couldn't afford to have done that on their own. So the dilemma, perhaps you can set my mind at ease. Those of us who have also experienced closures in or around our district vote for this. What do I say to the good people who are laid off in two cases, Frank? Returning National Guard members from the Danville National Guard Unit, got home in the summer in August from active duty in the Far East, who worked at the Ed Jenison work camp and came back to no job. Now, I'm not fundamentally opposed to your Bill, but what do I tell the people at the Ed Jenison work camp when they ask me, as they legitimately shall, 'why weren't we included?'

Mautino: "And that's... that's an excellent question. Now, with the amount of money that we're talking about, which is the uncollectable debt and we've written it off, we have placed a zero balance as a state and said we're not gonna go after this debt. That's the current status of it. If someone were to contract it on a fee basis or a contingency basis, that would create... let's say if it's worth a nickle on the dollar, that's a hundred million dollars. So, what we're trying to do in the Bill... I don't imagine in the short-term it's going to create \$28 million right off the bat. We're trying to create a funding source. As to what to tell your people, during the course of the budget you and I discussed institutes called the IMD facilities. I am introducing legislation to cap their profits at 10%. That saves \$40 million and attracts another \$20 million in federal money. So, there is money... that I'd be delighted to work with you and, as a matter of fact, we met during

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the course of the budget because my concern was not only for Sheridan, but it was for Paris County, Hanna City, the Alton Mental Health Center, Singer Developmental Center and through some of the things that we are looking at we try to do that. So, this is to try and create a revenue stream, it's not the only idea which came from this local meeting. Additionally, a meeting next week in Washington with Ray LaHood, Congressman, in order to try and get the INS facility to use our 'X' House."

Black: "Okay."

Mautino: "We meet all the qualifications and that is worth \$30 thousand per day or about \$10 million or a third of the operating cost. So, this is one piece of a puzzle that we're trying to work out. I know that it may look as special, Representative. Any additional dollars go to the General Revenue Fund if it's created over that. And that also may be changed in an AV to be directed at Corrections. We're trying to establish a way to take some of this money which we're no longer gonna collect, attract it to state dollars and put it towards reopening facilities. I will sponsor Bills jointly with you to try and reopen those vital services, which they were cut and I won't argue the merits of the cuts. But I will do that and I have done that. So, this is something, ya know, when you talk about special Bills today, I voted for Hazel Crest, I voted for a residential house in Ogle County, I voted for the Maywood library and these are what we're sent here to do. This is what Representative Lindner and I were sent here to do today, is to try and create a stream to help with a problem and I commit that we will help you with your facilities, as well. I will either sponsor a Bill for you or cosponsor it with you and you can tell your people they have that

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commitment. My job is to try and find money to help, that's what we're here doing and I'd ask..."

Black: "Okay."

Mautino: "... for your support."

Black: "Well, Representative, I appreciate that and there was never any doubt in mind that you and Representative Lindner would not be willing to extend your hand to help those of us elsewhere in the state. I know that you will, I know that you have, and I know that you'll continue to offer that help. Let me ask you one question about the Debt Collection Act, because I wanna make sure we don't go out of here thinking we've done something when in fact we may not have done exactly what we think we might. As I understand it, if there is a debt owed to the state and that debt is for example, back child support or money owed to the Department or Public Aid who gave benefits to the custodial parent and then they collect some of that money, we cannot divert that money. Is that not true? That money must go back to either the custodial parent or the Department?"

Mautino: "Thank you for asking that. When the Bill came over from the Senate we had to amend it because it drew in those dollars which we would never want to use, for that reason. We now in this... it has to be deemed as eligible before it can go into this account at all. That means any of the 4D money, any child support collection, any of the federal loan repayment monies would not even be eligible."

Black: "Okay."

Mautino: "It has to be certified by the chairman of that board who is the director at CMS before it can go in. So, we put a protection on the front side and the back side to make sure we're using those dollars which should rightfully go

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back and may not be legally diverted."

Black: "All right. Frank, just one last question. In reading the Bill, it appears that under the current Debt Collection Act an outside firm would be limited in the fee they could charge for the collection of the money. The only figure that comes to mind is about 20% would be the top contingency. If I'm reading this correctly, this would allow somebody currently not on the vendor list but as I understand it they would have to become certified as a private vendor or collector..."

Mautino: "Correct."

Black: "... but the contingency fee on these dollars that are deemed uncollectable would not be subject to that limit. Is that correct that the contingency may be much higher?"

Mautino: "It would be... it would be put out for competitive bid, it could be higher than what that level is now simply because we have already written it off and we're not gonna go after it. This is very... very common place in the credit card and banking industries, once you've determined and you have written off as uncollectable debt then that debt can be sold, kinda like a garage sale basically, Bill. This is the debt, if you look at and screen this debt that they have out there it is very old debts. Some of the corporations are no longer there. There are people who have died. It'd be tough to collect from them, although the state will continue to try, maybe that's part of the problem. But I mean, this is... it's been through a private collection agency at the agency level, they got what they could, they sent it back to us. It went to the three-member board who said, we're not gonna go after this anymore, we're gonna shelf it. And that's what we're looking at. So it'd probably have a lesser value than

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those where they had a potential to get some major dollars out of it."

Black: "All right. Well, Representative, I appreciate your indulgence, I appreciate you asking the questions... answering the questions. And while this may not work, let me just say this, as your father did before you, you work extremely hard for your district and I don't know how anyone in the chamber can find fault with that, that's why we're all here, that's what we do our best to do. I hope this works, I hope it might generate some income stream, but I don't wanna build false hopes, it's gonna be a long shot. But I appreciate what you and Representative Lindner have tried to do and I will stand with you to see that if it works, fine. And if it works then some of us may come to both of you next January or February and say, well, maybe you can help us find a revenue stream to perhaps reopen those institutions in our own district. I can certainly find no fault with what you're attempting to do. You're representing your district as you always have and as Representative Lindner has to the very best of your abilities. Thank you."

Speaker Hartke: "Final speaker, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in reluctant opposition to this Bill and I would like the attention of the Members because this involves something I've been working on for a very long period of time. I am not blindsiding my colleague, Frank Mautino, I've told him I'm gonna oppose this and he knows why. Ladies and Gentlemen, I'm a supporter of Sheridan, I think we ought to do more to keep them open, keep those people working, keep that facility going and I voted many ways last spring to do that. But this is not the way to do it for a number of

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reasons, the most important of which is that as many of you know for about ten years now I've been working on how the state collects its debt. I've traveled around the state with some of you in hearings to discuss this issue and when I first started discussing this issue we had about \$3 billion owed to our state by our own taxpayers. Today we have almost \$11 billion owed to the state by our own taxpayers. We have passed out of this time... out of this House on three separate occasions by virtually unanimous votes each time a Bill that would consolidate all debt collection in a state agency. Now, that Bill talked about doing it in the Auditor General's Office, doesn't matter where, this House agreed almost unanimously three times that we should have a state agency with state employees who are debt collection experts, doing the work of debt collection to try to collect almost \$11 billion. Now, some of it's uncollectable, but we don't really know how much. Yes, each state agency today which are... who are bonded to collect their own debt tells you there's some that are uncollectable, but they don't have debt collection experts. All they do is draw a line in the sand and they say well if it's older than 'x' number of days or months we'll call it uncollectable. The truth is we've never made any major effort in the State of Illinois to deal with these collections. That's why we have \$11 billion due and owing to us today from our own taxpayers. The comptroller has made a valiant effort through the offset system and other ways to do some of it, but our rate of collection continues to drop farther and farther and farther into the ground. Perhaps next year we will pass in both chambers and get a Governor to sign a Bill that will enable us to try to collect some of this \$11 billion. To take one segment of

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this and simply declare it uncollectable and give it to private collection agencies where the state would not have to pay a fee if we did it ourself is a waste of taxpayer dollars. In addition, to set aside one place, Sheridan, to receive these dollars is not good public policy. So Ladies and Gentlemen, my argument is several fold, first I hate to see ten years of my work go down the tubes and this Bill will do that in great measure. But second and most importantly, we need to get a handle on \$11 billion that our own taxpayers owe us at a time that we have a 2 or 3 billion dollar hole in our budget. I think once we create this state debt collection unit and experts attempt to collect it, it's perfectly good idea to send it out of state or out of our hands and let private debt collectors collect it, but let's only pay these fees when we know these fees need to be paid. We should be collecting this in-house, we should be using this as GRF, and we should be putting together an entire plan that you have... mostly all of you have voted for at least three times to do. To vote for this Bill is... is in complete opposition to the kind of plan of attack that this House has approved three times. And I would urge you reluctantly to vote 'no'."

Speaker Hartke: "Representative Mautino to close."

Mautino: "Thank you, Ladies and Gentlemen of the House. I appreciate some of the previous speakers' comments. There is \$11 billion out there. We have been... we do have in-house operations for going to collection. Once we've gone to collection we receive these back and it is certified by the Attorney General, who's in charge of enforcement, the comptroller, and the director of CMS, who then tracks that debt as uncollectable. At the current time and for the past years we have not done anything with

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this portion of the debt. It sits and today what Representative Lindner and I ask you is to go and see if the private market can do a better job to outsource this portion of the debt to retain and continue to go after that debt which is still alive within the State of Illinois. But what we ask today is for your support for this legislation and I would ask for your 'aye' votes."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2424?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. 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 75 Members voting 'yes', 34 Members voting 'no', 2 Members voting 'present'. And this Bill, having received the Constitutional Three-fifths Majority, is hereby declared passed. Ladies and Gentlemen, it's the Chair's intention to do some Agreed Resolutions, the Adjournment Resolution, and then we have a Death Resolution upon our adjournment. Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1143, offered by Representative Daniels; House Resolutions 1144, 1145, 1146, 1147, 1148, and 1149, offered by Representative Daniels; House Resolution 1150, offered by Representative Garrett; House Resolution 1151, offered by Representative Morrow; House Resolution 1152, offered by Representative Daniels; House Resolution 1153, offered by Representative Schoenberg; House Resolution 1154, offered by Representative Sommer; House Resolution 1155, offered by Representative Rutherford; House Resolution 1156, offered by Representative Brady; House Resolutions 1157 and 1158, offered by Speaker Madigan; House Resolution 1159, offered

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by Representative Dart; House Resolution 1160, offered by Representative Wright; House Resolution 1161, offered by Representative Parke, and House Resolution 1162, offered by Representative Osmond."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. The Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 90 offered by Representative Barbara Flynn Currie.

HOUSE JOINT RESOLUTION 90

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, December 5, 2002, it stands adjourned until Friday, January 3, 2003 in Perfunctory Session, and when it stands adjourns on that day, it stands adjourned until Monday, January 6, 2003 at 2:00 p.m.; and when the Senate adjourns on Thursday, December 5, 2002, it stands adjourned until Monday, January 6, 2003 at 3:00 p.m."

Speaker Hartke: "You've heard the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Mr. Clerk, please read the Death Resolution for a former Member. Members will please be in their chair. House Resolution 1055."

Clerk Bolin: "House Resolution 1055 offered by Representative Moffitt.

HOUSE RESOLUTION 1055

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WHEREAS, The members of the Illinois House of Representatives wish to express their sincerest condolences to the family and friends of former State Representative A.T. "Tom" McMaster, who passed away on September 3, 2002; and

WHEREAS, A.T. McMaster was born on June 21, 1918 near Oneida, Illinois to Arthur T. and Hannah R. Eck McMaster; he married Mary Catherine O'Connor on June 17, 1943, in Wataga; and

WHEREAS, Representative McMaster attended grade school in Copley Township, graduated from Oneida High School, and attended Knox College; and

WHEREAS, Representative McMaster was a farmer in Copley Township, Knox County; and

WHEREAS, Representative McMaster was active in State and local politics for 33 years, starting in 1952 as township assessor, and served on the Knox County Board of Supervisors for 10 years, serving as chairman for four years; in 1971, he began the first of eight terms as State representative of the 73rd District. And was known for his work with land reclamation and strip mines; he retired in 1987; and

WHEREAS, In November 1999, State Representative Don Moffitt and State Senator Carl Hawkinson worked with the Illinois Department of Natural Resources to rename Snakeden Hollow Lake after Representative McMaster; and

WHEREAS, Representative McMaster was a member of First United Presbyterian Church, the Oneida Masonic Lodge 337, the Knox County Farm Bureau, the former Oneida Lions Club, Phi Delta Theta Fraternity, and the Knox College 50 Year Club; and

WHEREAS, The passing of A.T. McMaster will be deeply felt by all who knew and loved him, especially his wife, Catherine

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McMaster; his sons, Tom (wife, Deanie) McMaster and Jim McMaster; his daughters, Mary (husband, Barry) Stein, Peg (husband, Roger) Wenstrom, and Marti (husband, David) Hurst; his sister, Eve Verg; his grandchildren; and his 4 great-grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with all who knew him, the death of former State Representative A.T. "Tom" McMaster of Oneida, Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of former State Representative A.T. McMaster with our sincere condolences."

Speaker Hartke: "Representative Moffitt.

Moffitt: "Mr. Speaker, Ladies, and Gentlemen of the House, A. T.

'Tom' McMaster was one of the first State Legislators that I got to know after college as he represented my home county of Knox. A.T. was proud of his roots as a man of the land and as a farmer. He was proud of his roots in local government and used that expertise here in Springfield had... he'd chaired the Knox County Board. And it was a position that three chairmen later I would hold. A.T. was proud of his family, all of his family, all of his children. Including... especially, a daughter that went into politics and he was proud of that and that his daughter became Circuit Clerk of Knox County. And during the time of military conflict in Viet Nam he was very proud he had a son who was a pilot and made a career in the military. A.T. McMaster always tried to turn a liability into an asset. One example was his tireless efforts to pass regulations to reclaim strip mine land, which had been occurring in Knox County. Two years ago at the request of Senator Hawkinson and myself DNR named the lake at Snakeden

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Hollow, which is a state conservation area in Knox County, after A.T. 'Tom' McMaster. At that ceremony A.T. quipped that he was kind of surprised that it was being named for him, because usually that isn't done until after someone dies. He says, 'Are you trying to tell me something?' Well, we were. The answer to that question whether or not we were trying to tell Tom McMaster something is simply this. We were telling him thanks. We were saying thanks for making Illinois a better place to live. Thanks for helping preserve farm land throughout the State of Illinois. Thanks for being a voice for local government. Thanks for setting a high standard for honesty and integrity in State Government. Tom set an example that we should all try to follow. We thank Tom for what he did in Illinois and he will certainly be missed. Thank you."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker, and Members of the House. In my previous career as Township Clerk of Schaumburg Township I got to know Tom McMaster. We called him the father of township government. He was so kind and did so much in that area. There was a time when Cook County was never recognized by a downstater and I had the opportunity to work with Tom regarding absentee ballots. And he led the charge for us and now that's a law in the State of Illinois and absentee ballots can be handled by local governments. Tom had a great sense of humor. Never in my day did I would ever think that I would end up here on the House Floor and sit in front of him. Well, the day came and I was rather proud to shake his hand and say, 'Now, I'm one of you.' What he did to me was he changed my light switches from red to green and green to red. And as a freshman I was very intent on voting the right way, of

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course and so I kept hitting the green light and he kept saying, 'Kay, change your vote.' And he's giggling... and I said, 'Change it.' He told Don Hensel, 'Don, change her switch.' And I grabbed a hold of Don and I said, 'Don't you dare touch my switch.' And they looked down and they said, 'Then look at your switches.' By golly, they changed the color on me. But that's the kind of man he was. He was very thoughtful, kind, and his sense of humor was exemplary. God rest you, Tom. You're missed and you were a wonderful man in your days."

Speaker Hartke: "Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker, and Members of the General Assembly. One of the difficulties in serving here is that the turnover anymore is so rapid that many of you did not have the privilege and pleasure of knowing Tom McMaster. When I came down, I was sworn in to fill a vacancy. So, I didn't have the benefit of an orientation Session, or what have you. And one of the first people that I met was Tom McMaster. Tom was... he could fool ya, he was kind of a gruff-looking fellow and you wondered if perhaps you'd better mind your p's and q's around him. And he didn't have much to say the day I was sworn in and the next day when we were Session he came up to me and he said, 'Young man... I was much younger then...' he said, 'I hear you were a county board chairman.' And I didn't know whether I should answer 'yes' or 'no'. I wasn't sure what the response that Tom wanted. And I said, 'Yes, I was privileged to serve as the chairman of the Vermilion County Board.' And he said, 'Well, then you're a good man because I was one, too.' And from that point on it was a privilege and pleasure to work with Tom. He always had time to show rookies like myself how the process worked. He was one of

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the first people to reinforce something that many have done over the years and that is that the center aisle is not a barrier and it is not a wall and that you have to cross that aisle on many occasion to work with Members of both parties in a cooperative sense. And Tom never forgot that and I think that's why he was so effective and one of things... in many of the things that he did. He wasn't recognized as a great environmentalist by many of the groups that we all fill out hundreds of questionnaires for, but his work on converting strip land... strip mined land, I think, marks him as one of the great environmentalists to have served in this chamber. And just to share something with you, because Kay reminded me of some of the practical jokes that used to be played down here with great frequency. And yes, you can pry off these plastic covers on your switches and change them around. And one day I came into the chamber, about the third day I was here, and my phone light was on and no one had explained to me what that meant. So, this orange light that you have on your desk was on, it doesn't blink, it's just on. And I poked at it a couple of times and evidently Tom saw that. And he came up and whispered in my ear, he said, 'That is a heat-activated switch and you'll have to hold your thumb on the switch for ten or fifteen seconds and then it will go off.' Now, I looked around to see if perhaps he was pulling my leg and so while looking around and hopefully no one was watching I, in fact, put my thumb on the phone light; it didn't go off. I increased the pressure. And again, looking around to hope no one was looking. Tom was very serious, didn't let on, so I pushed that phone light so hard that, believe this or not, it broke. Tom didn't say anything and he said, 'There is a violation of

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destroying state property and the House Clerk will, I'm sure, give you a bill.' Later that day, I asked someone what that light meant and why it went on and they told me. And yet, Tom was such a good and decent fellow, it was a great practical joke. And I learned a great deal of what I am able to do on this floor from people like Tom McMaster, believe me. He'll be... he'll be missed. My condolences to his family. It was a privilege and an honor to serve with a man like Tom McMaster and in fact, he's part of my institutional memory of this chamber. He was a... an outstanding Legislator who represented his district very well. And if we can follow in the footsteps of people like Tom, this will be a far better place to serve."

Speaker Hartke: "Leader Daniels."

Daniels: "Mr. Speaker, Ladies, and Gentlemen of the House the legacy of Tom McMaster lived on. Now, we know who taught Bill everything that he knows today. And Bill, I'm not sure I'd tell that story too many times. But, also we do understand and Kay, I wasn't sure you were gonna tell that story, but I remember when Tom McMaster came to me when you were a freshman and he says, 'This Lady just votes wrong all the time.' And he said, 'I think I gotta way how to correct it.' And sure enough, you had the best voting record you had until you found out those things were switched on it. Tom McMaster, as pointed out to you, really is one of the legacies of the Illinois General Assembly. I had the privilege of working with him for a decade, had the privilege of serving with him and learning from him, as Representative Wojcik pointed out he was an expert in township government, as Bill Black pointed out he was an expert in land reclamation. And he really was a person that understood technicalities and detailed

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legislation and matters that were so important to not only at the time they were presented, but also today as we look at environmental concerns. Ya know, the one thing that did come through over and over again was Tom's love for family, love for his colleagues, and love for his community, and yes, love for his alma mater Knox College as Representative Moffitt has pointed out. But more than that, he was a man of great integrity and a very strong man. When you met Tom McMaster you knew you were meeting somebody that had a great deal of commitment to what he was doing and he proved his dedication and his public good by his actions every single day. He took people that were new to the process, such as that time Representative Wojcik, Representative Black and taught them about how to be a good Legislator. I think he's done a good job in both their cases. His influence here has been felt in so many different ways and as Representative Black pointed out, people come and go in this process and it seems at times all too frequently are we saying goodbye to a Member in one form or another. But Tom McMaster is a man that I will remember for his dedication, for his commitment, for his integrity, for his love for his colleagues, and his love for his community, but above all there was no greater love for Tom than his wife Katherine, his two sons, his three daughters, his fourteen grandchildren, and his four great-grandchildren. Tom McMaster, thanks for what you gave to all of us. May you rest in peace."

Speaker Hartke: "You've heard the Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. We are not adjourned, yet. Representative Currie now moves that the House stand adjourned until Monday,

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January the 6th, 2003 at the hour of 2 p.m. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."