

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

159th Legislative Day

7/13/2004

Speaker Granberg: "So, we need to do a Roll Call. Members, prepare to vote your own switches. Mr. Clerk, open the Roll Call. Roll Call for Attendance. Representative Hannig, excused absences."

Hannig: "Thank you, Mr. Speaker. Would the record reflect the following Democrats are excused: Representative Collins, Currie, Dunkin, Feigenholtz, Howard, Osterman, Slone, Kelly, Scully and Graham."

Speaker Granberg: "Thank you. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Biggins, Myers, Lindner, Black, Sommer, Beaubien, Osmond, Mathias and Jerry Mitchell are excused today."

Speaker Granberg: "Thank you. Okay. Representative Yarbrough. Representative Yar... Mr. Clerk, take the record. Ninety-nine Members being present, the House has a quorum. And the Regular Session is hereby convened. Mr. Clerk, House Bill... I'm sorry, Senate Bills... Do you have a Committee Report?"

Clerk Mahoney: "Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on July 13, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to Senate Bill 1955."

Speaker Granberg: "Mr. Clerk, Senate Bill 1955. What is the status of that Bill? Are there any Amendments pending?"

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Clerk Mahoney: "Senate Bill 1955 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative Madigan, has been approved for consideration."

Speaker Granberg: "Representative Colvin, you're handling the Amendment, Amendment #2."

Colvin: "Thank you, Mr. Speaker. We're talking today... I would like to present to the House Amendment #2 to Senate Bill 1955. It simply relates to if a pupil changes his residence is due to a military service obligation of a person who has legal custody of a pupil, upon the written request of the person having legal custody of the pupil, the resident of the pupil shall be deemed for all purposes relating to enrollment, including tuition fees and costs, for the duration of the custodian's military service obligation. To say it more plainly, this is simply a Bill dealing with individuals who have military... who have military obligations, who are called to service, who may be changing their residency from one school district to another, that their children can stay in those schools in that particular district without incurring any tuition or fee costs as a result of staying in those school districts. So, I'll be happy to answer any questions on the Amendment."

Speaker Granberg: "Thank you. The Gentleman, Representative Parke, do you wish to ask questions or would you like to adopt the Amendment, then ask questions on Third?"

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Parke: "Adopt the question."

Speaker Granberg: "Okay. The Gentleman moves for the adoption of Amendment #2. All in favor shall say 'aye'; all opposed shall say 'nay'. The 'ayes' have it. The Amendment is adopted. Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1955, a Bill for an Act regarding schools. Third Reading of this Senate Bill."

Speaker Granberg: "The Gentleman, Representative Parke, do you have a question on the Bill?"

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

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

Parke: "Representative, on this... on the face of it sounds like it's something that's worthwhile and worthy. Do you have any idea how many children we're talking about?"

Colvin: "Representative Parke, I don't have a number of children. I do understand it has been a problem for several families who serve on military bases here in the State of Illinois who have been called to service, active duties, maybe not perhaps overseas, but maybe moved to a different base. But the child has been socially and academically acclimated to a particular school and to continue their education at that particular school, absence of any tuition or fees as a result of staying in that school while not having legal residence in those communities that those fees would be waived. I think it's just another way we can help the men and women who serve our country deal with being under the pressure of our

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country being at war. And I just think it's an excellent idea and at the appropriate time."

Parke: "Well, I, also, but I'd like to know, is there a time limit on this or is it just a period of time with... in which those parents are serving our country overseas? Now, it's gotta be overseas service. Is that right?"

Colvin: "I believe it's a call to active duty that would move them outside of that district. I don't think it's... it does not deal with whether or not they go overseas, but if their legal residence changes it takes them outside of that particular school district."

Parke: "Have... have you had anybody objecting to this through the education community as... as seeing this placing a burden on them or is it just your Bill is simply perfunctory to take care of an idea legally so that the schools can do it?"

Colvin: "No. There was, I think... and if I can articulate this correctly, there was, just to mention, clarifying what legal custody meant, but simply 'legal custody' meaning an individual who is of legal custody of an individual who is serving in the military, whether that be by natural or adoptive parents or any other arrangement that would provide legal custody of a child in a particular school. In..."

Parke: "And... and that child... it says here on our Bill evaluation that this does not provide transportation. So, if they're from one part of the city to another part, they do..."

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Colvin: "Exactly."

Parke: "...they have to provide their own transportation, right?"

Colvin: "And that relates to the auxiliary cost of attending school in a particular district."

Parke: "Then you have not heard that this is an undue... I mean, a tremendous burden on school districts. It's more... just making sure they can do it."

Colvin: "Well, there was no opposition to the Bill in committee."

Parke: "Thank you, Mr. Speak... Mr. Speaker, to the Bill. This sounds like a..."

Speaker Granberg: "Proceed."

Parke: "...a worthwhile Bill. And I think the Sponsor has a good Bill to take care of the men and women serving our country. And... and again, we... we do all of this to make sure that our families are... have a safer world to live in and this provides those men and women serving our country a place where their children can get a quality education. So, I commend the Sponsor and I will vote 'yes' on this legislation."

Speaker Granberg: "Thank you, Representative Parke. Anything further? The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I just... to the Bill."

Speaker Granberg: "Proceed, Sir."

Moffitt: "I wanna commend the Sponsor for bringing this Bill. This... today everyone in this chamber will have an opportunity to make a statement to our service personnel. It's one small way we can stand behind them, stand with

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them and stand for them to help their children be able to attend the school that is most beneficial to them. I think it's a great idea. I just don't understand why we didn't think of doing this sooner, but the important thing is that we're doing the right thing and doing it now. And Representative, it's an outstanding Bill. I'm proud to join with you on this legislation."

Speaker Granberg: "Thank you. Anything further? The Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative, just to make a couple of points, I think, that are important. This Senate Bill... this came over from the Senate with some language in it that regarded reconstitution of the State Board of Education, and it's our understanding that that... that Amendment's been stripped and this is the Bill. This is the entire Bill."

Colvin: "That... that's correct, Representative. This..."

Eddy: "So, this Bill deals only with the issue of making sure that students who are attending a school district may continue to do so without paying res... nonresident tuition in those situations where they're affected by military service?"

Colvin: "That's correct, Representative. Amendment #2 becomes the Bill."

Eddy: "The other point, I think, and it was... it was brought up very briefly, earlier, there is not an economic impact to the state from this legislation because that student would

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continue... or that school district would continue to receive the funding for that student. So, there is no fiscal impact to the state?"

Colvin: "That's correct. And I should also point out that the State Board of Education is a proponent of this piece of legislation."

Eddy: "Thank you very much. Mr. Speaker, to the Bill."

Speaker Granberg: "Proceed, Sir."

Eddy: "Representative, I... I join my colleagues in commending you for bringing to this Body a piece of legislation that will clear up any confusion in the minds of school districts' administrators regarding charging tuition to continuing students in this situation. I think it's a good piece of legislation. And hopefully, this Body will show unanimous support for such a good idea. Thank you."

Speaker Granberg: "Thank you. The... no one further is seeking recognition. The Gentleman from Cook, Representative Colvin, to close."

Colvin: "I just think it's the right Bill at the right time for our country and for our military service. And I urge an 'aye' vote."

Speaker Granberg: "Thank you. All those in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, Senate Bill 1955, having received 99 'yes' votes, no... 0 voting 'no', 0 voting 'present'. Senate Bill 1955, having received the Three-fifths Constitutional Majority,

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is hereby declared passed. The Gentleman from Cook, Representative Molaro, for what reason do you seek the recognition?"

Molaro: "For a point of personal privilege."

Speaker Granberg: "Proceed, Sir."

Molaro: "I'd just like to take 30 seconds to share this with the Body. It's a letter I received from England. I think it's important that we hear this. It starts out... I used to do some work overseas as an attorney. It says 'Dear attorney Molaro, I was pleased and proud to read that the State of Illinois has named September 17, George Harrison Day in honor of the late Beatle. What an honor for his family and his legion of American fans. I have enclosed two tokens of my esteem to Representative Bradley who sponsored the Resolution and to Representative Hannig for his recitation of 'yeah, yeah, yeah.' All of the... all of the best to the wonderful people of Illinois and Springfield.' Signed, Paul M. and Ringo S. Says, 'P.S. My solicitor suggested we should keep the value of the gift under \$75.' So, we're gonna present this to Representative Bradley and Representative Hannig. And anybody could see it, it came from Paul and Ringo. So, thank you, Mr. Speaker."

Speaker Granberg: "Thank you, Representative Molaro. The Gen... Representative Bost, for what reason do you seek recognition?"

Bost: "As was spoken in the original debate of the Bill, let it be."

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Speaker Granberg: "Mr. Clerk, Supplemental Calendar. Senate Bill 2263. Mr. Clerk."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on July 13, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' to refer to the Order of Concurrence is House Bill 623; 'approved for consideration' and referred to the Order of Second Reading is Senate Bill 2263."

Speaker Granberg: "Read the Bill."

Clerk Mahoney: "Senate Bill 2263, a Bill for an Act concerning finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Granberg: "Mr. Clerk, hold that Bill on Second Reading, Senate Bill 2263. The Representative from Macoupin County, Representative Hannig, now moves that the House stand adjourned 'til the regular scheduled Perfunctory Session, the schedule that has already been established by the Members. All in favor shall say 'aye'; opposed 'nay'. The 'ayes' have it. The House is adjourned."