

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

145th Legislative Day

November 29, 1990

Speaker Giglio: "10:30 having arrived the House will come to order. The chaplain for today is Elder Farries Morrison, Sr. of the Prayer Wheel Church of God In Christ in Springfield. Elder Morrison is the guest of Representative Curran. Our guests in the gallery may wish to rise for the invocation."

Elder Morrison, Sr.: "Oh, Lord our God how excellence is Thy name. In all the earth who accepts Thy glory above the heavens. Out of the mouth of babes...has Thy ordained strength because of thine enemies that they might instill the enemy and the avenger. When I consider the heavens the work of Thy fingers the moon and the stars which Thy has ordained, what is man that Thy is mindful of him, and the son of man that Thou visiteth him, for Thy made him a little lower than the angels and have crowned him with glory and honor. Thy madeth him the heir of dominion over the works of Thy hand, and Thy has put all things under his feet. And oh God it is good to draw near to Thee and in Thy presence we have a sense of peace and wholesomeness. We feel Thy presence moving in our soul and we are refreshed. Abide with us always and keep us moving toward Thee in prayer repeatedly. As we come today to Thee, speak to our hearts that word which will comfort and encourage us in the right direction. Oh God, let Thy love overpower our selfish passions that Thy love may constrain us to do the right things. And that we may love one another as Thou has loved us. Oh Father, in Jesus name grant us a renewal of our vision that we may see what is the best and the right decision to make in every Bill that come before this Legislative Body. And Oh Father grant us with Thou forgiving grace that...our forgiveness for our sins that we may live in the freedom Christ has purchased with us for

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his own blood, for it is in his name we pray. Amen."

Speaker Giglio: "We'll be led in the Pledge of Allegiance by Representative Ropp."

Ropp - et al: "I Pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Giglio: "Roll Call for Attendance. Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Request that Representative Matijevich be excused by reason of illness."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Piel."

Piel: "No excused absence, Mr. Speaker."

Speaker Giglio: "Let the record show, Mr. Clerk, there's 117 answering the Roll Call, a quorum is present. The House is ready to do its business. Supplemental Calendar announcements, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Giglio: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 2404, offered by Representative Daniels. House Resolution 2406, Stephens, 2407 Stephens and 2408 Petka."

Speaker Giglio: "Representative Capparelli."

Capparelli: "I move to adopt all these Agreed Resolutions."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2405, offered by Representative Morrow. With respect the memory of Theophilis Collier."

Speaker Giglio: "Representative Capparelli moves the adoption of Death Resolution. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it."

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Death Resolution is adopted. Representative Ronan, for what purpose are you seeking recognition, Sir?"

Ronan: "Well, since we're under such a tremendous pressure drive right now I want to take a moment of the House to introduce a great public official, a young gal who is the City Treasurer of the City of Chicago, who's down here to visit us in Springfield. Marian Santos, City Treasurer from the City of Chicago."

Speaker Giglio: "Welcome to Springfield."

Ronan: "And a resident of my legislative district who's achieved heights even that I cannot imagine that a public official can achieve coming out of the ghetto that I represent. Thank you very much, Representative."

Speaker Giglio: "On Supplemental Calendar #1, Representative Saltsman, appears Senate Bill 1951. Excuse me, Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I move to reject Conference Committee Report #1 on Senate Bill 1951 and move...and request that a Second Conference Committee be appointed."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Second Conference Committee Report is requested. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave of the House to allow the Rules Committee to meet while the House is in Session. I believe it's been cleared by both sides."

Speaker Giglio: "Representative Olson agrees. You heard the Gentleman's Motion. All those in favor by the use of the Attendance Roll Call signify by saying 'aye', 'nay'. In the opinion of the Chair the 'ayes' have it. And the Attendance Roll Call is used for the Rules Committee to meet while we're in Session. All those on the Rules

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Committee will please go the Speaker's Conference Room, Representative Giorgi, Senate Bill 1884. On the Order of Amendatory Veto Motions Gubernatorial Compliance, Representative Giorgi, page three of the Calendar."

Giorgi: "Mr. Speaker, I move to accept the Governor's Amendatory Veto on Senate Bill 1884. This Bill dealt with the allowance to dispense liquor that consumed on premises in structures controlled by the Department of Conservation and CMS. And the part that was taken out of the Bill was the part that pertained to the DeKalb County Courthouse Celebration that was held anyway since we passed the Bill. So I urge the adoption of the Amendatory Veto."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion on the Motion? Hearing none. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. It's an Amendatory Veto Motion acceptance. Have all those who voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, 112 voting 'yes', none voting 'no' and 2 voting 'present'. And this Motion having received the required Constitutional Majority is hereby adopted and the House accepts the Governor's specific recommendations for change. Committee Report."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3 the following Bill has been ruled exempt; House Bill 2570. Signed, Representative Steczo, acting Chairman."

Speaker Giglio: "Total Vetoes." On page three of the Calendar appears Senate Bill 2256. Representative Keane."

Keane: "Mr. Speaker, I'd like to have Senate Bill 1320. I'm sorry Senate Bill 1310. Senate Bills Second Reading. Senates Bill Second Reading."

Speaker Giglio: "We're on Total Veto, Representative Keane."

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Keane: "I didn't think we were on anything. That's why I suggested we might go to this since this Bill is ready."

Speaker Giglio: "You're making a suggestion to the Chair I gether?"

Keane: "Yes, bwana."

Speaker Giglio: "Mr. Clerk, take 2256 out of the record. On page two of the Calendar under Senate Bills Second Reading appears Senate Bill 1310. Representative Keane, the Gentleman from Cook. Are you ready, Sir?"

Keane: "I am."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1310, a Bill for an Act in relation to dram shops. This Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Granberg, Mautino and Keane."

Speaker Giglio: "Representative Granberg, Amendment #1 to Senate Bill 1310."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 simply attempts to address the situation with beer distributors in the State of Illinois. It changes the Beer Industry Fair Dealing Act to define the term good cause for cancellation of the distributorships product, also require a brewer to pay fair market value for an Illinois distributors business. It will simply allow a distributor the absolute right to refuse arbitration and to seek judicial remedies. It attempts to address the issue of undo economic pressure by brewery with an Illinois distributor to help address out of state and out of country breweries attempting to use undue influence and economic pressure to coerce small Illinois businesses. And I would appreciate an 'aye' vote."

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Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, our staff just came over and said that they don't have a copy of this Amendment yet from the Journal Room. I know it's an important Amendment and important Bill. They would like at least ten minutes to take a look at it. If you would take it out of the record we have no objection of going right back to it. We have copy on our desk, but our staff did not receive a copy and they'd like about five or ten minutes to look at it. Thank you very much, and just as soon as staff can look at it we'll get right back to you. We're not trying to delay the Gentleman's Bill."

Speaker Giglio: "Alright. Take it out of the record, Mr. Clerk. Representative Weaver, did you have another question in relation to this before we take it out of the record? Might as well. Representative Weaver. Representative Keane, excuse me. Wait a minute. Wait a minute. Representative Keane."

Keane: "At the request of Representative Black, please take the Bill out of the record."

Speaker Giglio: "Take it out of the record Mr. Clerk. Representative Peterson are you ready on Senate Bill 2012? Mr. Clerk, Senate Bill 2012. Read the Bill."

Clerk O'Brien: "Senate Bill 2012, a Bill for an Act to amend sections of the statutes. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Lake, Representative Peterson."

Peterson: "Thank you, Mr. Speaker. Senate Bill 2012 as amended,

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basically it takes in revisionary items to the statutes. This Bill is the product of the Legislative Reference Bureau. And I ask for your support on Senate 2012."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none. The question is, 'Shall Senate Bill 2012 pass?' This is final action. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and none voting 'present'. And Senate Bill 2012 having received the required Constitution Majority is hereby declared passed. On the Order of Speaker's Table, page four of the Calendar, appears House Resolution 180, Representative Preston. Excuse me, Curran. Representative Mike Curran. Is Mike Curran in the chamber? Out of the record. House Resolution 196, Representative Steczo. Is Representative Steczo in the chamber? Out of the record. How about House Resolution 1153, Representative Woolard. Representative Woolard in the chamber? Out of the record. HJR...HJR 31, Representative Van Duyne. House Joint Resolution 31. Are you ready, Sir?"

Van Duyne: "Yes, Mr. Speaker I've been ready for a year and a half."

Speaker Giglio: "House Joint Resolution 31, Representative Van Duyne."

Van Duyne: "This Resolution simply exhorts the Congress to fund the Veterans Affairs as they have in the past and maybe even increase it a little bit. So I just ask for the Body's acceptance of it and their favorable vote."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair

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'ayes' have it. House Joint Resolution 31 is hereby adopted. House Joint Resolution 33, Representative Brunsvold. Out of the record. House Joint Resolution 99, Representative Jones. Representative Lou Jones. Out of the record. Senate Joint Resolution 11, Representative Novak. Senate Joint Resolution 11. Wish to have that called?"

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution #11 deals with the greenhouse effect and the concern we have with the rest of the rain forests around the world. The loss of wetlands in the United States and also in the State of Illinois the great concern for preserving wetlands. What this Resolution does is that encourages and directs the Department of Conservation to make trees available to units of local government, cities, villages, townships and schools and non-for-profit organizations and other deserving recipients that work with state agencies to plant trees and capitol development projects and to aggressively promote the celebration of the holiday Arbor Day as a primary celebration of the environment. And I would ask everyone for their approval on this Resolution."

Speaker Giglio: "Any discussion on the Gentleman's Motion? The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Well, Representative this clearly is a very important issue and a good one. The question I have is, when you said that the Department of Conservation should make available all these trees, are...or is that free gratis, or is there a price involved?"

Novak: "Well, Representative, I would assume that since there isn't any dollars...dollar tag attached to this Resolution,



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I would assume that there would have to be some type of an appropriation to fund this. And I would again assume under the director...directorship of whomever the new Department of Conservation Director is...and Governor elect Edgar is, that we would have some type of a commitment for some funding to provide these trees to these units of local government. So..."

Ropp: "Well, no what I was thinking that local government would buy them. You're saying that the state would give them?"

Novak: "Yes. It says make them available it doesn't say that they would purchase them."

Ropp: "Well, there's a possibility then that there's...we may not have enough money to make available all the trees that every unit of local government would want. It seems to me like there ought to be some kind of an Amendment to this that would provide for a cost, maybe a minimal cost, to the people who want to secure them. Otherwise, if we just have it wide open, I think we're opening up ourselves for a substantial amount of dollars if we're just going to let every unit of local government have 5,000, 10,000 trees."

Novak: "It really...it's a statement of policy and it really doesn't stipulate 'X' number of thousands of trees to be available to the City of McLean in McLean County or El Paso or wherever. It certainly stipulates that it's a directive that the new Governor and the Department of Conservation do their best to make these trees available contingent upon available resources."

Ropp: "Okay, so if we don't have any money then the program is not functional?"

Novak: "Well, hopefully. Hopefully with the commitment to the environment we will set aside a few dollars to implement this program."

Ropp: "Okay, so in other words the responsibility is on the

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Legislature to make dollars available for them to...?"

Novak: "Yes, yes."

Ropp: "Okay, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too think that this idea has merit. However, Representative Novak, on this legislation the concern that I have is since we have no price on it do you have any idea what the fiscal impact will be, and will these trees be only one kind of tree or are we going to get into very expensive flowering fruit trees that could cost a lot of money? And is there a limit on the number of trees that are going to be offered to each taxing body? I mean what if they want to reforest a certain area, wouldn't that cost the state a lot of money? So maybe you can address those questions I have."

Novak: "The legislation...the Resolution, as to reiterate, is simply a directive to the Department of Conservation to make available trees. Now they could be poplar trees or white pine trees. I would surely assume that there would be very low cost trees such as that are provided right now by the Department of Conservation in their program. Trees so we can get them planted to help with the photosynthesis problem that we have in this world and the global warming effect. Yes, Representative Parke. There will be a...there'll be a price tag on this. Yes, there will be. To what extent we don't know, but it's assuming based upon available dollars. And I think as a Legislature we should do our best to respect the environment and promote it to try to allocate some of these dollars to this project."

Parke: "Well, I certainly do thank you for answering that and I like the idea of it. But may for legislative intent...let

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me reiterate that we are not looking for expensive flowering fruit trees, but we're looking at low cost shade trees or trees that would be helpful to the environment. Would you agree?"

Novak: "Representative Parke, I'm not in the nursery business and I know you aren't, so yes, I will agree to low cost efficient trees, fast growing trees."

Parke: "Okay, and also with some kind of a reasonable amount of trees per municipality not in terms of thousands but perhaps tens or hundreds."

Novak: "Yes, correct."

Parke: "Thank you."

Speaker Giglio: "Further discussion? Gentleman from Kankakee, Representative Novak to close."

Novak: "Thank you, Mr. Speaker. Earth Day was just recently celebrated this past April and it was the anniversary of the 1970 Earth Day that alerted many people in the world about the global situation with pollution, air pollution, water pollution. The effect of this Resolution deals with simply planting trees and propagating trees around the State of Illinois and municipalities. I think it's a good idea. It shows that our future generations that...it's no longer responsible for us to take our environment for granted and we should promote the planting and propagation of trees so our future generations, our children and our grandchildren and our children's children will be able to enjoy the environment in a much much better perspective. Thank you."

Speaker Giglio: "The question is, 'Shall Senate Joint Resolution #11 pass?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. Page two of the Calendar Senate Bills Second Reading. Leadership...Representative

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Keane, are you ready to go back to 1310? Mr. Clerk, Senate Bill..."

Keane: "Yes, I would like the Bill to read a second time Mr. Speaker. Thank you, for your patience and understanding."

Speaker Giglio: "It's been read more than two times, Representative Keane. Mr. Clerk, Senate Bill 1310."

Clerk O'Brien: "Senate Bill 1310, this Bill has been read a second time previously. Floor Amendment #1 was being offered by Representative Granberg."

Speaker Giglio: "The Gentleman from Centralia, Representative Granberg."

Granberg: "Carlyle, Mr. Speaker. But that's alright."

Speaker Giglio: "Excuse me."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the same Amendment we addressed previously before and Representative Black had a question and we took the Amendment out of the record with the Bill. The Amendment simply attempts to address the disparity and negotiating leverage between large breweries out of state breweries, out of country breweries and small Illinois businesses. And I'd appreciate your support."

Speaker Giglio: "Any discussion on the Gentleman's Amendment? Hearing none. All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Didrickson and Keane."

Speaker Giglio: "The Lady from Cook Representative Didrickson on Amendment #2."

Didrickson: "Thank you, Mr. Chairman. I move for the adoption of Floor Amendment #2 which makes for a small exemption in the Dram Shop Act with reference to the University of Illinois

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and a building that they wish to purchase which has an existing lease that will continue through the year 2004 of a major grocery chain who does sell packaged goods. I ask for your adoption."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Thank you. Representative, there seems to be some confusion on this Amendment and I've talked to the university people and I don't believe that there's anything here to be concerned about. But let's just get it on the record. Does some people feel that this Amendment may exempt...the leaseholder from having to carry dram shop insurance? The university assures me that that is not the intent nor the case. Would you...would you perhaps point that out for us so we can get it on the record?"

Speaker Giglio: "Excuse me, Representative Black. Representative Didrickson, there's two Amendments filed two and three."

Didrickson: "Right."

Speaker Giglio: "Do you...what's your intent?"

Didrickson: "The first Amendment was adopted, is that correct?"

Speaker Giglio: "Yes."

Didrickson: "It was adopted?"

Speaker Giglio: "The first Amendment was adopted. This Amendment we're on now is two and then you have another one filed three."

Didrickson: "So I'm going with Amendment #2 proceeding for it's adoption and I will be withdrawing Amendment #3, because Amendment #1 was adopted."

Speaker Giglio: "Fine. Representative Black have you concluded."

Black: "Well, I would like an answer to the question Mr.

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Speaker. I don't believe it's been answered and I think it needs to be put on the record. There's some confusion that this exempts the leaseholder from having to carry dram shop insurance. The university assures me that's not the case, but let's get it on the record from the Sponsor."

Didrickson: "Yes, I would be glad to respond to Representative Black that there is no exemption for the leaseholder to be exempted from Dram Shop Act at all nor any of its provisions. And the University as our understanding in reading of the language is correct in its interpretation."

Black: "In fact, Representative, is this not a clarification because the university will own the building without this exemption of the existing Act the leaseholder could not then sell alcoholic beverages because technically the landlord would be the University of Illinois."

Didrickson: "That is absolutely correct, Representative Black."

Black: "Thank you very much. That's what I thought."

Speaker Giglio: "Further discussion on the Amendment? Question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendments adopted. Are there further Amendment's?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Didrickson and Keane."

Speaker Giglio: "Representative Didrickson on Amendment #3."

Didrickson: "I wish to withdraw Amendment #3."

Speaker Giglio: "Withdraw Amendment #3, Mr. Clerk. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Keane."

Keane: "Leave for immediate consideration."

Speaker Giglio: "The Gentleman asks leave for immediate consideration. Does the Gentleman have leave by the

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Attendance Roll Call? Hearing none. Mr. Clerk, leave is granted, read the Bill."

Clerk O'Brien: "Senate Bill 1310, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. The Bill contains the two Amendments that we just adopted. The first deals with the Beer Distributor Amendment and the second deals with the University of Illinois Amendment. I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion on the Bill. Hearing none. The question is, 'Shall Senate Bill 1310 pass?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 111 voting 'yes', none voting 'no' and 4 voting 'present'. And Senate Bill 1310 having received the required Constitutional Majority is hereby declared passed. Representative Regan."

Regan: "Thank you, Mr. Speaker. Would the record show please that I would have voted 'yes' on Senate Bill 1310, please."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Page three of the Calendar appears Total Veto. Senate Bill 2256, Representative Keane. Is Representative Keane in the chamber? The Gentleman from Cook, Representative Keane, is he in the chamber? Senate Bill 2256, Total Veto Motions, page three of the Calendar."

Keane: "Thank you, Mr. Speaker. I would ask for a override of the Governor's Veto on Senate Bill 2256. We discussed the Bill yesterday. Some absentee Members...some Members who were absent are back with us and want to be recorded as voting on it. I think we covered the subject matter fairly

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thoroughly yesterday and would be happy to answer any questions or...and ask for a favorable vote. Mr. Speaker, if you're not to distracted up there by the Senate I'd like to get a..."

Speaker Giglio: "Well, this is a Senate Bill Representative Keane and we have one of the leaders from the Senate over here talking about the Bill. I'm going to send him back there and have him talk to you. Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Inquiry of the Chair. Mr. Speaker, is this Bill on Postponed Consideration? Or...I remember this. Didn't we vote on this yesterday? I can't hear the Representative present his Bill. It's a little noisy in here. Sounds like the Senate not like the House. Holy Cow. Let's get a little order in here."

Speaker Giglio: "Well, I asked Representative Keane if he could explain it a little better."

Black: "Well, I think I've seen it before and I just...the inquiry is...is it on Postponed Consideration or is the Gentleman just simply bringing it back for a second time?"

Speaker Giglio: "It's the Chair's understanding that the Gentleman filed a new Motion."

Black: "Alright."

Speaker Giglio: "New Motion has been filed. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I rise in support of this override. In a further attempt to expand the efforts that the State of Illinois has been doing in setting up trade offices all over the world, if we don't in fact provide this kind of incentive money, setting up these trade offices are just non-productive and going to be not efficient. So I support this effort in an effort to expand international trade both industrially and



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agriculturally so that we in the State of Illinois can be in forefront as we have been for these many years in providing markets for our products that we produce here in our state. I stand in support."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Keane to close."

Keane: "I would just ask for a favorable Roll Call."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 83 voting 'yes', 26...Vote the Lady 'aye. 'Aye.' Representative Klemm 'aye'. Oh, you want to vote 'no'. Vote Representative Deuchler 'no'. Barger, you alright? Representative Klemm wants to be voting 'aye'. Klemm 'aye'. Any other changes? On this question there are now 84 voting 'yes', 27 voting 'no' and 1 voting 'present'. And this Motion having received the required Three-Fifths Majority is adopted and this Bill hereby declared passed the veto of the Governor notwithstanding. Representative Hicks votes 'aye'. Let the record indicate Representative Hicks votes 'aye', Mr. Clerk. There are now 85. Ladies and Gentlemen, if I could have your attention. We have a distinguished colleague of ours Horace Calvo who was a State Representative a few years back and now has been elevated to one of the highest positions in the State of Illinois, a Supreme Court Justice. Ladies and Gentlemen let's give him a nice welcome. Horace."

Calvo, Horace: "He offered me the microphone can you imagine that? Those of you who were with me will say 'Oh my God, no'. I just want to wish all of you a very happy holiday, very Merry Christmas and Happy New Year and great success

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into your lives from here on. Nice to see you today and I want to say a special thanks to my colleagues I served with who have persevered and are still here. I have to congratulate them on being able to do that. Thank you all very much."

Speaker Giglio: "Ladies and Gentlemen, on page three of the Calendar under Amendatory Vetoes appears Senate Bill 1591. Gentleman from Cook, Representative Levin. Mr. Clerk."

Clerk O'Brien: "Senate Bill 1591, a Bill for an Act to amend the School Code together with Governor's Amendatory Veto."

Speaker Giglio: "The Gentleman from Cook, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. I move that the House do accept the specific recommendations for change of Governor James R. Thompson, with respect to House Bill 1591 (sic - Senate Bill). Senate Bill 1591 will permit the Chicago Schools to use Chicago money to fund its collective bargaining agreement and thus to keep the school doors open. The Governor, in his Amendatory Veto..."

Speaker Giglio: "Excuse me, Representative. Excuse me. Representative Levin, excuse me. Would the lobbyist...all lobbyists and those people not entitled to the House Floor please leave immediately. All those lobbyists, people not entitled to the House Floor, would you kindly leave the chambers. Continue, Representative Levin."

Levin: "Thank you, Mr. Speaker. The Governor in his Amendatory Veto eliminated from this Bill anything that affects the state or any other school system in the State of Illinois. Eliminated from the Bill was the obligation of the state to guarantee the unfunded liabilities of the Chicago Teachers Pension System. Eliminated from the Bill as well were the provisions affecting the downstate school systems. Senate Bill 1591, accordingly, will not cost the state one dime. According to the Governor's Amendatory Veto Message, as

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amended, he approves of Senate Bill 1591. This legislation allows use of existing Chicago tax levy authority in two respects. First, Senate Bill 1591 would permit the use of the unused portion of the 50 cent tax levy of the Chicago School Finance Authority to be used for school operations rather than going to the Chicago Building Fund. This will provide \$15 million. The building fund currently pays for floor wax and other maintenance supplies and salaries. This will have no effect at all on capitol construction or renovation. Secondly, Senate Bill 1591 will permit the use of the levy authority currently used to pay for the employers contribution to the Chicago Teachers' Pension Retirement Fund to be used to pay the employee's contribution for the next three years. This will make available an additional \$51 million. The Chicago Teachers' Pension Retirement System is the best funded major public pension system in the state. Its funded ratio is 69.7%. The funded ratio by contrast for the downstate retirement system is 61%. According to the Chicago Teachers' Pension System the actuarial effect of Senate Bill 1591 will be inconsequential. To quote from their October newsletter; If Senate Bill 1591 as amendatorily vetoed by the Governor is enacted into law, this would result in a decrease in the funded ratio from its 1989 level of 69.7 to 68.9 for 1993 when the employers resumes its contribution to the pension system. This does not jeopardize the funds actuarial soundness or impair the funds ability to meet its obligations in a long term period. The genesis for Chicago School Reform was that the parents of Chicago got fed up with reoccurring school strikes. We had 9 in 18 years. This legislation will insure that we do not have yet another strike. I urge adoption of the Governor's specific recommendations for change and am happy to answer any

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questions."

Speaker Giglio: "Any discussion on the Gentleman's Motion. Hearing none. The question is, 'Shall the House...Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield after that detailed explanation for a question or two?"

Speaker Giglio: "Indicates he will."

Black: "Thank you. Representative, if I understood you correctly the 50 cent levy for the Chicago Teachers' Pension Fund will now be split. About 26 cents will go to their pension requirements and the remainder then could be used for education fund expenses. Is that correct? Or is it building fund?"

Levin: "The levy you're talking about is I believe the 26 cent levy which is currently used to fund the employers contribution to the Chicago Teachers' Retirement System. This would permit for three years that same levy to be used to fund the employees contribution which has been in the past funded by the education fund. This thus frees up \$51 million."

Black: "You, mentioned the 50 cent levy. Is that the rate slash levy that the Finance Authority has and they don't even need a change? We're not even discussing that then, correct?"

Levin: "No. The other provision in the Bill deals with the 50 cent levy. The fifty cent levy is for the Chicago School Finance Authority. They do not use the whole 50 cents. Accordingly, in the past the difference between what they use and the entire 50 cents went to the Chicago Building Fund. This allows instead of going into the Chicago Building Fund which is as I said is used for floor wax and that kind of maintenance, not for capital, but it allows that money instead to go into the education fund which is

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\$15 million."

Black: "Alright."

Levin: "So, 15 million...51 million frees up \$66 million."

Black: "Okay. I appreciate you illuminating that point. Let me ask you another question? Just to make sure we're on the same wave link. Now is...if I understood your earlier explanation, there is no longer any liability accrued to the Illinois Teachers' Retirement System? That's been removed by the Governor's Amendatory Veto. The ITRS will assume no liability for the Chicago Teachers Pension System, am I correct?"

Levin: "That is correct. The Governor removed anything that has to do with the rest of the state or any other system from the legislation. He specifically removed the provision that Chicago would be funded like the rest of the systems from the Bill. He also removed the provision that affected 55 and out."

Black: "Now let's focus on the 55 and out. The Governor's Amendatory Veto eliminated any provision for a downstate teacher retiring at age 55 without penalty, correct?"

Levin: "Chicago or downstate."

Black: "Alright. Also took out...so there is no provision in this Bill for an early out of any Chicago teacher?"

Levin: "That's correct."

Black: "So the teachers are being treated fairly then?"

Levin: "They're treated the same way."

Black: "No liability accrues to the Illinois Teachers' Retirement System or what we call the Downstate Teachers' Retirement System."

Levin: "You are correct, there never was."

Black: "There is a sunset provision in this Bill."

Levin: "Three years. The length of the existing contract which is three years."

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Black: "Alright. I appreciate your indulgence, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Livingston, Representative Ewing. Representative Ewing."

Ewing: "Yes. Mr. Speaker, would the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Ewing: "I am not certain that I am clear on the use of the taxing power for is it the building fund that you want to transfer to school operations? Would you re...you understand the question?"

Levin: "There is currently a 50 cent levy...which was intended to finance the Chicago Finance Authority for...is it bonds sales to retire debt. They don't use the full amount of that 50 cents. Up to this point we have provided that any balance that is unused could be used for the Chicago Building Fund, which is as I said, is for maintenance, floor wax, supplies, salaries. This provides that that balance may be used by the education fund and the estimate is that that will be \$15 million."

Ewing: "Fifteen?"

Levin: "Fifteen, 15."

Ewing: "Yes, and this is a three year permission?"

Levin: "The 15 million is not limited to three years."

Ewing: "It is not limited to three?"

Levin: "No, the pension is limited to three years."

Ewing: "Okay, so we're going to make up this 50 million by taking using taxing authority for a debt retirement and taxing authority for pension payments to raise the extra 50 million?"

Levin: "In a sense."

Ewing: "Okay, in the moving on to the taxing authority for the pensions, what kind of a hole are we digging ourselves into if we underfund by using that money for operations instead of putting it into the pension system? How much are we

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increasing their unfunded liability?"

Levin: "I have in front of me the October letter from the Chicago Pension System which contains their figures and answer your question. They indicate first of all that the Chicago System is in much better shape than the downstate system in terms of unfunded liability. The downstate system is at 61% funded ratio. The Chicago system is currently at 69.7%. They project that if Senate Bill 1591 is amendatorily vetoed by the Governor, is enacted into law, this will result in a decrease in the funded ratio from its 1989 level of 69.7 to 68.9 by 1993 when the employer resumes its contribution to the pension fund. This does not and this is their conclusion this does not jeopardize the funds actuarial soundness or impair the funds ability to meet its obligations on a long term basis. So the effect is inconsequential, it is less than 1%. It would still put the Chicago system several basis points better than the downstate system."

Ewing: "Does this money of the taxing authority automatically go back to the pension system in three years, or do we have to act to put it back there?"

Levin: "It is only for the duration of the existing contract which expires in three years. At that point it would automatically go back to the way it was before."

Ewing: "Alright. And the need for transferring these taxing authorities to raise the 50 million is to allow the school system to balance their budget, meet their union contracts and move ahead, is that correct?"

Levin: "That is correct. Unfortunately there was not any new money for Chicago or for the rest of this state last Spring and Chicago was called upon to use its own resources to pay for its own school reform effort."

Ewing: "One other question. It crossed my desk today or this

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week, came some information indicating that maybe the school system up there has not done all that it could to cut expenses, to cut the bureaucracy. I've heard about this now for several years since we've talked about school reform. I assume that there's no actions you can tell us about. We're in there trying to cut their costs say of maintenance employee such as the paper I'm holding in my hands talks about, or administrative staff that might not be needed or could be done without, is that correct?"

Levin: "Well, Representative, as you know I have been a strong proponent of cutting that bureaucracy over the last three years and authored the provisions in the school reform law to force mandatory cuts so that the money instead of going to the bureaucrats on Pershing Road would go for direct services to the children. That has been carried out in accordance with the provisions of the legislation. There have been substantial cuts in that bureaucracy and a transfer of funding to the local schools. We of course will continue to monitor the situation to ensure that that continues."

Ewing: "Well, I think probably this Bill is going to pass and probably needs to pass, but I don't think that we've much more than scratched the surface in getting to the waste and excess expenditures on the bureaucracy, be it custodians to administrative personnel in this school system, and that if we don't do something we'll certainly have the Chicago school system back here needing more state assistance next year to get their schools open. Thank you for your cooperative answers."

Levin: "Thank you, Representative. Let me just indicate I look forward to working with you on particularly the bureaucratic issue this Spring to ensure that all the cuts are made that ought to be made."



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Speaker Giglio: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield for a brief question?"

Speaker Giglio: "Indicates he will."

Weaver: "Representative, I need help in understanding that the shift of the funds here. You're using local taxing power to pay employee rather than employer contributions to the pension system in order to use that 51 million for the new three year contract, is that correct?"

Levin: "That is correct. It's existing levy authority. We don't it doesn't effect the rest of the state. It also does not in any way raise taxes further in Chicago."

Weaver: "How is...how is that shortfall in employer contribution going to be made up?"

Levin: "...Let's see. The...it is not viewed as a shortfall. Again if I can go back ..."

Weaver: "Well, there's about 51 million in...in employer owed contributions that are not going to be made over the next three years. You're going to have a big hole in the pension system."

Levin: "The analysis of the actuaries from the Chicago Pension System itself suggests that the effect will be miniscule, that the current funded ratio is 69.7 and that that will drop by 1993 by less than 1 percentage point to 68.9. In exploring why such a minuscule drop the answer I was given is because the increase in salaries that the teachers will get off the top 8% automatically goes into the pension system or the effect according to the systems actuaries very, very miniscule."

Weaver: "Is there not currently an accrued liability in the system already? Don't they already owe the system some money?"

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Levin: "The Chicago system is in much better shape than the downstate system. The Chicago system is close to 70% in terms of funded ratio. The downstate system is only at 61%. So the Chicago..."

Weaver: "But don't they...isn't there currently unfunded liability in the system?"

Levin: "There is a very small amount of unfunded liability."

Weaver: "Okay. Let me ask you to project three years down the road from now. Are the teachers who are going to be funded by this shift in employer contributions are they going to be working for less at the end of three years or how are going to make up the money in three years that we're making up with this shift now?"

Levin: "We have natural growth in tax money and we hope that that will do it. Well let me indicate further to you that we have a new Governor who was elected about three weeks ago and that Governor committed himself to becoming the education Governor to ensuring that the state plays a more significant role in the future in education than it has over the last several years. So I look forward to working with that Governor and working with you and every other Member of the General Assembly so that we don't just have to rely on the natural growth of local funding in order to pay for schools not only in Chicago but throughout the state. Everybody needs some help."

Weaver: "Well, thank you very much. Mr. Speaker, to the Motion. While I disagree I understand why they're attempting to do this and what the logic is behind it. However, personally I don't believe that \$51 million is miniscule. I think what we're doing is borrowing from the future. And we're attempting here to put what the Sponsor has indicated to be a better funded pension system into the same bad shape that our five statewide pension systems are in and I don't think

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that's a good example to use. I don't think we need to head that direction. There has got to be a better way. Thank you."

Speaker Giglio: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm going to rise in opposition to this Bill. Reluctantly because it seems to me that in the six years I've been a Member of this Body that every year we come back with a band-aid to solve the problems of the City of Chicago funding of their public education system. I think that Mayor Daley and Superintendent Kimbrough and the Chicago City Council ought to set down at a summit and decide how we're going to provide adequate funding for the children in the City of Chicago, not keep coming back down here with a patchwork of problems to solve it. We are now faced with this legislation. But let me ask you this. We're talking 50 million dollars this year because it's only a partial year. But I respectfully point out to the Sponsor of this legislation that it will be in fact 70 million for the next two years. We are talking almost two hundred million dollar bail out of the Chicago school system that is coming out of the pocketbooks of the statewide taxpayers pocket. I think this is a bad precedent. We should not allow this to happen. One should ask themselves today we're talking about this legislation. If it passes we have temporarily solved a problem. What happens three years from now? Three years from now when we come back, what is going to be the solution then? I predict three years from now they'll come back with a similar form. Because under this they say yes we've sunsetted for three years. But let me point out to you, we passed this legislation to pass it for three years, what's from stopping us to doing it three years further.

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Eventually, you and I both know that the teachers of the City of Chicago who have dedicated themselves to the children of Chicago will ultimately suffer on this legislation. I think this is a bad precedent, this Body should not allow this to happen. But let me also tell you further that this is going to permanently change the funding formula of that system. We're going to go to a level contribution based the increased salaries of the Chicago teachers. Currently as the teachers salaries increase the amount of money going to this fund increases. We are now changing that and we will change it forever. We are going to go to a system of flat rate of 0.026 which means that less revenue will be going to the teachers and that systems in the future. Now, for those of you that represent the Chicago school system you could shove this through, but three years from now, six years from now, ten years from now when those teachers come to you and want to know where the funding is and what you did to effect their system long term, I want to hear the answers that you give them. I think this Body should not allow this band-aid to go on. We should defeat this Bill and address the responsibility in Chicago where it belongs with the people of Chicago and the elected officials. I ask this Body to vote 'no' on this terrible legislation."

Speaker Giglio: "The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative, there has been talk about early retirement at 55 and under this provision how much additional money would be freed up allowing people to retire earlier that could be placed into the existing teachers that are remaining? Will this provide additional funds for this system?"

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Levin: "Representative, in the Spring when we passed Senate Bill 1591, there was a provision which provided for early retirement for both the Chicago and downstate teachers. The Governor eliminated that provision as part of his Amendatory Veto. It is no longer a part of this legislation."

Ropp: "Okay. So 55 really has no part of the whole provision which you want to Amendatorily accept, correct?"

Levin: "That's correct. I mean I personally think it's a good idea. We couldn't do it. And so we're going with what reality is."

Ropp: "Well, one of the concerns that I think we all have and just to reiterate what others have mentioned, is the fact that this kind of a precedence is something that I don't think that you ought to really be considering. The fact that we have been so far behind in maintaining the states commitment to the retirement system certainly does...this Bill does not play well in that accord. And it would seem to me like what you are establishing here is a kind of entity that will in fact put all of our systems in greater jeopardy. Because within the next three years if most of us here assume that you're not going to increase revenues to any degree that would make monies available for funding of teachers salaries, that you're going to find yourselves then having to turn and do this same thing to other pension systems. I guess if there's one thing that will create more mail to all of us is to talk about not fully funding the pension system, which we haven't done. But even now dipping into it is something that you're going to have so much mail than justifiably so, because you're really taking away those provisions for those people who have taught and contributed for so many years and that the state then will not be in a position to maintain its commitment,

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especially when we passed a Bill just last year that frankly we didn't even pay one additional dollar for that commitment this fiscal year. So I think in all due respect to the Sponsor, it's a provision a Bill that is really not in the best interest of the State of Illinois and certainly a provision that we do not want to begin as oftentimes these early kinds of precedents that are set eventually become the kind of law that we get really tied, our hands are tied, and we are really not in a good bargaining position for what is best for not only the teachers but what is best for the school kids of the State of Illinois. And I think this needs to go back to the drawing board so that we can maintain credibility with those teachers that we support and with our whole educational system in the state."

Speaker Giglio: "The Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Speaker. We have heard today here several terms. I've heard the terms bail out, the terms school reform, local school council. But we have lost the main focus of the people that we are trying to help and that is the children in the school system, in this Chicago school system. We talk about 50, 60, 70 million dollars. I don't have any problem with that in trying to help a school system, but before we help a school system we must have a school system that is fair for all the children in that system. We still have, unfortunately, in Chicago a system...a school system that is still segregated. A school system that has a 50% dropout rate in my district. We have a system that does not permit Hispanic kids and other minorities into the unquote quote, unquote academies magnet schools. When our children apply for those schools what happens is they're put into waiting list and the

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waiting lists goes on for years and years and years. And as a former educator I stand here and tell you that the most important years in a child's education are the primary years. And the system keeps on pushing our kids out the door. Where is the interest of the bureaucracy in trying to help those children? We also have a school system that we could give them 200 million dollars and the problem of overcrowded schools will remain. In my district we still have children that are being taught in mobile units. These units are rotted we have rats in the walls. In some of them you don't have any heating system and yet no one says anything about that. No one focuses on the problem. Yes, we need money and we sure need money and money is probably the main objective of the bureaucracy, but what about the children? We haven't heard anyone here in trying to help the kids in the primary grades, in trying to work with the dropout problem, in trying to promote some of these children and put them into better schools. No one talks about that, but everyone focuses on the 66 million dollars that the schools are going to be shut down. Yes, they will shut down but what's going to happen? The kids are not learning anyway. The kids will have probably the lowest ACT scores in the nation and yet we need money to buy books. But where does the money go? Last year we passed here a Bill which gave some 28 million dollars for bilingual teachers. You know what? They...there is still 300 bilingual teachers short. Where did the money go? No one knows. You know what that's called? Mismanagement. Mismanagement. And yet you hear the people from the school board come down here and say we want more money, we want more money. Yes, but the problem is that if we do not give them the money the schools are going to shut. And you know who they're going to blame? They're going to blame you,

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they're going to blame me. And yet we see the superintendent, he waits until the last day to come over here and lobby the Legislature. He waits until the final hours and when I try to talk to board of education about the overcrowding problems, the bilingual teacher shortage, Oh, we're working on it. Well, from now on I have taken my gloves off. In January during the new Session, and I'm warning you, giving you a warning that I'm going to submit a number of Resolutions and I'm going to ask this Body to investigate the mismanagements of the Chicago Board of Education because what they're doing, they are throwing money down the sewer because most of the kids are not learning especially the kid in the minority community and we deserve a good education. We deserve a good education because the Constitution gives us that right and that as poor people...as poor people in my neighborhood and in the minority neighborhood, the only thing that we have to look for is to a good education to get out of the ghetto, so that we can stand and compete in this nation. But what happens? We give them more money, we get less education. More money, less education. So there's something wrong in there? And I ask this Body to help me in January and we set up a bipartisan committee here to investigate all these mismanagements because the moneys going some place and it's not going into the classrooms where we must direct all of our attention. So I would like to conclude by saying the board will get its money and the same problems will continue. Thank you, Mr. Speaker."

Speaker Giglio: "The Gentleman from Cook, the distinguished Representative Al Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I think this is the...probably the most significant piece of legislation that we're dealing with not only this week but



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when we talk about education over the next couple of years. What this piece of legislation does is allow the people of the City of Chicago to solve their own problem. We're not asking our colleagues from around the state to give us a bailout. We're saying we've got the resources that have been evaluated and that are available to keep the school system open. Let us solve our problem. This is a method, it may not be a perfect method, but it's the right method at this point to get the job done. We've got a situation in the City of Chicago where the school children will not be going to school if we don't provide these resources. We've passed a reform piece of legislation that is working for the first time in my memory we've got parents, we've got kid, we've got staff and we've got community residents working together to improve a school system that needs a lot of help. We've got leadership with a new board of education. We've got a superintendent who's doing a great job because he's committed to that system and we've got staff that are now moving in a direction to help those school kids. If we turn our back on that system today we're making a fatal tragedy not only for this year but for the future of that system. I urge my colleagues from outside the City of Chicago to let us solve our own problem. Put the green votes on the board and let's go about doing something for the kids of Chicago. It's a bad vote to vote 'no', now is the time to act and let's vote green. Thank you."

Speaker Giglio: "The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. On the horizon it probably doesn't look to well to support raiding the pension system or transfer of funds from the building fund of the city board of education to help supplant and to support the raises. Ordinarily I would be totally against

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this approach. We talk about a cut in the bureaucracy, anyone that's in business anyone that knows day to day operations, they just can't change overnight or within six months or a year. It takes at least a couple of years to do away with the fact. There's a certain amount of that bureaucracy that is necessary because there are built in costs just like in any business and you can't cut those costs at all. But I think what we're talking about here more importantly than any other issue is the issue of the student, the little ones that are going to the elementary and secondary schools in the City of Chicago. Don't you ever think for one moment that all the strikes we've had through the many years has not had an effect on Johnny or Mary in their educational program because it certainly has. That interruption has placed them back and as a result their reading scores, math scores etcetera are not up to the norm that they would have in a private school with no strikes. So one should ask themselves the real question. Who are we doing this for? We're not doing it for the teachers, we're not doing it for the administration we're doing it for that student, that student that should be educated. And for the next three years there will be no strikes if we pass this and accept this Amendatory Veto. That is what we should be looking at. Let's look at the student, let's look at the record after three years, and let's look at those scores cause I'm sure they're going to improve. I suggest that we accept this Amendatory Veto today. Thank you."

Speaker Giglio: "The Gentleman from Cook, Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Certainly we have a decision to make here today about the Chicago school system. And I for one ever since I've been in this House, I've always supported labor and I support

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labor on many issues, but the problem here is that a couple of years ago we financed a White Sox Stadium up there for \$1.4 billion. Now we're getting ready to finance another stadium for about 1.6 billion dollars. And this is the private sector. But what we don't want in this Body, to finance the future of our young people educate them, and pay the teachers a decent salary. Certainly I think that we're shirking our responsibility here. If are to vote for the McDome Stadium we should be able to vote to give the children of Chicago some money. We don't have to vote that McDome Stadium this month or next month but certainly it'll come back again next year. We will be voting to finance the private sector but yet we cannot afford and will not give the children of Chicago and the school systems throughout this state the money that they need. We are taking 51 million dollars from the pension funds that would go into the teachers pension fund of Chicago. Certainly there is argument saying it won't hurt and it'll sunset. Three years from now you'll hear those arguments but I'll ask the people that's going to vote to remove the 51 million dollars from the pension fund are those same people going to vote to finance the McDome Stadium for the Chicago Bears. Those same people are setting here today and they rather than fully fund education if we can find the money to fully fund all of these stadiums certainly we should be able to find the money to fully fund education. And the superintendent, the unions and the teachers who all come down to Springfield year after year begging for money, not only from Chicago all across this state, but we...I don't know what business we're in here, really, because we constantly raise the taxes. And I don't mind voting for a taxes increase to fund education. I think the teachers and the children of Chicago need an increase in pay. I think

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they need the money. The only problem that I have with the money is where you're taking from. But if there's another Bill...that we have found 50 million dollars in the GRF Fund that we're going to give to some other people to finance a portion of theirs. But there's no way in the world that you would take the same mechanism from the downstate teachers fund and finance that 50 million dollars, but if you could find 50 million dollars to give to the other school districts out of the GRF Fund certainly you should be able to find the same amount of money without tampering with the pension system of Chicago teachers. Now, I don't know what the Chicago teachers have been told, I don't know. But certainly it would seem as though to me that they should be told the truth, that with the conditions of the economy of this state and of this country, tax revenue is not going to get any better. Every economic indicator across the country has told you that the revenue is not going to be coming in. Whether it's the end of this year or next year you're going to have to come back here and do the same thing again, and you'll drag the teachers from Chicago down here tell them it's got to be done this way. You'll have another band-aid approach to it. But I'm saying to you Ladies and Gentlemen, if you have any sense of conscienceness, you should make up in your mind that we are going to fund education, fund it once and for all and give the people and the children of this state what they need to work with and you cannot have good teachers in this state if you don't pay them. You've got to pay the teachers and I don't anyone to go away from here and say I'm against the teachers. I'm not against the teachers. I'm against the way that you're going about trying to get the money and robbing the teachers pension fund to pay for the teachers salaries. This is already

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their money. Why don't we find some other way to do it? Let's bite the bullet. I ask you Ladies and Gentlemen of this House, let's bite the bullet let's come up with the money as you promised to come up with 50 million dollars across this state for other teachers...other educational systems across this state. We should do that. I can vote for the taxes. The people of my district don't mind me voting for a tax to fund education and pay the teachers for their children to learn. But the little children that we're talking about helping, we're not doing that here because we're going to reach the same crisis next September and you'll be back at this same Body talking about we got to do something about the Chicago School system and other school districts throughout this state. But let the record show that I'm not opposed, I'm not opposed to the...to giving this money to Chicago schools. I live in Chicago, I'm a part of Chicago, but certainly I want those kids to have a good education. They cannot have a good education if we're going to use this band-aid approach year after year and year after year. We reformed the Chicago school system but now we don't want to give them the money to pay for it. We should be willing to pay for what we have reformed. And I say to you Ladies and Gentlemen, you are not willing to do that. You shouldn't have voted for reform if you're not willing to pay for it. And come on Ladies and Gentlemen, let's find another way other than taking the \$51 million. Thank you."

Speaker Giglio: "Thank you, Representative. The Gentleman from Cook, Representative Martinez."

Martinez: "Thank you, Mr. Speaker, Members of the House. As many of you know I seldom speak on this floor but this time I feel compelled. I don't know...we're missing the crucial point here and that's the education of our kids. For many

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years we waited for school reform now that it's here we're about ready to take the funds away from that program and go back to the old system. I'm not for that. I know it's an unpopular vote for many of our...It's going to be for me, I know. But in life you have to take chances, so I want to be recorded as being in favor. Now as far as the money is concerned, I've been assured by Leadership that the money is going to be paid to the Pension Plan, so that promise to me is good enough for me. That's... I encourage favorable votes for this legislation that needs to be passed. Thank you."

Speaker Giglio: "Representative Levin to close. Representative Levin, do you wish to close?"

Levin: "Yes, thank you. Three years ago before we passed school reform, there was instability in the Chicago schools. Nine strikes in eighteen years and every time there was a strike, more parents would take their children out of the system. Every time there was a strike, more parents would move out of the city because of the inability of the system to educate their children. With school reform, we have promised stability, we have promised change and we are seeing tremendous parent involvement. We need this Bill today to maintain that stability and ensure that school reform will continue and that our children will remain in school. I urge your 'aye' votes on Senate Bill 1591."

Speaker Giglio: "The question is, 'Shall the House accept the specific recommendation for change with respect to Senate Bill 1591?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. The Gentleman from Cook, Representative Young, Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my vote, I'd like to say that I agree with the speakers who stated school reform is working in

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Chicago. I do support the new superintendent. I most definitely support the new board. I know they're a lot of councils that are working and they're working very hard and they're successful. But I have to rise against this Bill. Taking money from retired teachers is just a precedent we can't set. Anyone who has been around any pension system knows there is not a system in the State of Illinois that can lose over 150 million dollars over a three year period with no provision to repay it and not suffer drastically. Also, we're losing money from the building and maintenance fund. Every school in the inner City of Chicago is desperately in need of maintenance. If you talk to any school council, the one thing they'll tell you is they want money to repair the schools. We don't have money to repair their schools, cause we're going to take it out and use it for this contract the next three years. And finally, I'd like to say, first of all, to pass a three year contract without the money to pay for that contract was the height of irresponsibility by those involved, and it was a cruel hoax on the 40,000 teachers to tell them we're going to give you a three year raise when there's no money. There was no money this year, so we're going to steal from the Pension Fund and the Maintenance Fund. Next year, the system projects to be a 100 million short after we pass this Bill, after we pass the surcharge. How are we going to pay for this contract then?"

Speaker Giglio: "The Gentleman from Cook, Representative Harris, one minute to explain your vote."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. By way of explanation, the previous speaker certainly did an excellent job in explaining his opposition to the Bill. I am sensitive to the fact, even though I don't live in Chicago, I'm sensitive to the fact that those

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schools have to open and those teachers need to be paid properly. But what we're doing here is pretty clear. We're taking from those retirees. We are taking an obligation that we owe those retirees and we're taking their funds, which they are entitled to, which are suppose to be going to pay their benefits, we're taking it away and we're giving it to the current teachers. Now, yes, it only changes unfunded liability by less than a percentage point, but it sets them on the same course that we engage in down here. We pay current costs by borrowing from the future. Those future costs have to be paid later on. It's incorrect what we do down here with our pension funds. This is a bad precedent to set with their pension funds. We should protect the retire... the liabilities or rather the benefits and the fund..."

Speaker Giglio: "Please bring your remarks to a close."

Harris: "... We should protect the benefits that we've guaranteed to the retirees and at the same time, if we need to come up with more money, we have to do it elsewhere. We shouldn't steal from the future."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I think that people have to realize that the provision of this Bill is that the money does not come from existing funds in the Pension Fund. It comes from current employees for contributing and who are supporting this Bill. One other thing is that there is a Bill being prepared at my request that the Chicago Board of Education will provide interest on the funds it borrows equal to the earnings that the Pension Fund makes, and that they would also provide the repayment schedule that would be funded by the Chicago Board of Education. So it makes it an arms length deal. I think it is very important for the Membership to realize that we are not going in and



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taking money that is presently in the Pension Fund. Most of the opposition from...that comes from the retired people is based on a misconception. They are not taking their money. The money is coming out of current contributions to the Pension Fund and the current employees are in support of this. The payment of interest and the payback that will..."

Speaker Giglio: "Please bring your remarks to a close."

Keane: "The payback Bill that we will have tomorrow will set up a schedule for payback by the Chicago Board of Education into this fund and also provide that interest equal to what the Pension Fund now makes on its base earnings is also in there. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Just to clear up some misconceptions about this Bill, it's been said on this floor that the use of pension dollars will jeopardize the obligations that the system currently owes to its retirees. That is not true. The obligation to pay pension benefits to all retirees will remain. The Pension Fund, even after these dollars are not available, will be better able to meet that responsibility than is the downstate Teacher's Retirement System. The Pension Fund for employees in the Chicago public school system is now worth over 4 billion dollars, that's billion with a 'b'. The taking of 51 million dollars over the next three years is clearly not going to jeopardize the ability of the fund to pay benefits, and even were it to do so, the obligation to pay those benefits would remain. I'd like, too, to find another way to balance the budget of the Chicago Board of Education. Using funds that were created for different purposes is not the very best way to run this railroad, but we have no choice. The people who are..."

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Speaker Giglio: "Excuse me. Bring your remarks to a close."

Currie: "The people who are voting against this Bill are not prepared for the state itself to assume the responsibility for funding public education adequately and equitably across this state. We have left the Chicago Board of Education with no attractive options. This option will jeopardize no pension benefit. This option will not jeopardize the health of the Pension Fund for Chicago retired employees. I think the only responsible vote, unfortunately, is a 'yes' vote."

Speaker Giglio: "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 68 people voting 'yes', 46 voting 'no', none voting 'present', and this Motion has received the required Constitutional Majority and the House accepts the Governor's specific recommendations for change. On page 2 of the Calendar under Senate Bills Third Reading appears Senate Bill 543, Representative Williams, 543. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 543, a Bill for an Act in relation to the elections of judges from the First Judicial District. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Williams."

Williams: "Yes, Senate Bill 543 is the rewriting, revisiting of the judicial redistricting plan in the Circuit Court of Cook County. This Bill tries to address the constitutional problems that were discussed by the Illinois' Constitution as it related to the last judicial redistricting Bill that we passed. In essence what we did was to take out the aspects dealing with the Appellate Court, because that's what was specifically stricken by the Supreme Court, but we increased the number of judges that will be elected from

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each district from nine to eleven. In addition, we removed the requirement or what we called the section that would've allowed certain district's priorities and addressing and selecting judges and allow them all to start on the same basis, so that each district would have the right to select judges immediately. And, we provided for...basically it would be a decrease in the number of judges that would be associates over a period of time, and we would additionally have four additional new circuit judgeships within the Cook County. If there're any questions, I'd be more than happy to answer those questions."

Speaker Giglio: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I reluctantly rise in opposition to Senate Bill 543, not because it's not a good idea in principal. In principal, it is a good idea. I think it's a very good idea to have judicial circuits. It would permit the voters to have more knowledge of the individuals that they are voting for for the Office of Judge of the Circuit Court in Cook County. And I think that's a good idea, certainly an improvement under the present system. However, this Bill has been an unfortunate rush to judgement, and there has not been an opportunity for this Bill in its present form to pass through the Judiciary Committees to be considered, to hear testimony for and against and to work out some very real problems that exist in this Bill. Now I'm a realist and I know the way has been greased here, and Leadership has been put in order and we're all ready to go vote on this Bill that will change the method of electing judges in the County of Cook, but I just want to point out a few of the problems with this Bill. One of those problems is that there is no requirement for any period of residency in one

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of these judicial districts before running for judge. So that an individual can decide that I have a name that might be popular in some district that I don't live in, I'm a new lawyer, I'm just out of law school. I'm going to move there tomorrow so that the next day I can file my petitions and run for Circuit Court Judge. We in the House of Representatives and in the Senate have a provision whereby we have a two year residency requirement. Other offices have other residency requirements, but in this Bill, you can form shop if you will, and decide where you want to run from and move there immediately so that you're moving there for the sole and single purpose, not because you're a resident of that community, but for the purpose of being elected. Now secondly, and this is based on residency also, another major flaw in this Bill is that in order to run for retention, to keep your seat as a judge, you must remain as a resident of the district that elected you. That sounds on its face as not such a bad idea, because we as Members of the House and Members of the Senate have to do the same thing. But it's much different when you're a judge. We are not in an office that is considered or designed to be a lifetime occupation, but when you leave your practice of law and rise to the bench, you are starting on a new occupation and in most cases, one from which you cannot return to private practice. You're starting a new career, if you will, and to have a provision where over the next twenty years, you are prohibited from moving out of a certain geographical district that may in that twenty year period dramatically change. Where, where you live now in another decade might become an industrial park. Where you live now because of changes, the cost of living where you currently reside are so exorbitant that you can't afford to live there anymore. Or if there's a

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personal basis to want to move your residency, because you may have a child that has special educational needs that can be better met at a school district, not the one you live in. You're prohibited from moving to that school district and still remaining a judge of the Circuit Court. Those are unreasonable restrictions in what otherwise would be a very good Bill and a very good idea. There was no need to have those restrictions in this Bill. Judges who currently sit on the bench would not want to be restricted and be unable to move where they wish within the City of Chicago or within the County of Cook. There are various needs that come up that require moving one's residence, and this Bill restricts that. It's unnecessary. I think it's unconstitutional and for those reasons, I think what might be a good Bill under other circumstances is not a good Bill as currently drafted. And I would urge a 'no' vote."

Speaker Giglio: "The Chair would like to recognize one of our former colleagues on...from the other side of the aisle. He was in leadership a great number of years. Let's give a nice welcome to Fred Tuerk. Representative...former Representative Tuerk. The Gentleman from Cook, Representative Anthony Young. Representative Young. Alright, we'll come back to you later. The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker Giglio: "Just a minute. The Gentleman from Cook, Representative Williams."

Williams: "Yea, I'd like to take this out of the record for a moment if it's okay."

Speaker Giglio: "Mr. Clerk, take the Bill out of the record. The Chair would also like to introduce a former Member who's standing in the back of the chambers on the Democratic side, a former House Member from the Democratic side,

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Representative Bill 'Tiger' Harris back there. Welcome back, Representative Harris. Formerly a member of the State Board of Election and now a member of the Parole Board. The... There's been a lot of inquiries of the Chair, we're not ready to adjourn at this moment, so we still have quite a bit of work to do. We also have a Resolution that we'd like to have the Clerk read. 'Mr. Clerk.'

Clerk O'Brien: "House Resolution 2414, offered by Representative Lang.

WHEREAS, The time has come to bid farewell to our esteemed colleague, Calvin R. Sutker, Representative from the 56th legislative district; and

WHEREAS, Calvin R. Sutker has been a leader in politics and civic affairs for his community, county, state, and nation; and

WHEREAS, After receiving his B.A. in political science from the University of Chicago, he received his Doctor of Jurisprudence Degree from the University of Chicago Law School in 1950; and

WHEREAS, Mr. Sutker served as Niles Township Democratic Committeeman from 1973 to the present, was a member of the Democratic National Committee from 1975 to 1986, was a member of the Illinois State Central Committeeman from the 9th Congressional District from 1978 to 1986, and was State Chairman of the Illinois Democratic Party from 1984 to 1986 and a member of the Illinois State Democratic Platform Committee; and

WHEREAS, Before his terms in the Illinois legislature, Mr. Sutker served as Chief Counsel for the Forest Preserve District of Cook County, and, from 1973 to 1978, he served as Chief Hearing Officer under Secretaries of State Michael J. Howlett and Alan J. Dixon; and

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WHEREAS, Mr. Sutker has been active in civic affairs, serving as president of the North Suburban Bar Association, Commissioner of the Cook County Criminal Justice Commission and Taft lecturer, and campaign chairman of the Chicago B'nai B'rith Anti-Defamation League and President of the B'Nai B'rith Old Orchard Lodge; and

WHEREAS, Calvin and his wife, Phyllis, are members of the Niles Township Jewish Congregation in Skokie; and

WHEREAS, They are the parents of; Sharon Sutker McGowan, Shelley Sutker Dermer, Edie Sutker, and Allen Sutker, and they have three grandchildren: Elana Dermer, Joshua McGowan, and Jennifer McGowan; and

WHEREAS, As Representative from the 56th District, Mr. Sutker served on the Committees on Aging, Cities and Villages, Higher Education, Human Services, Judiciary I, as Vice Chairman, and Judiciary II, and the Economic and Fiscal Commission; and

WHEREAS, Calvin R. Sutker will be missed by all of his colleagues and friends in the legislature, for his bright mind, negotiating skill, fairness, and most of all his friendship; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we say farewell to our valued colleague and trusted friend, Calvin R. Sutker; that we commend him on the excellent work he has done in representing the 56th District; and that we wish him and Phyllis all the best in the future; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Calvin R. Sutker."

Speaker Giglio: "The Gentleman from Cook, Representative Lang."

Lang: "Mr. Speaker, Ladies and Gentlemen of the House, this is a bittersweet moment for me. As you know, Cal is my mentor.

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He is my friend and he's your colleague, so this is a very difficult moment as we wish him well as he goes into his political and personal future. I thought it best to do this now rather than to do it in January because by my count, we have about fourteen of these to do, and I thought we'd beat the rush as it were. Cal's public service has been varied. It's been important and it's important to note here that Cal's public service, whether it be in the political field or whether it be in the legislative field, has been marked by fairness, has been marked by using his bright mind to the best advantage of all he deals with. Cal is a man that has no prejudice or bias of any kind. In fact, he's a man so without prejudice, he'll buy you popcorn even if he's not eating any himself. He's been an important force in the Democratic Party. He's dealt with the Party fairly. He's dealt with his constituents. He's dealt with people all across the State of Illinois and has developed respect and concern, both from him to people and from people to him. And I can tell you, as you well know, that he's one of the most respected Members of this House of Representatives. Tell you a little story about some of the respect Cal received. It's a story he always laughs at. I think it's funny. Years ago when Cal was very involved in Cook County politics, there was an occasion where he was introduced by Mayor Richard Daley, the 1st, at an event. And Mayor Daley went through this very long and flowery introduction of Cal Sutker. Told them what a wonderful man he was. Told them how respected he was. Told them what a bright future he had. And then he came to introduce him and he said, 'So I give you our Democratic Leader, Carl Stuker.' This story goes with Cal wherever he goes. In fact, we call him Carl sometimes. I don't believe Cal's finished yet as a public servant. Of course,



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he's still the Democratic Committeeman of Niles Township, my committeeman. But I think there is a place for a man with Cal's intelligence, Cal's vision and Cal's concern about people in all levels of government, and I'm sure he'll find his place. Finally, I say to Cal and I say to all of you, that it's clear that many people in political life on the Judiciary, some in this State Legislator...State Legislature and many others owe a lot to Cal, owe their political past, present and future to Cal. The citizens of the State of Illinois have been better for his service to them, politically and in this Legislature. And I know that Cal leaves here with the respect and friendship of every person in this room. I thank you for listening to this and Mr. Speaker, I move that all Members of the House be named as Cosponsors. Thank you."

Speaker Giglio: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to join in the salute to my good friend, Cal Sutker. I met him at the place that we were having our pictures taken for our House identification cards when he came here a few years ago and we've been good friends ever since. Come to find out that my good friend, Dave Shapiro's brother is his dentist, which cemented our relationship, Cal. But not only that, Cal has served this group particularly well. His depth of experience in the law, his knowledge of politics, though he's a partisan from the other side of the aisle, I have the utmost respect for him. And Cal, we want to wish you the very best and hope you come to see us frequently."

Speaker Giglio: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. I rise with great regret because Carl Stuker never bought me any popcorn and I don't know why I was singled out for that honor. But in terms of Cal Sutker, Cal is not only a very bright, articulate and thoughtful Legislator, as he has shown throughout his years of really outstanding service here in Springfield, but he has always been a great Gentleman, a man who stood by his word even when it was not always easy to do so, and a person who went out of his way to be courteous to the people around him, to his friends and he ranked among his friends, virtually everyone. And we're going to miss him and wish him Godspeed and I think we're going to be hearing a lot more from him. And Carl, if you do want to make up for that by buying me some popcorn, I'd be glad to accept it."

Speaker Giglio: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Yes, Mr. Speaker, I'd like to address the Resolution recognizing Cal. I've had the opportunity to work with Cal in the Economic and Fiscal Commission, and he has been a very loyal and dedicated member of that body. Very astute, always there with questions and comments that add to our deliberation. But beyond that, Cal, you know, you've always had a seat that we think we should have had. We've always wanted your seat. We've even worked at it several times and given you a good, hard contest over the years. But I want to say that when we are through with the election, Cal Sutker always came back to this Body. We worked together. He was always a pleasant, amiable person, an excellent Legislator. We're going to miss you. Good luck to you, Cal."

Speaker Giglio: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, I have known Cal Sutker in a thousand hats. When we were both considerably

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younger, and we did use to be, we were both on the Democratic National Committee together when Jack Touhy was chairman of the delegation. And we sat through many long meetings at which we accomplished nothing...together. Then he became State Chair and...but it was only really when we got down here together that I came to know and love Cal, a long time friend. Good luck, Cal. Go for something. Do it well and enjoy your life in the hereafter, right? There is a life after the General Assembly."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have had the privilege for the last five years of sitting next to a very interesting man. A few stories I'd like to relate to you, Lou got the one about Carl Stuker, but sitting next to Cal over the past years has been very interesting. In fact, he has a dictionary in his drawer here so I can understand what he is saying in some of his speeches. Very learned man, a great debater and someone I have learned a lot from over the past years. He first got here, you know, I've had a myriad of seatmates. I don't know why, but I've, you know, I've had a lot of seatmates over here. Some of them have been indicted and the whole gamut. Cal happened to be the first seatmate I had that appointed himself. I thought that was marvelous. But this man who was a king maker in his area had always helped people get elected. He came down here, sat down, had a Bill, his first Bill in the House. It got beaten in Committee. Here was a man that was State Party Chairman, a Democrat that had worked for other Democrats and he can't get a Bill out of Committee. So being the, you know, being the senior Member here, I instructed Cal on how to get his Bill out of Committee. You remember that,

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Cal? He had a list of phone calls. I would be sitting here and we'd be comparing phone lists. And he would have like...He said, 'I need to call Senator Dixon. I need to call Senator Simon. Mario Cuomo was trying to get ahold of me.' And I said, 'Well here, I've got a phone call here. My wife wants me to bring a loaf of bread home from Springfield.' So this man was very well contacted in the Democratic Party, so I learned a lot from this guy. But even more important than that, over the years, Cal has been my seatmate and my office mate and someone I've grown very attached to. And he's my good friend and I'm going to miss him a lot. And I've grown to love him over these years. Cal, I'm going to miss you much. Good luck in your endeavors. Thank you."

Speaker Giglio: "The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Cal, we certainly are going to miss you. I can say that even though we have an aisle here that divides us politically, you truly have been an individual that have crossed that aisle many times and have created the kind of friendships that, I think, really make long lasting colleagues appreciate each other. You have been a credit to your aisle, and you have been a credit to the Legislature. I appreciate you as a friend and as a colleague. The thing that I hope is that you have an outstanding retirement and that you stay busy and active and come back and see us. I, really though, Cal, I'm not going to be sorry to leave...to see you leave, I'm really sorry to see your long time aide, Barbara, leave, because she provided us with cookies and cakes and things like that. Best of luck."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. The last Gentleman stole a

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little of my thunder with that parting shot. I was going to say I really don't mind Cal leaving so much, but he's going to take with him Barbara Panozzo, who is his trusted and able legislative assistant, whose company we have very much enjoyed these past several terms, Cal, along with yours. And let me say when I first knew of you, you were just appointed the State Party Chairman, and I didn't know you other than by name. I attended a torchlight parade. I remember it was at the campaign of '84, maybe the presidential campaign, and you gave a firey speech, and I was very impressed with you. And it wasn't long after that that you were... as Joel says, appointed yourself to...to be among us to take Aaron Jaffe's position, and I didn't know what type of a person you were, but you were seated next to us in that quadrum at that time. And I was truly impressed by the fact that...your humility, your...always were a Gentleman, always considerate, notwithstanding your high position within our Party. That was my first impression of you. As we continued on and I served as...with you on the House Judiciary Committee, you were a very able, articulate Member of that Committee. You would have made an outstanding Cook County Clerk, and I was very joyful for you when you received the Party slating for that position and disappointed when you weren't successful in that endeavor. You would have been a tremendous asset to the people of Cook County as their County Clerk as you have been to all the residents of your district and to the State of Illinois and your able service here in the General Assembly. I consider you a very personal friend and a trusted adviser. I hope that your departure from this Body won't mean that you won't come back and that we will not be able to continue with our close, personal relationship. I wish you Godspeed and the very best to you in the future,

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and I look at you as the epitome of what is a good Legislator, and you've been an outstanding example for all of us, Cal."

Speaker Giglio: "The Chair would like to acknowledge one of our Constitutional Officers on the Democratic side of the aisle, the Attorney General of the State of Illinois, Neil Hartigan, Ladies and Gentlemen. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I knew Representative Sutker in our prior lives as attorneys. Cal, do you remember that when we first met? I was in a particularly nasty case and Cal was the principal on whose behalf I was acting, and you kept my perspective in place, my friend, at that time as well as down here. Cal has known my father for many years and has been a friend of a long, long time standing. And I've been delighted to know you down here in our current lives as Legislators. We've worked closely on a number of issues. You are a man of honor and integrity, and we will sorely miss you down here. I...I hiccupped, I'm sorry. I will miss you very much, Cal, and thank you for the kind words recently. I know they came from the heart, and these come from the heart as well. Good luck and we'll see you in the Bismarck."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I don't know of anyone who serves in the General Assembly for whom I have any more admiration than I have for Cal Sutker. And I guess that is partly based upon something that I think is very simple, but very profound, and that is that Cal Sutker is a Gentleman. And that characteristic is just as unmistakable as it is rare. I have appreciated that and I wish you well."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn."

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Dunn: "Thank you, Mr. Speaker. I've heard all these remarks. Which one is Sutker? I'm not sure. I would like to join in the accolades to Cal. Cal came to the House Judiciary Committee as State Party Chairman, came in and as someone said, demonstrated a high level of humility, treated himself as a freshman when he really wasn't and didn't need to be treated that way, and really shouldn't have been treated that way, and made a large contribution to the work product of that Committee and did it in a courtly, gentlemanly way, and was of great assistance to me as Chairman. We became acquainted in that capacity, became friends, a friendship which I will treasure always, and I wish you the best of luck, Cal, and I also would like to report that I still have not used the tennis racket you gave me. I...We have a match to play yet, and I'm saving it for our match. Good luck to you."

Speaker Giglio: "The Gentleman from Cook, Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker. Cal Sutker, I've known Cal Sutker for a short two years. And they say you can judge a man not by what he says but what he does. In these two years, Cal Sutker has been my friend. Cal Sutker day one came to me and said if there's anything that he can do for me, just ask. I believed that, I took him up on that and through these two years, he's assisted me in sheparding through some of the legislation that I've had. He's helped me try to understand this whole process. And for that, I publicly say thank you, Cal Sutker. It's been a short two years. You won't be down here in Springfield with me this next time around, but we will be meeting again in Chicago, someplace, somewhere. Thank you very much, Cal Sutker."

Speaker Giglio: "The Gentleman from Kane, Representative

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Kirkland."

Kirkland: "Thank you, Cal. I'd just like to add to what everybody else has said. You are a true and special Gentleman and have gone out of your way, like almost nobody else, to make friends on both sides of the aisle and that's a very special thing. Also enjoyed very much serving with you on the Judiciary Committee. Obviously, you knew the law very well and I enjoyed that. And I guess I would add, finally, that Lou, your timing for picking today to honor Cal was probably very necessary, because a lot of people are saying a lot of nice things. Thanks."

Speaker Giglio: "The Lady from Lake, Representative Frederick."

Frederick: "Thank you, Mr. Speaker. Cal, I just wanted to say I've really enjoyed knowing you and I've appreciated that in spite of the Republican inspired campaigns against you, it has not dampened your friendly and optimistic spirit. I've also enjoyed your thoughtful comments in Committee, and I will miss those. I hope that you enter a new, totally enjoyable and rewarding life. We'll really miss you."

Speaker Giglio: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, want to join the Body in wishing the best to a dear friend, Cal Sutker. The greatest benefit I count in serving this Body is in meeting and gaining new friendships, and I've found Cal to be very genuine in our first meeting, our relationship throughout since I've known him. I know that even though we came in the same year, I found myself going to him for advice and asking about details of the process and about issues and Bills that came up, and one day we were talking and realized that I should be about as knowledgeable of the situation as he is, but I



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guess the kind of person that he projects allows yourself, if you're not careful, to ask for assistance and depend on someone who seems so dependable. And I think that's the greatest compliment someone can receive in this Body. A true Gentleman, an articulate public servant, a professional, a caring father and family man and my family has learned to love him. And one has said that you can judge a person by the people they surround himself with and knowing Barbara Panozzo and some of his other staff people and what he has projected as an individual, I've gained a lot from this relationship and I'll always remember Cal. God bless you in your new endeavor."

Speaker Giglio: "The Gentleman from Cook, Representative White. Jesse White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I have had the great pleasure of sitting next to Cal Sutker for the past five and a half years. I've also been pleased to serve with him in a num...on a number of Committees, and one of the things that I've found about Cal Sutker that has impressed me and that is his ability to think, his ability to be rational and his ability to share his knowledge with other Members on that Committee, as well as the fact that he has been able to share his legal knowledge with us on this row, because he's the only lawyer we have sitting around us who is astute and has a willingness to help us to make rational and decisive decisions. So Cal, we are going to miss you. The State of Illinois will miss you, and I wish you well in whatever your endeavors will be in the future."

Speaker Giglio: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker. I'm going to miss Cal's friendly nature, that's for sure. As a person that verifies the middle two rows on all Roll Call counts, Cal, I know

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there's no spider webs on your chair."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Cal, you know, you've been a wonderful friend to have here in the House. And I cherish the thought that we've become friends, such good friends, and I only wish you the very best. We're all very muchly, our lives are muchly rewarded by knowing you and with your friendships. And good luck to you in the future, and I hope that we all will still be able to have the rewards of knowing you and being around you from time to time. Good luck to you."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Speaker, I also would like to congratulate Cal. He is in a district which ajoins my district, and we've had a lot of cooperative things going on there. I agree with Representative Frederick, he has always been pleasant. He has always been a Gentleman. But I have one more question and that is Cal, you've been promising me for six years that we're going to play tennis. You've been challenging me to that. Now I want to know when we're going to play. Is it before you leave Springfield or are we going to have to play it up in the district? Good luck to you, Cal."

Speaker Giglio: "The Gentleman from DuPage, Representative Stange."

Stange: "Mr. Speaker, Ladies and Gentlemen of the House, most Members here do not realize... do not realize that Cal's Mom and Dad owned a school store in Forest Park many, many years ago. I've met Cal and been friends with Cal for many, many months, many, many years here in the House here. Cal is certainly a good friend, a Gentleman, a great family man. We're going to truly miss him here in Springfield. And I have a feeling down the road, we'll be seeing Cal

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many, many more years to come. Cal, God bless you, God bless your family. We're really going to truly miss you, but we'll see you again soon. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Munizzi. Is that correct?"

Munizzi: "Thank you, Mr. Speaker, for pronouncing my name correctly once again. While I got thrown into this kind of in the middle of the ballgame, it was Cal Sutker who was very, very helpful in helping me sort out what was going on down here, and I wanted to thank him for his input and his advice, which I truly cherish, as I did many of you. And while it also seems that Cal promised a lot of people he was going to play them in tennis, something that I never really heard materialize, Cal was equally instrumental in putting a little muscle on Coach Capparelli to have women play softball. And I wanted to thank him for that. Cal, God bless you and good luck."

Speaker Giglio: "The Gentleman from McDonough, Representative Edley. We'll wait on him. Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's...I really hate to see Cal go. I've known him from a couple of different vantage points. I grew up in the area that he has represented. And I know many people that still live there, and he's just tremendously respected there. And I've had the opportunity to attend some of his township organization dinners, and he has tremendous respect and admiration of an awful lot of people that work very hard for him. Down here, I was pleased to have worked with Cal on a number of different Committees, and I think Cal is somebody who truly was concerned about the issues. We worked together in Judiciary and on Consumer and several others. I think the great irony about this individual, who was the maker of other elected officials, was that he

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should have come down here a lot earlier in his life. And he could have, but he made the decision that others should go instead, and it is our loss that he waited as long as he did to come down here. You'll be missed, Cal. Good luck."

Speaker Giglio: "The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Mr. Speaker. We all have grown to love Cal. We're happy to have him with us. People keep talking about having worked with him previously in other areas. Cal and I have something in common though. We both descended from pioneers from Rockridge County, Virginia, which carries us back a long, long way. But, it has always been a pleasure to deal with Mr. ...with Cal. He knows what he's talking about. He's also willing, even when he knows the answer, to share another person's opinion and explain to them how the two views could be modified so that we both could win on an issue. He's been a great pleasure to all of us. He's going to be missed. His service to the State of Illinois is of great importance, even though he was humble enough to allow someone else to take leadership positions here in the Legislature. Cal, you have my vote if you ever decide you want to be Speaker of the House. Thank you."

Speaker Giglio: "Representative Edley."

Edley: "Thank you very much, Mr. Speaker. Cal represents to me the best that we have to offer here in Springfield. I come from a very rural area, and I'm a freshman. And when I came down here, Cal was one of the first people that came over to my desk and shook my hand. Cal, to me, is a bridge builder. He is someone that is able to relate to all of us here in Springfield, and I'm going to miss him sorely. Good luck, Cal."

Speaker Giglio: "Representative Lang moves that all Members of the General Assembly be Cosponsors of the Resolution. And

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on that, all those in favor of the Resolution signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution's been adopted. The Gentleman from Cook, Representative Sutker."

Sutker: "Mr. Speaker and friends, my family's here today, as it happens, my brother and my sister-in-law, my two nicces. If I knew that all of you would do what you did, I would have had my daughters, my sons-in-law, my wife here as well, because I'm just... I'm really overwhelmed. I don't deserve the kind of... First of all, Gordie Ropp always made certain I didn't play baseball against the Senate. I know that. And he was joined in that conspiracy by Ralph Capparelli over the last four and a half years. I know that as well. The reason I didn't play Marge Parcels tennis is that I'm not a good tennis player. And the reason I gave John Dunn my racket is because it wasn't doing me very much good. But I tell you that I've been here for five and a half years, and I've listened to others come and others go. And I know that everyone that's come and gone has wanted to make this House a little better for his or her having been here. I recognize that, and I felt that as an obligation of myself, to make this House a little better, because I've been here. And I hope that that's the case. I've had some wonderful experiences. I know we all can't be quarterbacks and we all can't be linebackers and some of us have to do the nitty gritty. The quarterbacks are Lee Daniels and, of course, Speaker Madigan from this side of the aisle. And we all know that we play a part in the team. For my part, I got great gratification and special satisfaction in working in the committee structure. I have to tell you I've been blessed with respect to the Committees I've been on. Despite the fact John Dunn was the Chairman of Judiciary I, I learned a

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great deal from and through him. And I have to tell you, and Terry Steczo, who is my Chairman of Cities and Villages and Tom Homer, Chairman of Judiciary II and the minority spokespersons, Tim Johnson. I have to tell you, even my good friend, Ed Petka, we always hit head to head and yet there's no man I respect more in this House, even as we disagree on fundamental matters that are important to him and equally as important to me. And we voted on the opposite side so often, it would seem that there would be an irreconcilable conflict between us, but I have great admiration for him. Kay Wojcik, who is the spokesperson in Human Services. Helen Satterthwaite, my Chairman in Education. I have to tell you that this Lady gives me great pride in being a colleague of hers. And as I looked around the room earlier, Virginia Frederick, whom I love even though she tried to unseat me twice. And of course, Tom Ewing on Economic and Fiscal Commission was a great support and I learned a great deal from him. So that while I hope that the House is better because I've been one among you, I know that I'm better because I've been in the House. It's contributed a great deal to me. And I know there's a line between us and an aisle between us, and I see Fred Tuerk in there. I remember Fred Tuerk prevented the passage of the first, important, single piece of legislation I undertook. And I've never forgiven him, so I call him regularly to remind him that he owes me. And he's here today and I'm delighted Fred's here. The fact is that each of you in a special way has become important to me. And I...while I recognize the politics and partisanship that's involved in this room, I also know that friendships transcends the line and the divisions among us. And it's meant to be that way. It's what... It makes us civilized. It makes us more important to all of us that we go away

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knowing that hard discussions, differing voting patterns does not change our relationships with each other as people. And I have to tell you I've taken great pride in the last five and a half years being part of this system. My own aide, Barbara Panozzo, I don't see Barbara here now, but you all know her. She was very important so that I would know what John Dunn was trying to keep from me in Judiciary I and what Tom Homer and Helen Satterthwaite. I never knew what the agenda was in some of these instances, and if it hadn't been for Barbara, it would have been...this whole business would have been a total mirage. I know how difficult it is and I know the tremendous responsibility each of you have. For my own part, I leave here with a very warm feeling about you. I only regret that I did not know in advance of what was going to happen, because I told my sister-in-law absolutely nothing worthwhile is going to happen after 1:30. And what do you think then happened? Lou Lang got up and submitted a Resolution on my behalf. So I want to take back what I said to you, Carla. This is a very important time in my life, and it's a very important moment for me in terms of my career. I made a judgement to leave the House because I sought other goals. And it didn't mean that I love the House less, it meant that I wanted to be involved in other aspects of government more. Now having failed there for one office, I've learned a lot about what I am. And I've learned about...a lot about what I am from you. You have all been my teachers. Ralph Barger and I sat together for years in Committee. And Ralph's become my special friend, and every time I had a piece of legislation I felt was important, he found some reason to vote against it. I said to him, 'Why are you always doing this to me, Ralph?' in one momentous occasion and he said, 'Because the little

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print in your legislation takes away what the big print said.' And I don't know... and he may have forgotten having said that. And I've always wondered about the little print now as a Representative. In any event, Mr. Speaker, if there's ever a moment that I want each of you to have for yourself and for all of those leaving now or ever, I would want you each to feel in your hearts towards your colleagues what I feel now toward each of you. And if you feel that way, you will have obtained more than any wealth could bring you or more than any position could give you. You would obtain...really obtained a feeling of comradeship, congeniality with people who are the best among all the best, and I thank you so much for your friendship."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Just an announcement that there is cake in honor of Representative Breslin and other retirees in the Speaker's Conference Room and pieces of that cake are available for all Members."

Speaker Giglio: "Mr. Clerk."

Clerk Leone: "House Resolution 2427, offered by Minority Leader Daniels."

WHEREAS, John W. Countryman, has represented the people of the 76th District in the Illinois House of Representatives with distinction; and

WHEREAS, Rep. Countryman is recognized by colleagues on both sides of the aisle for his grasp of criminal justice issues; and

WHEREAS, Rep. Countryman, who is former Chairman of the Illinois State Board of Elections, is known for his expertise in election law and reform-minded initiatives; and

WHEREAS, his most recent committee assignments included the Committees on Elections; Higher Education; Horse Racing; Judiciary



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I; Judiciary II, of which he served as minority spokesman; and Joint Committee on Administrative Rules, of which he served as co-chairman; and

WHEREAS, Rep. Countryman has shown a keen interest in higher education by sponsoring measures to improve academic and student life at Northern Illinois University, as well as other such public institutions; and

WHEREAS, Rep. Countryman will be remembered for his quick wit and love of practical jokes; and

WHEREAS, House members will feel a great void when the 'Cubby News' becomes defunct; and

WHEREAS, Cub baseball fans throughout the General Assembly will sorely miss Rep. Countryman's commentary on the great American pastime; and

WHEREAS, Rep. Countryman has chosen to serve the people from the bench; and

WHEREAS, on Dec. 3, 1990, Rep. Countryman will become Judge Countryman; now therefore be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 86TH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby extend our best wishes and heartfelt thanks to our colleague John Countryman as he leaves this body to conduct the people's business in another capacity; and be it further

RESOLVED, that we commend him on his accomplishments, his service and his dedication as a lawmaker; and be it further

RESOLVED, that suitable copies of this resolution and preamble be presented to Representative John W. Countryman, his wife, Cheryl, and their three children, as a token of our esteem and

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appreciation."

Speaker Giglio: "The Minority Leader, Representative Daniels."

Daniels: "Ladies and Gentlemen of the House, for all of you that have been recipients of the Countryman wit or at times the Countryman humor or at other times the Countryman anger, now is your opportunity to express your feelings. But there are some things that you ought to know about John Countryman, particularly those of you that are lawyers, before you get into this discussion. Number one, you must remember that shortly, that is December 3rd, 1990, he will become a sitting judge; therefore, he'll have the possibility to incarcerate you if you come anywhere around his courtroom. Now knowing him for all these years, I would suggest you not do that, because I think his anger that he might take out on some of the comments here might be ones that he would expose you to when he's sitting on the bench. Of course, you can imagine John Countryman, and we were discussing how he would look in black robes, and the first thing he's going to do is let his hair grow and curl because he has a tremendous admiration for the English system, and he's going to start growing his hair just like they do in London. Of course, when he conducts himself from the bench, it's time now to expose the falsities that we've been exposed to over the years from John Countryman. Number one, he is an Iowa Hawkeye fan. He loves Hayden Fry. When he kidnapped him last year and hid him from all of you, it was only out of his admiration for him and not wanting to expose him to any undue criticism. Number two, he doesn't like the Cubs. He never has. He's a White Sox fan and we all know that. Number three, do you know, for instance, that his oldest child is a student at the University of Iowa? Well, she is. Witty, bright, brilliant and somebody that obviously could exceed anything

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that he might do in his life. He's tried to keep her away from all of us here in the General Assembly, but we're much quicker than him and we've employed her for two years and we're going to do it for a third when he's not around, because then her real talents will be able to come out. Now, the real coup de grace is that his successor, soon to be Representative Brad Burzynski, a fine upstanding Gentleman, a man with a background in the farm bureau, we thought automatically a person that then decides to go on to the bench would make sure that his successor at least carries some of his traits. Well, the traits that Brad brings are the traits for honesty and integrity, professionalism, farm bureau background. But can you imagine this, Brad Burzynski is a Cardinal fan and has decided to introduce into the General Assembly the 'Cardinal News' and to abolish the 'Cubby News'. Now some of you may think that it's going to be a loss for Countryman to leave us. Don't worry, his shoes will be quickly filled. There won't be... But, I want... I want to tell you this, there'll be no question about the fact that he'll be down here lobbying for judicial payraises real fast, if he hasn't done it already. In his honor, of course, we refused to consider the judicial payraise this time, because we didn't want to expose him to any conflict problems. Well, Ladies and Gentlemen, we've had a lot of fun with John Countryman, an outstanding person in the Illinois General Assembly. And like so many times when you talk and you look and you express your feelings across the other side of the aisle or to our colleagues here on this side of the aisle, you know that you've gained so much by being privileged to be a Member of this fraternity, of this organization, of this great Assembly of great debate and great individuals. John Countryman, in the time he's spent

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here, has distinguished himself truly in all of the magnificent fashion, that of wit, humor, intelligence, careful consideration for legislation and an in-depth review of what's best for the people of Illinois. You know and I know that John Countryman is, indeed, one of our best, one of the finest of the fine. You know, indeed, that he will distinguish himself on the Illinois bench as a judge. And you know, indeed, that you'll hear much from him in his judicial career as you have in his legislative career. I've been privileged to serve with him. Yes, we've had some arguments at times because his beliefs are strong and meaningful and incisive. But on most occasions, I've had a high respect and regard for his ability to get to the issue and to make sure that the people of Illinois are always first and foremost represented in his thought. So with that, Mr. Speaker, I would move the adoption of this Resolution and ask leave that all Members of this Body be added as Cosponsors and to send with this Resolution, this Body's best wishes. Good luck and best of everything to you and your family, John, Judge Countryman."

Speaker Giglio: "The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. John, I noticed that you put your coat on, you hitched your pants up, you tightened up that tie to be presentable here. To Lee Daniels, I will tell you, the back row last night did take care of our future Justice here with a formal barrister type attire. If it weren't too appropriate for this place, we would have brought it over; however, pictures will be available later. Part of our concern and reluctance for having Representative Countryman, or as I call him Countryperson, being the only female in the back row here, I have to help these guys along frequently, is the fact that we are going to have to buy our own popcorn.

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We're going to have to solicit for our own dinners. We're going to have to be on our own without him. And in terms of ideology, he is frequently known as one of the liberal ones or one of the 'L' word ones in the back row. So depending on the issue, we either look to him or we don't look to him for his position. However, on the good side I would say that that 'L' word also stands for liberty. It also stands for Lincoln, and it also stands for a lot of substance, good thoughts, good ideas that I know that Representative Countryman is going to bring to the bench. We will miss you a great deal, but DeKalb isn't that far, John, and we hope that you'll be a frequent visitor. But in our closing comments here, I would just like to say that in the good tradition of the back row, we have managed to solicit a contribution from Representative Olson for popcorn for the entire chamber here this afternoon, so here you go, John."

Speaker Giglio: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Well, I think there's some things that those of us who know about John or who are close to John really ought to...really ought to tell the chamber about him that over and above this Resolution. The first thing is that John is cheap. John is so cheap that he'd go without dinner, and that's quite a sacrifice for John, before he'd buy his own meal. He always insists on a sponsor before we go out to dinner and that's always been my obligation down here as his seatmate, which sometimes is fairly onerous as we get down to the end of the Session, and John usually orders extras anyway and so it's...you really have to look around before you find somebody willing to take John out to dinner. Second thing is that he's paranoid. John and I use to be roommates in Lincoln Tower. I'd get back at two,

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three in the morning, back in the old days, and John would have the furniture lodged up against the door to make sure, even though we had a guard down at the front door, to make sure that there was nobody going, you know, blast him away or something. Well, he decided after a year or so of being my roommate that Sieben and Slater would be a lot easier to be roommates with and so he changed. He's also a fighter. He and Representative Black had some problems at one time or another. They were arguing about a Bill in Committee, and I suggested that they ought to just square off in a fight and Countryman said they'd do that but the fight would be billed as the 'Marshmallow Kid' versus the 'Pillsbury Doughboy'. So they decided to cancel the fight and work it out within the legislative process. It's not very often, I mean we have had a number of colleagues over the years that mean a lot to us, and they really do. Every one of us is real special. But there's always those people for each one of us who are particularly special. And to me, John has been about as good a friend as I've ever had in the General Assembly, one of my best friends I've ever had anywhere. He and I oftentimes have been on issues of some significance, whether they be issues with respect to the Criminal Justice or Criminal Procedure or plaintiff versus defendant issues that make us stand out a little bit for better or worse on this side as being in a minority position. But John and I have felt, as others have, that you have to do what you think's right and John's hung right in there and he's been my colleague in arms on those issues. He's one of the most intelligent people that I have...not only ever served with, that I have ever known. He and I are both practicing attorneys, and to be able to come down here and to be able to turn to John on a innumerable variety of issues and have him be able to use

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his tremendous natural intelligence and his familiarity with the judicial system in Illinois to my advantage has been something that's been invaluable to me. John, as much as anybody I've ever known, does what he thinks is right. Oftentimes all of us are subject to expediency. We're subject to making deals. That's, I suppose, part of the process to some degree, but John is somebody who inevitably and universally stands up for what he thinks right. He's principled. He cares. And he cares about the system that we all operate under and it is now about to operate in a new function under. And that's something that is not necessarily rare, but particularly appreciated. And most of all, John, you've been a friend. I'm going to really miss you. Being able to turn to you here and at dinner and in your office in the various ways that we've done over these many years is something that you just can't replace. Friendships are something that transcend politics. They transcend partisan battles and issues and ultimately that's a good part of the reason we're all walking through this process here. And John has been a true friend to so many. We're really going to miss you. I wish you well in your new career and like many others, I'll be up to visit you, I'm sure, on frequent basis. I hope you'll be back here, other than just on payraises to deal with us, and I congratulate you, wish you well, and I think all of us join in saying that your tenure down here has made us all the better for it. Thanks."

Speaker Giglio: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you very much, Mr. Speaker. I wish to speak to my friend of the hot, sour soup fame. When John came down here, he had a good friend by the name of John Grotberg, who led him to a place called McShane's, and I'm not

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putting out a commercial there. And John Countryman and I have found our way there a number of times. However, I found it disturbing a few weeks ago after the business round table, John Countryman and Todd Sieben were waiting tables to pick up a few extra bucks. In the meantime, I understood they had invited Members of the Supreme Court to stop by that evening so they could see how distressing things were. But the fact of the matter is John has been a good friend, an outstanding Legislator and he's my neighboring district to the East. It's going to be my pleasure to be in DeKalb Sunday night with his group, and Kent Slater has just gone on the Appellate Court. And be very proud to be at his swearing in on Monday, December 3rd, in DeKalb. John, we wish you the best. We wish you could stay, but we know you have a mission to do."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm beginning to notice a trend here. It seems like Members of the Judiciary Committee are leaving right and left, and I presume that's some kind of testimonial to me, and I'm afraid I understand the exact nature of that testimony...testimonial. John, I wish you well. We've worked long and hard on numerous issues and worked on a Committee that a lot of Members were afraid to come before in this General Assembly without reason, of course, but they consider our workings mysterious and they really aren't. They are sometimes chaotic, but you've been very helpful to sort everything out in that Committee. You're a quality Legislator. You're the kind of person that your district should be proud...proud to have in Springfield. There are people who are the hallmark Legislators, the kind of person who will call the shots as they see them, sometimes with consequences that may not make them look too



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good in the short range, both here and at home, but a decision which may be perceived as correct. You're the kind of Legislator who will do that every time. You have my utmost respect. I consider you a friend and I wish you well on the bench and we'll see you back here, as Representative Johnson has said, on issues of importance to the Judiciary, starting with payraises. Good luck to you."

Speaker Giglio: "The Gentleman from Henry, Representative Sieben."

Sieben: "Mr. Speaker, Ladies and Gentlemen of the House, it is my pleasure also to join with my colleagues in saluting John Countryman. When I came here four years ago, John was kind enough to offer a seat in the back row, next to these distinguished people back here. And for those four years, John has taught me many, many things in the General Assembly. Probably, the most importantly is how to vote Tim Johnson's switch. Now, I know we're not suppose to say those things, but you know, if you sit back here for very long, you realize that certain Members in this back row are very, very busy, have a tremendous number of responsibilities. And what you really need to know is not only that, but that John is also responsible for several votes in this back row. As our adviser and consultant on the issues many times, he has been responsible for a good many votes here in the General Assembly. Well, as Myron has said, he also taught me how to wait tables. We have on several occasions had to serve drinks and wait tables up at McShane's. He's taught me the art of kidnap in the great Hayden Fry issue. He's taught me how to put together cardboard people and how to get them into the Capitol at three and four o'clock in the morning, so that we could properly decorate certain offices in the Capitol complex. He's also taught me how to write newspaper articles and

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prepare things for the great 'Cubby News'. But he's been a great teacher. I've appreciated his friendship here over the last four years. As many people have said, he has a keen mind. He has an acute sense of the issues and the impact of those issues. And I think in the area of Criminal and Civil Law, I don't think there's anybody I know of here that can more quickly determine what the impact of a change in those laws will have and how it will impact the members of this state, the citizens of this state. He is one of the most caring people in this General Assembly, too. I think he cares for people on both sides of the aisle. He's a giving person who asks for very little in return. He is a sharing...sharing person that gives of his talents and his time to serve this Body and as we've said of many other people who've been here before, this place is a better place because of John Countryman's having been here. He's a credit to the system, a credit to our Assembly, a credit to his constituents in his district, DeKalb, Illinois. He's a fine credit to a family...his family. His family, his children match up the same age as my children do. In fact, our daughters are sorority sisters at the University of Iowa and we've shared many stories about their time at Iowa. So he's a credit to a good many things. He's going to be a credit to the bench in DeKalb County. I wish him well. I thank him for his help and assistance and I hope to carry forward with the knowledge he's given me and I'll just close by saying I love John Countryman."

Speaker Giorgi: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker, Members of the House. I'm beginning to sound like the oldtimer of the House today, but I've known John Countryman a long time too, and I want to say, you've grown in the years that I've known you. I can remember a

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time when I was County Clerk and you were on the State Board of Elections, he was a narrow, rigid, partisan human being. Slim, too. And now, having worked with him on elections material and watched him in the Judiciary II Committee, I know he has become broadminded, sensitive, sensible, progressive, willing to entertain new ideas. Something he never was before and I want to say, John, I don't care what anyone else says...I think you're a class act."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Mr. Speaker, Ladies and Gentlemen of the House, I want to briefly make a couple of statements that I've never made to anybody before it's about John. Number one, I want to tell you that John is a brilliant lawyer, he's a brilliant Legislator and he'll be a brilliant jurist. Now having said that, I must tell you that his wife is my first cousin and I owe him money. But seriously, seriously, Representative Countryman is all of those things and I respect him and I've been happy to have his friendship here in the General Assembly even though we've not always agreed on all the issues. I wish John the best of luck and I know that he will. He'll wear out his pants sitting on the bench. And they deserve him."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. John Countryman's probably the most special person in this House to me. We came in at the same time. We were both appointed after a primary in March of 1984. John preceded me down here by about one month and so he showed me the ropes when I got here. He was my seatmate at that time. He sat in this very seat and I was sitting where Bernie is now, but after two years he decided he couldn't stand being under the eyes of our

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leader here, who was poking him in the back and making him be a good boy. So he moved back to the back row where he could be a real devil. But we've also always had offices next to each other. We've moved from time to time, but always together. And I won't say he's tough on secretaries, but in six and a half years we've had six secretaries. Maybe that's my fault, too. I've watched his growing jewelry and glass business that's really prospered there and most of you've been over at one time or another to do business with him. But I've also watched his lovely family. His beautiful wife, his two lovely daughters have turned into beautiful young ladies and his son has grown six feet since I've known him and I will really miss my confidante. I could always drop in on John and say, 'What does this Bill really mean?', and he would explain it. He has been a very special friend to me and Springfield won't be the same for me without him."

Speaker Giglio: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I never liked John Countryman. I guess I agreed with Representative Stern that when he first got here I guess he was kind of a peabrain, but that was before I realized that he was about to ascend to the bench and become a judge and once realizing that John Countryman was about to become Judge Countryman, I agree with the comments that I've heard from all the other lawyers here that Judge Countryman, you are a brilliant jurist, a brilliant lawyer, a legal scholar without peer. You love children. You're kind to your neighbor, to your friend. You've been a guiding light, an example and I respect you from the bottom of my heart to the top of my head and in addition to that, John, I... You really are going to be a great loss to the

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General Assembly. You add a lot. Indeed, some of the things that were said about you honestly are true and you do have an intellect that's going to be missed here... sorely missed here. You understand issues, you're flexible on issues. You have a lot to add and we can use an awful lot more Legislators like you. Godspeed."

Speaker Giglio: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. John, I know I'm supposed to say here that I'll miss you, but of course you and I both know that I won't miss you because I'll be appearing before John occasionally in the 16th Judicial Circuit Court. Furthermore, John will be serving...John'll be serving with my sister who is an Associate Judge in that circuit and we're still trying to figure out how you became a Circuit Judge so fast, John. But congratulations to you. I know you had a tough election battle. John is truly one of the most consistently analytical Legislators I would think we've ever had down here. Maybe the best way to put it is, I think he really covered more ground in this legislative process in the time he was here than maybe anybody in that same time span and John, I think you'll be a great jurist and we will truly miss you in this Body and congratulations."

Giglio: "The Gentleman from Logan, Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker. Representative Countryman, all the kind things, tributes that have been said to you here this afternoon are certainly true and well earned. But on a more practical side the thing I'm going to miss and I'm sure that many of my cohorts are going to miss is the jewelry store you carried around in your briefcase. It served us well at Christmas when...gifts for the spouses back home. But anyway, John, congratulations. I know

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you're going to do a good job."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I've had about as much as I can bear and I'm prepared to move the previous question. But if you'll bear with me, Mr. Speaker, Ladies and Gentlemen of the House...I can't help but notice that there's a coincidence or what. The day that John Countryman is sworn in as judge is December third. Is that not the day that a self styled expert has said an earthquake will ravage this state? I don't know if there's a connection there or not, but I can tell you, by the mere force of his personality...by the mere weight of his judicial intellect, when he is sworn in it will indeed register on the Richter scale. Now, none of you have said that you are going to miss John Countryman. Oh, I think that that's very clear. The only people in this chamber who will miss John Countryman should be those on the Democrat side because John Countryman has singlehandedly killed more Republican Bills than everyone on that side of the aisle put together. And I think we need to point one other thing out here. It's not widely known by our friends in the press, but John Countryman is one of the few Illinois Legislators who will ascend to the bench and take a pay cut for that privilege. Many of you have forgotten that John Countryman is also the owner of Mr. John's Boutique, operating out of the Stratton Office Building selling jewelry and antique glassware at grossly inflated prices. I've often wondered if running that business out of a state-owned building doesn't violate the canon of judicial ethics, but obviously it has not, because he has now ascended to the bench. But in all seriousness, Mr. Speaker, and it's been said eloquently by his many friends

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and colleagues, we will miss John Countryman. John, I thank you for being willing to share your expertise and talents, for being able to try and explain some of your convoluted but well intentioned legal Bills. And on behalf of all county officials in Vermilion County who are now trying to find out where in the heck we're going to put juvenile offenders, I thank you for leaving."

Speaker Giglio: "Gentleman from Cook, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Grace Mary Stern stole what I was going to say, because when I heard that Representative Countryman was coming to the Legislature, I knew that he had been Chairman of the State Board of Elections and so I was expecting somebody who was very partisan. I've had a chance to work with John on the Judiciary Committee and on JCAR and on a number of other endeavors and have found him to be somebody who has really looked at every issue individually without any kind of a real partisan edge. It's been a pleasure to work with him and we are going to miss him very, very much."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I want to share with you the fact that my mother's ancestors and John Countryman's ancestors were neighbors and friends and so for three or nearly four generations now, my family and John's have been acquainted and I hope that during the time that John and I have served here together that we have both been worthy of the kind of ancestors who shared friendships and that the friendship that John and I have developed is worthy, indeed, of that precedent. I believe that it is. But I want to share with you a very special secret about John Countryman. Now, we look at John and we see this distinguished looking Gentleman who is going to be wearing black robes and going to be delivering these marvelous,

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wise edicts from the bench. Well, do not be deceived.  
John Countryman is a teddy bear."

Speaker Giglio: "Representative Ropp, the Gentleman from McLean."

Ropp: "Thank you Mr. Speaker and Members of the chamber. Representative Countryman, let me say that I am somewhat saddened to see you leave the short person caucus. You have been a tremendous asset in that endeavor and obviously we will miss you. I also want to say I want to express my appreciation to you for your support and efforts of improving, both financially, both of our higher institutional schools of learning and the Board of Regents. We've been very strong supporters and I want to congratulate you for that. I would also say that in the last several days I have been attempting to emulate your waddle as you walk and I hope that I'll be able to somewhat replace you in that effort because you've really brought a lot into this Body for that. I would also like to say...and this is something that you told me in confidence...I thought...I respect for only allowing me to have you say that...but in private to the rest of the Body, he did tell me this one time, he hoped that in his lifetime yet he would be able to grow at least one inch taller so that he would then be a perfect circle. So John, we're going to miss you. Best of luck in your future endeavor."

Speaker Giglio: "The Gentleman from Cook, Representative Sutker."

Sutker: "Thank you, Mr. Speaker. John Countryman, Ladies and Gentlemen of the House, is a very special lawyer and a very special human being. He's a student of the law. He's articulate, he's bright, he's reasoning. Has always been associated with excellence and he was the one who, I think, taught us all in Judiciary that justice is the imperishable concern of all of us. And I have to tell you that John Countryman transcends partisanship and transcends politics



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when it comes to his concern about the justice system and I believe firmly that he will honor the bench as he's honored all of us having been part of this institution. John, I wish you well. I know that your attainments in the judiciary will exceed those of your previous attainments because you're a man who learns quickly and grows with each learning experience. Good luck to you, John."

Speaker Giglio: "You've heard Representative Daniels Motion that all Members be added to the Resolution. Does the Gentleman have leave? Hearing none, leave is granted. All those in favor of the Resolution signify by saying 'aye'. 'Nay'? Hearing none, the Resolution's been adopted. Gentleman from DeKalb, Representative Countryman."

Countryman: "I've had a hard time all week cause I thought something like this might happen and now you've been bored to death with everybody who spoke, but I thank everybody who spoke because...and everybody who didn't... because you're all dear friends of mine. A number of things that I probably ought to tell you. One to clarify the record is, Tim Johnson didn't realize it, but that whole thing between Bill Black and I was a hoax and we pulled it off on him and we did it pretty well because he still believes it. The other thing that Tim Johnson told you, which you ought to know is, the reason they had the furniture in front of the door was, the guy was looking for him with a gun and I thought he might mistake me for him cause he'd never seen him. So Tim, you ought to get the record straight and a few of those things and now you know why I don't live with Tim any more. I did learn, though, when Slater left and Sieben moved in, that the door slammed about the same time in the morning, about 4:30. And I couldn't figure it out for a long time. But then I got up early enough and I figured out that Sieben was leaving to jog when Slater used

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to come in from drinking. That's Judge Slater. I probably owe every one of you some little degree of apology for some practical joke or something I said about you in something I put together. I do feel over the years I've been serious about the legislation, serious about the work and I thank you for saying that, but I also think we need to maintain our sense of humor. This is a tough place to work and if you don't keep your sense of humor and if you don't have something to laugh about it becomes an even harder place to work and I've tried to bring a little levity to that and somehow keep it out of the newspapers. Sometimes that hasn't happened and to those people that I've offended, and Representative Weller I include you in this, I apologize. I only intended to have a little good humor and I meant what I said...loosen your tie and enjoy yourself, this can be a fun place to work and we can all have a good time and do the serious business of the people of the State of Illinois. To Representative Daniels...I'm much chagrined that when we put over a hundred cardboard people in your office on June the 30th that you didn't recognize the work of Representative Sieben and myself. We'd worked half the night. For the security of the Capitol, I'd say any security system that would let two Legislators wheel in carts of cardboard people into the Minority Leader's office in the middle of the night and never ask a question is probably seriously in doubt. So maybe when George Ryan takes over as Secretary of State you ought to look at that. I'm not going to wait till next year to lobby about Legislative pay raise. I've been waiting tables up at McShane's with Representative Myron Olson and Representative Sieben for a few extra pennies. I've got two kids in college and they needed all the help they can get and you can vote that Bill out today and make everybody

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in the judiciary happy and...you know...add some on for yourself, too. You know don't...don't just help the judiciary, you know? This is the time to do the job. Be serious. I mean, I talk to you, I know what you really want. So...But in all seriousness, and I don't want to get emotional here, but my great-grandfather was here. Lee's grandfather was here. I walked into Lee's office one day, I'd been here about three or four years and I looked on the wall and there was a picture of my father and Lee's dad when they'd been State's Attorneys at the same time and really, it enhanced my respect for Lee a great deal. Still has. He needs all the help he could get. But there's a lot of tradition. There's a lot of tradition in the Body, there's a lot of tradition in the people. I've never worked with a finer group of people, a more fun loving group of people and a more serious body of people. To my colleagues on the other side of the aisle...I've really enjoyed working with you. I voted with you a lot, much to sometimes the chagrin on this side of the aisle and I've voted against you, but I've never...and you've done the same to me... I've never harbored one of those votes and I frankly can't remember but a few. The votes didn't matter. If you did what you thought was right at the time, then you did the right thing. The election process sometimes pits us against each other and we have to come out winners or losers in the end but when we all get here we know that we've all gone through the same thing back home. We all have that special blood in us that brings us here as Legislators and I've learned a great deal as a Legislator and I hope that I can carry just a part of that knowledge over to the bench and I hope I can serve the people of the State of Illinois well. I...I was going to get serious. God bless you all and I love you."

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Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite for an announcement. Motion."

Satterthwaite: "Mr. Speaker and Members of the House, I ask leave of the Body to permit a brief meeting of the Higher Education Committee in the Speaker's conference room. There is no hidden agenda, even though Representative Sutker might have implied earlier that we operate in that fashion. We simply want to appoint Members of a subcommittee."

Speaker Giglio: "The Lady asks leave to suspend the appropriate rules to have a meeting of the Higher Education Committee in the Speaker's conference room immediately. Does the Lady have leave? Hearing none, leave is granted by the Attendance Roll Call. All those Members of the Higher Ed Committee, would you kindly go to the Speaker's conference room immediately so the business can be put forth? On page 2 of the Calendar on Concurrences appears House Bill 4061. Representative Kubik. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I would move to nonconcur with Senate Amendment #1 on House Bill 4061. The intention is to create a Conference Committee to take care of a matter with Chanute Air Force Base."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 4061. On the House Calendar Supplemental #2 appears Senate Bill 1974. Representative Homer. Is Representative Homer in the chamber? Out of the record, Mr. Clerk. Representative Brunsvold, House Resolution 2415. Out of the record. Representative Kubik, Senate Joint

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Resolution...Excuse me, Representative Kubik.

Representative Brunsvold on House Resolution 2415."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen. I would make a Motion pursuant to Rule 43(a) and move to bypass Committee and place on the Speaker's table for immediate consideration House Resolution 2415."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the Gentleman asks leave to suspend rule 43(a) and place on the Speaker's table for immediate consideration. The Gentleman has leave by the Attendance Roll Call. Hearing none, leave is granted. On the Resolution. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. House Resolution 2415 addresses the Illinois High School Association's Proposition 4. Now proposition 4 states that all non-public schools that are participating in athletics will be placed on the double A status even though they are.. would be considered small schools. If they are a parochial school, they will be placed on the double A competitive level in all sports except football. And in football they will then move from whatever class they're in up one class. For example, Rock Island-Allman would move from 3A to 4A. Now this proposal was put before the members of the Illinois High School Association by some southern Illinois schools who sent the proposition to the Board for...excuse me, legislative Committee. The IHSA's legislative Committee rejected this proposal. However, the Constitution for the Illinois High School Association states that if twenty percent of the members, in this case 190 schools would vote to do this, they would put it on the ballot. So this Motion is on the ballot that would put the non-public schools in the highest class in all sports except for football. This Resolution would simply state

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that the General Assembly is not in favor of this position and I would answer any questions that anyone might have on this Resolution."

Speaker Giglio: "Any discussion on the Resolution? The Gentleman from Logan, Representative Robert Olson."

Olson, R.: "Will the Representative yield?"

Speaker Giglio: "He indicates he will."

Olson, R.: "Representative Brunsvold, I inquired earlier and you were going to investigate the part about if 72 schools move up to double A, does a like number of schools then have to move down. Have you had a response to your inquiry?"

Brunsvold: "Yes. I talked to David Frey from the Illinois High School Association and he indicates that that situation could exist and could be put before the board and they could, in fact, vote on that and do that. Now whether they're going to do that or not is still not positive."

Olson, R.: "In other words, the question could be divided on that."

Brunsvold: "Yes. They would not necessarily have to do that, but they could do that. So the Board of Directors would have to make that decision."

Olson, R.: "Thank you."

Speaker Giglio: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you very much, Mr. Speaker. I join Representative Brunsvold in his recommendation on this Resolution in behalf of Sterling-Newman Catholic. I call this to Representative Ropp's attention. A winner at the championship events last week. The proposal that is being offered is not conducive to what we're looking for and please support Representative Brunsvold's Resolution."

Speaker Giglio: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. And just in closing I would

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say discussions with the Illinois High School Association Representative that they do not support the proposition as a legislative Committee and felt that this might...Resolution might even help them in their pursuit of not starting something that would really open another can of worms for the Illinois High School Association. So I would ask for your support in the passage...adoption of House Resolution 2415."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion is adopted. Representative Homer, Senate Bill 1974."

Homer: "Thank you, Mr. Speaker. I move to suspend Rules 79(d) and (e) and place Senate Bill 1974 on the Order of Conference Committee Reports."

Speaker Giglio: "You've heard the Gentleman's Motion. Hearing none, all those in favor...Excuse me. Representative Black."

Black: "Thank you very much, Mr. Speaker. The hour grows late but perhaps the Sponsor of this Motion could tell us again what...Tom, what do you want to do with this?"

Speaker Giglio: "An announcement, Mr. Clerk, while they're discussing the proposal."

Clerk Leone: "Supplemental #3 to the House Calendar is now being distributed."

Speaker Giglio: "Representative Homer."

Homer: "I...I think Representative Black has the information he was requesting. I would again renew my Motion to suspend the Rule and put the Bill on the Order of Conference Reports."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. We've talked with Representative Mautino. The underlying concerns we had

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with the original Bill have been addressed. This might be necessary as a vehicle for some insurance matters and we have no objection."

Speaker Giglio: "Alright. The Gentleman asks leave by the Attendance Roll Call to suspend the appropriate Rule. Gentleman have leave? Hearing none, leave is granted. Alright, Senate Joint Resolution 147, Representative Kubik. Representative Kubik. Representative Kubik. Representative McCracken. Representative Kubik, are you ready on Senate Joint Resolution 147? Out of the record. House Calendar Supplemental #3. Supplemental Calendar #3, House Bill 2030, Representative Mautino. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I move that House Bill 2030, the Rules addressing that legislation be suspended and 2030 be placed on the Calendar in the position of Conference Committee Reports."

Speaker Giglio: "Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted by the Attendance Roll Call that House Bill 2030 be placed on the Order of Conference Committee. Senate Bill...Supplemental Calendar #1 appears Senate Bill 1638. The Gentleman from Madison, Representative McPike."

McPike: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. This...a Conference Committee Report addresses the Unemployment Insurance Act, technical changes only and the Workers Compensation Act that allows the Industrial Commission to borrow a million dollars from GRF and to repay it next February. The million dollars would be used in the Rate Adjustment Fund. Labor and management have signed off on this along with the Department. I move for the adoption of the First Conference Committee Report."

Speaker Giglio: "Any discussion? The Gentleman from Livingston,



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Representative Ewing."

Ewing: "Mr. Speaker, we have discussed this matter and it looks like the provision of this Conference Committee Report will provide for the payment of these necessary benefits on a timely fashion. Will also provide for the repayment to the General Fund and I don't think there's any opposition on this side to the adoption of this Conference Committee Report."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1638?' This is final action. The voting is open. All those in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 113 voting 'yes', none voting 'no' and none voting 'present'. The House does adopt Conference Committee Report to Senate Bill 1638 and this Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #3. Representative Mautino, House Bill 2030, on the Order of Conference Committee Reports."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the Second Conference Committee Report on House Bill 2030. When this legislation left this Body and went to the Senate it addressed the requests of the IMA and other business groups on the accountability provisions within our statutes. As it comes back, the Senate amended the legislation to, number one, strip everything that was in the Bill and now what you have before you is a proposal that provides for fifty million dollars in each of the next three fiscal years. That's a hundred and fifty million dollars which will be distributed to all school districts within the State of Illinois except the City of Chicago District 299, and it's labeled the

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Downstate School Financial Assistance Law and how those funds will work is under the General State Aid Entitlement Provisions. This was the Amendment adopted by the downstate Members in the Senate and provided on this Bill and I move for the adoption of Conference Committee Report #2 on House Bill 2030."

Speaker Giglio: "You've heard the Gentleman's Motion and on that question the Gentleman from Warren, Representative Hultgren."

Hultgren: "Yes. Is this a Senate Amendment?"

Speaker Giglio: "It's a Conference Committee Report, Representative."

Hultgren: "I'm sorry."

Speaker Giglio: "The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "This fifty million as you mentioned...just goes into the Common School Fund? Is it the current formula?"

Mautino: "It's its own new distributive fund."

Ropp: "Okay. So does this mean then that for..."

Mautino: "It's distributed in the same manner as the entitlement."

Ropp: "So does this mean, in your opinion, that this guarantees an additional fifty or will this replace existing fifty with this money or can we...third point...or can we expect possibly even additional money beyond this if the need is there and that dollars are available?"

Mautino: "This...In response to your question... This is a substantive language establishing the amount and the nature of the new fund. What will follow will be the appropriation provisions by the General Assembly for fifty million...a hundred and fifty million, fifty million in each of the next three fiscal years. From GRF to..."

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Ropp: "Yeah, but it doesn't mean...it doesn't prohibit the fact that if we want to fund an additional fifty or maybe a hundred million in an ensuing year, that that would not or could not happen."

Mautino: "It does not prevent any additions at all to this proposal. You could make it with...if this was not a Conference Committee and you wanted to make it a hundred million a year for the next three years, you could do that as well. So the answer to your question is, no, this does not prohibit any Member of this House from increasing these amounts."

Ropp: "Okay. But we still have to go through the budget process, and let's say we don't have fifty million to do, but this would....We'd still have to appropriate it even though maybe we wouldn't have that kind of money and would be placed in the position where...like the Pension Fund, we wouldn't fund it if we didn't have it. Is that correct?"

Mautino: "Well, I think this is an alternate to what was done here a couple of hours ago addressing the same question, yes."

Ropp: "Okay. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "With an inquiry of the Chair, has this Conference Committee Report been printed and distributed?"

Speaker Giglio: "Mr. Clerk..."

Clerk Leone: "Conference Committee Report #2 has not been distributed."

Speaker Giglio: "Representative Mautino, we'll have to take it out of the record. Seems like there's been a backlog on the distribution today."

Mautino: "Gee, I thought that was distributed yesterday. But I will be most happy to withdraw with the understanding that it will be out very shortly and we will either take this

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matter up later today or first thing in the morning. Under that provision, I'd be happy to withdraw it."

Speaker Giglio: "Take it out of the record. Senate Bills Second Reading on page 2 of the Calendar. Senate Bill 1065, Representative Hicks. Take that one out of the record. Representative Hicks isn't ready. Senate Bill 1098, Representative Hannig."

Clerk Leone: "Senate Bill 1098. A Bill for an Act to amend an Act in relationship to the installation of fire hydrants. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is offered by Representative Hartke."

Speaker Giglio: "Representative Hartke. Senate Amendment #1 to Senate Bill 1098."

Hartke: "Thank you very much Mr. Speaker, Members of the House. Senate Amendment #1 to 1098 is the...actually the old Bill 1619, Senate Bill, which the Governor amendatorily vetoed with nongubernatorial compliance. This piece of legislation deals with the installation of smoke detectors and so forth in motels and hotels in the State of Illinois. The Hotel and Motel Association worked with the Governor and this is the outcome of that Amendatory Veto and I would ask for your support for this Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Okay. Representative, is not this the Amendment that you passed overwhelmingly out of this chamber last June? It's a good piece of work. It represents a compromise and I

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think it's very important to the...particularly the downstate hotel/motel industry."

Hartke: "Yes. We worked on that very diligently last Spring, but the Governor had some problems with it and added some new language which is considered non gubernatorial compliance, but this is good language and is acceptable to the Hotel Motel Association, so I think it's a very good piece of work."

Black: "Okay. It still allows for battery powered smoke detectors rather than the hard wire in those hotels already constructed?"

Hartke: "For a certain period of time, I do believe, but it does put a time limit on it and they must wire it into an AC outlet into those locations."

Black: "When you made your earlier statement you said Senate Amendment #1, are you talking about a Senate Amendment or was this your original Amendment?"

Hartke: "This is Senate...original Senate Bill 1619."

Black: "In that case, Mr. Speaker, I'm not sure that we have the Amendment that the Gentleman is referring to."

Hartke: "Representative Black, 1619 was the Bill that the Governor amendatorily vetoed."

Black: "Right."

Hartke: "Now this is an Amendment which takes into consideration the Governor's language. Precisely. Representative Black, we've had this about an hour or two hours on our desks."

Black: "Okay. You're right. It's in here. If you'll just clarify the one point, how much time would a downstate motel, for example, built 25 years ago...if we're going to make them hard wire smoke detectors, can you give me a time line on...I'll be very honest with you Chuck, I don't find it in the Amendment."

Hartke: "You don't have the Amendment there?"

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Black: "I'm not sure it's the proper Amendment, because you said there was a time line. You thought there was a time line at which the existing motel may have to switch from battery powered to hard wire and I don't find that in the Amendment that I have in front of me."

Hartke: "Just a minute, Representative. The time stays the same as in the original language and I believe that was January the first, 1992."

Black: "Yeah. Now, I think we're on the same wave length, just not quite clicking here. In other words, like in our area where...let's just take the one down there, the Ramada, I think, in Danville and there's one in Effingham. Basically, that motel, the original structure, built 25 or 30 years ago. And if I remember our discussion last June, in that existing section we were not going to make them retro fit hard wire smoke detectors. They could maintain their battery powered. Wasn't that what we were trying to do? But if they substantially remodeled or built new, then they would have to hard wire."

Hartke: "If there is substantial remodeling done, then that hard wiring would have to be installed. The new language that the Governor is adding talks about hallways and in other areas where they would be required to have smoke detectors. Sleeping rooms, single stations..."

Black: "But it also says substantially remodeled, newly constructed or reconstructed. I think the point that, as downstaters you and I would be most interested in, is a small operation that's been in existence for 30 years, we are not going to put an artificial date or time line on them to go back and do some very expensive hard wiring of their smoke detectors. And I think in your original Bill, and why I was pleased to Cosponsor it with you, is that we definitely said if you maintain your existing structure

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then battery powered smoke detectors would be permissible."

Hartke: "You're correct, Representative Black. What we're adding does not add that time line and so forth."

Black: "Okay. Well, in that case then I'm pleased to join with you in supporting this. I think it's a reasonable compromise and hope it flies out of here."

Hartke: "Thank you."

Speaker Giglio: "Further discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Leave the Bill on the Order of Second Reading, Mr. Clerk. I understand there's another Amendment being prepared. Representative Homer. On Supplemental Calendar #1 under Motions, House Bill 4126."

Homer: "Thank you, Mr. Speaker. I move to take that Bill from the table and place it on the Order of Conference Committee Reports. Wait one moment, please. Mr. Speaker, I move to take House Bill 4126 from the table, suspend Rules 79(d) and (e) and place on the Order of Conference Committee Reports."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, does the Gentleman have leave...Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Santiago. Representative Santiago in the chamber? The Gentleman's not in the chamber. Alright, on the Order of Senate Bills Second Reading, page 2 of the Calendar appears Senate Bill 2001. The Lady from Lake, Representative Stern. Mr. Clerk. Representative Stern."

Stern: "Mr. Speaker and Members of the House, I believe there's

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some Amendments waiting to be either tabled or voted upon."

Speaker Giglio: "Have they been distributed, do you know?"

Stern: "Yes. Yes, Sir. We would like to table Amendments 12 through 17."

Speaker Giglio: "Hold on. Hold on. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 2001 has been read a second time previously. Amendments #1, 2, 3, 4, 8 and 9 were adopted previously."

Speaker Giglio: "Are there further Amendments, Mr. Clerk?"

Clerk Leone: "Amendments #10 lost and 11 was withdrawn. Next Amendment is floor Amendment #12 which is offered by Representative Breslin."

Speaker Giglio: "Representative Stern."

Stern: "We would like to table Amendments 12 through 17, please. Withdraw them. Withdraw them."

Speaker Giglio: "Withdraw Amendments #12 through 17. Withdraw those Amendments, Mr. Clerk. Further Amendments?"

Clerk Leone: "Floor Amendment #18 is being offered by Representative McPike."

Speaker Giglio: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #18 creates the Alton Lake Heritage Parkway Act. It creates the Tri-County River Valley Development Authority and it authorizes a township with a population of more than 1,000 located in a county of less than 600,000 to create a Township Plan Commission. Move for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Giglio: "He indicates he will."



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Kulas: "Representative McPike, does Amendment #18 delete everything before that in the Bill?"

McPike: "Yes."

Kulas: "So the Bill will not be dealing at all with recyclables or anything?"

McPike: "That's correct. It replaces the title with the following: 'An Act in relation to state and local governments'."

Kulas: "Thank you."

Speaker Giglio: "Further discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendments adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #19 being offered by Representative Stern and Homer."

Speaker Giglio: "Representative Stern on Amendment #19."

Stern: "Amendment 19, Mr. Speaker, would create the following Civic Center Authorities: For the City of Highland Park, for Saline County, for Leydon Township, for Boone County, for Macomb in western Illinois and for Canton."

Speaker Giglio: "Any discussion on the Amendment?"

Stern: "I move it be adopted. It won't cost anything. We're just creating the Authority."

Speaker Giglio: "All those in favor of it...the Amendment signify by saying 'aye'. Representative Black."

Black: "Mr. Speaker, it's very difficult to hear in here and I...Do you have a companion appropriations language in this?"

Stern: "This only creates the Authority, Mr. Black. This does not put any money on the line in any way."

Black: "Oh. Well, I think those Authorities should be created. Absolutely. But there is no appropriation, right?"

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Stern: "No appropriation, Sir."

Black: "Excellent, excellent. Let's move."

Stern: "Thank you."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #20 being offered by Representative Steczo."

Speaker Giglio: "Representative Steczo on Amendment #20."

Steczko: "Thank you Mr. Speaker, Members of the House. Amendment #20 takes legislation on the Harvey Civic Center Authority that we created a year and a half ago, changes that and expands it to the Chicago South Civic Center Authority. The City of Harvey and myself were asked by seven surrounding communities to join in their Authority and to create a Regional Authority. Harvey has consented and these communities have specifically requested inclusion and that's all this Amendment does, Mr. Speaker. I move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #21 is being offered by Representative Tenhouse and Edley."

Speaker Giglio: "Representative Tenhouse on Amendment #21."

Tenhouse: "Thank you Mr. Speaker, Ladies and Gentlemen of the Assembly. This would create a Civic Center Authority for Rushville and Schuyler County, the Schuyler County Civic Center Authority. Again, just creating the Authority, no dollars being expended. I would move adoption of this

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Amendment."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #22 offered by Representative Ewing."

Speaker Giglio: "Representative Ewing. Tom Ewing, the Gentleman from Livingston."

Ewing: "Mr. Speaker, this Amendment would allow the community of Atwood to organize a Civic Center Authority. They were included in the last Bill that was passed in this House, was later taken out and I would like to have them added back into this Bill."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #23 offered by Representative Weller."

Speaker Giglio: "Representative Weller."

Weller: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #23 authorizes the Village of Bourbonnais to establish the Bourbonnais Civic Center similar to legislation previously passed several times by the House of Representatives. I move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

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Clerk Leone: "Floor Amendment #24 offered by Representative William Peterson and Wennlund."

Speaker Giglio: "Representative Peterson."

Peterson, W.: "Please withdraw Amendment 24."

Speaker Giglio: "Withdraw Amendment #24, Mr. Clerk. Further Amendments?"

Clerk Leone: "Floor Amendment #25 offered by Representative William Peterson and Wennlund."

Peterson, W.: "Thank you, Mr. Speaker. House Amendment 25 would amend the township statutes making it mandatory that for an annual town meeting that they...once the notice is set forth with the objects of the meeting as contained in a statement filed with the town clerk that no business shall be done at an annual town meeting except such that is embraced in such statement and notice. I move for adoption of Amendment 25 to Senate Bill 2001."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 2001. A Bill for an Act in relationship to recyclable and degradable products. Third Reading of the Bill."

Speaker Giglio: "Representative Stern. Proceed."

Stern: "Mr. Speaker and Members of the House, you have just heard the Amendments that were added to Senate Bill 2001. They create a series of Civic Center Authorities. It won't cost anything at this point. We are simply creating the Authorities and allowing those boards to work from there. I ask your support and your 'aye' vote on this

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legislation."

Speaker Giglio: "Any discussion on the Bill? The question is, 'Shall Senate Bill 2001 pass?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 77 voting 'yes', 24 voting 'no' and 5 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar #4."

Clerk Leone: "Supplemental #4 to the House Calendar is now being distributed."

Speaker Giglio: "On the House Calendar Supplemental #4, Motions. House Joint Resolution 159. The Gentleman from Cook, Representative Levin. House Resolution 159."

Levin: "Mr. Speaker, I move to suspend the provisions to Rule 14(a) and pursuant to Rule 43(a) I move to bypass the Committee and place on the Speaker's Table for immediate consideration this Resolution."

Speaker Giglio: "Further discussion on the Gentleman's Motion? Representative Black."

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

Speaker Giglio: "Representative Levin will yield."

Black: "Alright. Thank you. Representative, is this the Resolution that we need to pass to get to the rewrite of The Telecommunications Act?"

Levin: "That is correct."

Black: "And that all parties, I believe, are in agreement with your Resolution, is that true?"

Levin: "I believe so. I was just double checking with Representative Ackerman. We did have conversations I know

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with Representative Hoffman who we can't find right now, but this would set up the same kind of Joint House/Senate Committee to hold hearings that we did 5 years ago with the Public Utilities Act."

Black: "Right. I...If we could perhaps...would you be amenable to just, hopefully, a slight delay...a minute or two while Mr. Ackerman checks to make sure all the i's are dotted? Thank you. We appreciate your kindness."

Speaker Giglio: "Any discussion? Does the Gentleman have leave by the Attendance Roll Call? Pardon? You want to hold the Amendment? You're the Sponsor, we'll do whatever you want on the Motion. Alright, we'll hold it. Take it out of the record. Representative Black."

Black: "Thank you very much, Mr. Speaker. We appreciate the time that Representative Levin has given Mr. Ackerman to check on this. I've been told that it's fine and we're ready to let the Representative call his Resolution."

Speaker Giglio: "Representative Kulas."

Kulas: "Question of the Chair, Mr. Speaker. What time is the 3 o'clock caucus convening?"

Speaker Giglio: "It's going to...It's going to convene very shortly, Representative. That's correct. It's not timely, Representative Kulas. It's after 3. Alright, Representative Levin."

Levin: "I would just ask for the adoption of the Motion so that we can proceed to adopt the Resolution."

Speaker Giglio: "You've heard the Gentleman's Motion for immediate consideration to suspend the provisions of the Rules. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Levin."

Levin: "I think we've actually had the debate on the merits as well. This Resolution, as we indicated earlier, simply

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sets up the same kind of mechanism we had 5 years ago with respect to the Public Utilities Act for the expiration of the Telecommunications Act a joint House/Senate Committee to hold hearings, to hear testimony and to try to come back with recommendations with respect to what to do with the Telecommunications Act, which expires December 31st, 1991."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and House Joint Resolution 159 is adopted. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I think we have a problem with HJR 159. I think it was inadvertent. I've talked to the Sponsor, but if we can't work it out any other way on a voice vote, having voted in the affirmative, I would be forced to ask for a Motion to reconsider at this time."

Speaker Giglio: "Representative Levin."

Levin: "Speaker, we are attempting to contact the appropriate staff people to try to resolve this problem. If the Gentleman can hold up, we'll try to get a Resolution. If worse comes to worse, we can always amend it in the Senate, but we're going to try to get it resolved."

Black: "I'm perfectly willing to give the Gentleman a chance to get it worked out, Mr. Speaker. I must admit to you I'm not comfortable in adjourning. I may wish to exercise my right to reconsider this if we don't get it worked out prior to adjournment and I would appreciate the Chair recognizing me for that appropriate Motion prior to adjournment if we don't reach agreement on a slight...I think it was just an oversight, but there was an agreement that some language would be removed from that Resolution and indeed it is not removed."

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Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I'm just kind of curious, since we're standing at ease so long that I would like to know if the Speaker's going to provide chicken or pizza for us when we go past 5 o'clock and if so, I'd like to have some pizza."

Speaker Giglio: "I think that the Speaker's discussing that situation with the Minority Leader, Representative Daniels, right now. Representative Ronan."

Ronan: "Thank you, Mr. Speaker. You know, at some point it becomes inhuman treatment when you keep people in the dark without even a clue what's going on. My advice is show some leadership, let us go home, let everybody resolve their problems and tomorrow come back bright eyed and bushy tailed and ready to go to work. So why don't you show the kind of courage...the kind of courage and integrity that I know that someday you hope to possess and let us go home so we can have a nice enjoyable evening and I promise to be back tomorrow morning with all of our friends so we can have a great day tomorrow."

Speaker Giglio: "Would you...would you like to make that Motion, Representative?"

Ronan: "Absolutely. I move we adjourn, Mr. Speaker."

Speaker Giglio: "Well, you weren't recognized for that Motion at the present time. Representative Black."

Black: "Yes, thank you very much Mr. Speaker. Would Motion to reconsider be in order or do you wish to...alright. Then I think I have filed a written Motion having voted on the prevailing side to reconsider the vote by which HJR 159 passed this chamber."

Speaker Giglio: "The Gentleman have leave? Hearing none, leave is granted. Representative Leverenz."

Leverenz: "Does my light not show up there or...?"



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Speaker Giglio: "It's on. You're recognized, Sir."

Leverenz: "And we just went with the Motion already?"

Speaker Giglio: "It's a Motion to reconsider House Joint Resolution 159. He voted on the prevailing side."

Leverenz: "And am I in order or out of order to inquire of the Gentleman about his Motion?"

Speaker Giglio: "No. You're in order. Do you want to explain what happened, Representative Black?"

Leverenz: "Just tune me in. I fell asleep during all this long debate that we've had over the most recent hour and it just put me right to sleep, and why are we doing what we're doing and..."

Black: "Well, I think the question is..."

Leverenz: "This has only been on my desk for two or three seconds."

Black: "I understand that and it's been a laborious process to get it on your desk, let me tell you. It's my understanding that there was an agreement between both parties, that particular office, as you'll see on page 2 line 5, was to have been removed prior to the Resolution being adopted. The Sponsor indicated that he had indeed made that agreement and had assumed that that particular office had been removed. Was surprised to discover that it had not and has agreed to correct that."

Leverenz: "So there was an editing problem."

Black: "A slight editing problem, yes."

Leverenz: "I stand with you, Sir."

Black: "Thank you very much."

Speaker Giglio: "Alright, the Resolution is now before us. Representative Levin."

Levin: "Mr. Speaker, I think that the previous Gentleman in effect explained what Amendment #1 to House Joint Resolution 159 does and that is to correct the reference

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that was inadvertently made in the Resolution. So I would urge the adoption of Amendment #1."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "On the Resolution. The Gentleman moves for the adoption of House Joint Resolution 159. Any discussion on the Resolution as Amendment...as amended? Representative Black."

Black: "Thank you very much, Mr. Speaker. We just join with the Sponsor in urging an 'aye' vote and I think publicly the Sponsor should be commended. We appreciate his integrity and his commitment to his word. Thank you."

Speaker Giglio: "Alright. The question is, 'Shall the House adopt House Joint Resolution 159 as amended?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Resolution has been adopted. On the Calendar, Supplemental #3, Senate Bill 2309. The Gentleman from Cook, Representative Anthony Young."

Young: "Thank you, Mr. Speaker. I move to suspend Rule 79(d) and (e) and place on the Order of Conference Committee."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the Gentleman has leave by the Attendance Roll Call, leave is granted. Representative Young."

Young: "Speaker, at this time I would move for the appointment of a Second Conference Committee for Senate Bill 2309. I would also move to refuse the First Conference Committee Report and have a second report...a Second Committee

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appointed."

Speaker Giglio: "You've heard the Gentleman's Motion. The Gentleman wants to refuse to accept the First Conference Committee Report and have a Second Conference Committee be appointed. Does the Gentleman have leave? Hearing none, leave is granted. The first Conference Committee Report is rejected and a Second Conference Committee is requested. Supplemental Calendar announcements, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #5 is being distributed."

Speaker Giglio: "Page 2 of the Calendar under Senate Bills Third Reading. Senate Bill 543, Representative Williams. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 543. A Bill for an Act in relation to the election of judges from the First Judicial District. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Williams."

Williams: "Yes, I move to...I'd ask for a Motion, or leave to move this Bill back to Second Reading for the purpose of an Amendment."

Speaker Giglio: "Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. The Bill's on the Order of Second Reading, Mr. Clerk."

Clerk O'Brien: "Floor Amendment #2 offered by Representative Williams and Anthony Young."

Speaker Giglio: "Representative Williams."

Williams: "Amendment #2 is a series of technical changes that was worked out between ourselves and other parties that are involved in this legislation from both sides of the aisle in an attempt to put this Bill in a form that is compatible to all. It slightly reduces the number of Circuit Judges and we deal with other technical aspects of the Bill. The effective date and things of that nature."

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Speaker Giglio: "Is there any discussion on the Amendment?

Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Williams."

Williams: "I move for immediate consideration of Senate Bill 543."

Speaker Giglio: "The Gentleman asks leave for immediate consideration. Does the Gentleman have leave by the Attendance Roll Call? Hearing none...Excuse me. Representative Mulcahey. The Gentleman moves..."

Williams: "I move to suspend the appropriate Rules so that we can have immediate consideration of Senate Bill 543."

Speaker Giglio: "Any discussion? The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Object."

Speaker Giglio: "Representative Mulcahey objects to the Motion. All those in favor of the Gentleman's Motion for immediate consideration signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'yes', 15 voting 'no' and 5 voting 'present' and the Motion for immediate consideration prevails. On the Bill, Representative Williams."

Williams: "Senate Bill 543 is the results of long and tedious discussions between ourselves, Members on the other aisle, Leadership and what we have is a Bill that principally would subdivide the Circuit Court of Cook County into 15 judicial districts, electing 11 judges from each subdistrict. We would provide that each subdistrict would

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have the ability to allot the order in which they would come. They would all come at the same time on the same basis. There would be no preference in terms of one district going before the other as part of the original Bill, it's part of a concession to both sides and that what we would in essence do is to, basically, in our opinion, reform the judiciary in Cook County. The Bill would be effective February 15th, 1991, and I ask for a favorable Roll Call."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 543. A Bill for an Act concerning the courts. Third Reading of the Bill."

Speaker Giglio: "On that question the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I want to thank Representative Williams and Young for their hard work on this particular piece of legislation. They are correct, it is the result of some rather lengthy negotiations. I would urge my colleagues on the Republican side of the aisle to support this piece of legislation as it brings some accountability to the Cook County court system. I would appreciate your support on this fine piece of legislation."

Speaker Giglio: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Again, I reluctantly rise in opposition to Senate Bill 543. Both previous speakers talked about the negotiations and patted many people on the back for their lengthy discussions, but none of those discussions took place before the Judiciary Committee of the House of Representatives. We didn't have the benefit of those negotiations, we didn't have the benefit of hearing the

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pros and cons for this legislation. We are again, rushing to a judgment and putting together what in concept and principle again is a good idea of having districts so voters have a better chance of knowing who they vote for, but among the provisions of this Bill that I find very unacceptable is where someone is making a career change and must be a resident when that individual runs for retention from a judicial district, must remain for the rest of their professional lives as a resident of a district, that over the next ten or twenty years may completely change in character. You may live in a district that in the interim ten or twenty years might become an industrial park. Might become very expensive where you can no longer afford it, or even worse than that, where you have some specific personal needs for yourself or a member of your family to be near special schooling for a child or to be near special medical facilities for a member of your family, are prohibited from doing so because you have to be a resident when you run for retention from a certain district, even though the retention election itself is from the whole county. It makes no sense. There's no rhyme, rationale or reason for it. I think it's unconstitutional and whether it's constitutional or not, it certainly is a very bad idea. So for that reason, while I agree with the principle of this, I think once again we're rushing a judgment where the technical aspects of this is unacceptable."

Speaker Giglio: "The Lady from Lake, Representative Stern."

Stern: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Stern: "What is the grandfathering in procedure here? You've got eleven to be elected in each district, if I understand it. I had a call from somebody who is not a constituent of mine who lives in the Wilmette-Winnetka area who says that there

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are probably 20 judges in an area like that now. What is going to happen to those people?"

Williams: "Those judges will not be affected by this piece of legislation. This piece of legislation will deal with allowing people to go into the districts as the residencies become vacant of whatever natural causes except for the inclusion of the judgeships that are created under this particular Act."

Stern: "Well, the question that was raised in this conversation was, then the people of that district will not be allowed to elect judges for a protracted period of time while other districts are electing judges."

Williams: "No. It will not occur that way. We changed that specifically so that each district would start at zero. We removed that particular section and all districts will start out even. Regardless of how many residents you now have, this is something that we discussed earlier with both sides of the aisle. If there are fifteen residency vacancies, there are fifteen districts, they will be spread out evenly throughout the county by lot by Supreme Court and each district will be allowed to elect one of the fifteen vacancies in accordance with this Bill and they will continue to go by lot until all districts have their requisite number. There will be no district given favoritism over another regardless of the number of residents that presently sit in their particular district."

Stern: "When they run initially, will they run as Republicans and Democrats?"

Williams: "Yes. They do now."

Stern: "I understand that. I understand that. I just am concerned that in these smaller districts there will be much more dependence on the good will of the partisan political organizations."

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Williams: "Well, quite honestly, the size of the districts are quite large and I think people are misconstrued in the sense that the districts would have approximately 350,000 people which will coincide with some districts downstate. The district will not be so small that it could be able to be controlled by any one or two given individuals. It would be a district of relatively large size and so it should avoid any of that sort of collusion, as you would."

Stern: "Well, alright. I'm not concerned so much about collusion as I am about a judge of one party feeling that...I'm sorry. Yeah, okay. I'll come to that. I'm more concerned about their involvement with partisan politics as such. The other question that I have is, how are Associate Judges selected?"

Williams: "The Associate Judges are selected in the same manner in which they are selected now. We do not change the Associate Judges in the sense that we changed the manner or form in which they're elected. The only aspect of the Associate Judges is we will be reducing the total number of Associate Judges that are presently within Cook County as they become vacant and some of those will go into the resident pool. Now, as for the reality of politics controlling some of the election of judges, I think we would all be a bit naive to assume that that does not take place now."

Stern: "Only if you have an Irish name, I believe."

Williams: "Irish, Polish and what have you."

Stern: "You're right. Mr. Speaker and Members of the House, I have some concerns about this Bill as I did when we passed it in a different form last year. I am not an attorney. I will never be a judge, but I have grave reservations about doing this so quickly and with so little discussion. Regardless of how much I might like to see a



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better mix in those on the bench, and I would, but I think I must continue to vote 'no' until I have heard more of an airing."

Speaker Giglio: "The Gentleman from Cook, Representative Sutker."

Sutker: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Sutker: "Representative, you indicated that the Associate Judges would be decreasing in number as time goes by in accordance with Amendment #2, which is now the Bill, is that correct?"

Williams: "Correct. That was always the scheme under all versions of the Bill."

Sutker: "I understand, but currently in Cook County there are eleven vacancies and the court is in the process of filling those eleven vacancies. What is going to happen with respect to that present process, which I understand is culminating December of 1990?"

Williams: "That process should not be affected by this Bill unless the judges in their own wisdom decide to forego filling those particular judgeships until after February 15th, the effective date of this Act."

Sutker: "At this point there's no estoppel in the Amendment which would prevent the judges...is that correct?"

Williams: "None whatsoever. None whatsoever."

Sutker: "So the judges could proceed and as they are intending to do with filling those eleven Associate Judgeships prior to January first?"

Williams: "Yes."

Sutker: "If it were to go over January first, it still would not be affected, is that correct?"

Williams: "It would not be effective until after the effective date of the Act."

Sutker: "February 1 is now the changed effective date of the Act?"

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Williams: "February 15, is the effective date."

Sutker: "February fifteenth? Let me ask you one other question. You used the word, 'allotment' or 'by lot' as it related to the even playing field for the beginning of this whole process. What did you mean when you used the term, 'they will be selected by lot in the various 15 judicial districts'?"

Williams: "Let's assume that we have 15 judicial districts and we must determine which district will be given the various appointments as they come through. So we say that district what have you draws the first lot, so they get the first one, district whatever draws the second, they get the third and it just keeps in that order."

Sutker: "So it's a lottery process, is that correct? Until the first 15 districts are...are equal?"

Williams: "Until they're, right. In other words it's not like you're...once you get one, you can't be in there to get a second one before anybody else gets theirs."

Sutker: "Is that clearly spelled out?"

Williams: "Yes."

Sutker: "And all 15 judicial districts then have to receive their one before any one of the judicial districts receives another, is that correct?"

Williams: "Correct. That is correct."

Sutker: "No matter the number of judges that reside in any of the subdistricts?"

Williams: "That is correct."

Sutker: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Anthony Young."

Young, A.: "Thank you, Mr. Speaker. For purposes of legislative intent, I'd like to ask some questions."

Speaker Giglio: "Representative Williams?"

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Young, A.: "In subparagraph (e) of Section 2 (f) the Bill requests a residency requirement for a resident judge elected from a subcircuit. Does the candidate for office of resident judge reside in the subcircuit assigned the judge from which he or she is a candidate?"

Williams: "Yes. That is a requirement by Article IV, Section 2 of the Illinois Constitution."

Young, A.: "Does the language..."

Williams: "Wait a minute. Article VI, Section 11."

Young, A.: "Does the language of Section 2, (f)...(e) on page 18, lines 21 through 23 of House Amendment #2, require a judge to remain a resident of the subcircuit from which he or she was elected as long as he or she holds that office?"

Williams: "Yes. Once elected, the resident judge must continue to reside in that subcircuit as long as he or she serves in that position even when he or she is on the ballot for retention."

Young, A.: "Is it your opinion that the requirement of Subsection 2, (f), (e) that a judge remain a resident of the subcircuit as long as that office is held, is inextricably interwoven with the remaining aspects of this Bill?"

Williams: "No. This residency requirement is not inextricably interwoven with the other aspects of this legislation. If a court were to find this residency requirement to be unconstitutional, the remainder of the Bill is severable and should stand."

Young, A.: "Pages 19 through 21 of the Amendment specifies 165 resident judgeships that will occur over time, be elected from the subcircuits. Some new resident judgeships are created by the time of the 1994 General Election. In addition, sixty associate judgeships, as they become vacant, will be elected from the subcircuit. Does this Amendment authorize the Supreme Court to fill these newly

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created resident judgeships by appointment before they are elected from the subcircuits?"

Williams: "Yes. The Bill specifically authorizes the Supreme Court to fill these judgeships by appointment prior to the election except for the fifty-nine day period before an upcoming Primary Election. We would encourage the court to utilize their appointment power as set forth in this Bill."

Young, A.: "On page 17 and 18 of the Amendment, Amendment #2, it states that the Supreme Court allots the resident judgeships to the subcircuits for election. It states the court shall allot all vacancies and resident judgeships existing on or occurring after the effective date of this Bill. What is your intent with respect to what unit would elect a judge to fill a vacancy in a resident judgeship that occurs before this Bill becomes effective and is filled by appointment by the Supreme Court prior to the effective date of this Bill?"

Williams: "On page 18 beginning in line 4, the Amendment says that a resident judgeship authorized before the effective date of this Bill that becomes vacant and was filled by appointment by the Supreme Court before the effective date of this Bill, would not be filled by election from the subcircuits. It would be filled by election at the 1992 General Election from the unit of the circuit of Cook County within Chicago or the unit of the circuit outside Chicago, depending upon where the vacancy occurred."

Young, A.: "On pages 30 and 31 of Amendment #2 there is a severability clause. What is the purpose of this language?"

Williams: "This provision is designed to express the intent of the General Assembly, that if any provision of this Bill is declared by a court to be unconstitutional, that the remaining portions are not inextricably interwoven with the

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unconstitutional provision and that the remaining constitutional provisions should be implemented."

Young, A.: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Leverenz: "This has an effect in the suburban Cook area?"

Williams: "It becomes...the entire County of Cook is involved with this particular piece of legislation."

Leverenz: "And you're saying there will be judicial districts in suburban Cook?"

Williams: "We're saying that the entire county will be split into fifteen judicial districts to be determine by the General Assembly. By us."

Leverenz: "Would you tell me, please, if those districts then would overlap and it is then possible for some of that area to be in the suburbs and some of a particular district would be in the City of Chicago?"

Williams: "It is possible for the map to take on a number of configurations including the one that you just spoke of."

Leverenz: "Do you have a map attached to this Bill?"

Williams: "No, we do not. That is within the authority of the General Assembly. We have not gathered the data necessary to do that. It will be part of the next census to which we will be working on next Session."

Leverenz: "Would you concur that the general public that vote for judges have no idea the area in which they now serve?"

Williams: "Definately, that is true."

Leverenz: "So then, with this...if we passed it, we will further confuse the general voting public?"

Williams: "No, just the opposite. It would make it more understandable to the individuals as to exactly who's

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running from their area. By reducing the size we reduce the extremely large ballots that we now have and make it possible for individuals to run from a district that is identifiable and we limit the number that would be running from that district. Instead of a possibility of the entire two hundred running from a given area, there would only be eleven running from within any given area, giving the public an opportunity to know who's running in their area."

Leverenz: "And what is your best guess at the population for each of the fifteen districts?"

Williams: "Approximately three hundred and fifty thousand."

Leverenz: "Three and a half times the size of my current legislative district."

Williams: "Yes, it is larger than your current legislative district."

Leverenz: "About three and a half times larger."

Williams: "Yes."

Leverenz: "And how many judges in each district?"

Williams: "Eleven."

Leverenz: "Eleven. That then sets a quota for each district?"

Williams: "Look, that is the number that is mandated by the Act. I won't call it a quota. I would say..."

Leverenz: "You could...it could be characterized as a quota in each district?"

Williams: "No, not a quota."

Leverenz: "Well, if you have a specific number that is a quota, right?"

Williams: "No. The quota in many instances is considered what you want to do. There...we have...we can say that the two hundred judges that we elect in Cook County is a quota. So we have a quota now, with two hundred judges in Cook County."

Leverenz: "And therefore with your same analogy you'd have a

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quota of eleven in each district?"

Williams: "Just as we have a quota of a hundred and eighteen Members for the Illinois House of Representatives."

Leverenz: "So you do then concur that it could be called a...or characterized as a quota?"

Williams: "I do not concur with that characterization. I might...I mean you can say a lot of different meanings to a lot of different words. I tend to think we just set the numbers as we set the number of one Congressman per congressional district."

Leverenz: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, Representative Williams to close."

Williams: "I move that we...I ask for a favorable Roll Call to Senate Bill 543."

Speaker Giglio: "Question is, 'Shall Senate Bill 543 pass?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 97 voting 'yes', 7 voting 'no' and 10 voting 'present', and Senate Bill 543 having received the required Constitutional Majority is hereby declared passed. Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #6 has been distributed."

Speaker Giglio: "Supplemental Calendar #6 under Motions, House Joint Resolution 158, Representative Morrow. Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to discharge House Joint Resolution 158 from Executive Committee pursuant to Rules 37(g) and 79(d) and (e)."

Speaker Giglio: "You heard the Gentleman's Motion. Any

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discussion? Excuse me. The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, we certainly don't want to do this by acclamation. If you're going to discharge this Resolution we'll require a Roll Call vote on that. And I don't know if you want to discuss the matter at this point or not, but we are not in support of discharging this Resolution."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Would not the Gentleman's Motion fall under Rule 77(b) - Must be in writing; Shall be carried on the daily Calendar for the next legislative day under the Order of Motions; No action shall be taken on the Motion until it is on the Calendar; This subsection may be suspended only by a Motion adopted by seventy-one votes? I would ask the Chair to so Rule. I believe the Gentleman's Motion would require seventy-one votes."

Speaker Giglio: "Point's well taken, Representative Black. Representative Morrow, it takes seventy-one votes. Do you want to proceed or do you want to take it out of the record and put it on the Calendar for tomorrow?"

Morrow: "Take it out of the record and then we'll put it on the Calendar."

Speaker Giglio: "You heard the Gentleman's Motion. Mr. Clerk, take it out of the record and put it on tomorrow's Calendar. Supplemental Calendar #5 under Motions appears House Bill 3228, Representative Wolf."

Wolf: "Thank you...thank you, Mr. Speaker. I move to take from the Table, suspend Rule 79(d) and (e) and place House Bill 3228 on the Order of Conference Committee Reports. This is a Bill that will be used for pension purposes in January of 1991."



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Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Yes. In discussing the issue, we at this point have no objections."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of the Gentleman's...Roll Call by the...all those... Does the Gentleman have leave to use the Attendance Roll Call? Hearing none, leave is granted. Attendance Roll Call is in order. The Chair would like to make an announcement. Pursuant to House Bill 2030, Representative Mautino's, the Conference Committee is being printed at the present time. It's a total of forty-seven pages and the Conference Committee will be on the Member's desks for the opening time tomorrow morning when we open the House to do its business tomorrow. Representative Kubik. Is Representative Kubik in the chamber? Representative Kubik, Senate Joint Resolution 147. Senate Joint Resolution 147. Supplemental Calendar #2 under Motions, Representative Kubik. The Gentleman from Cook, Representative Kubik, on Senate Joint Resolution 147."

Kubik: "Mr. Speaker, we have some Amendments to this particular Resolution."

Speaker Giglio: "Mr. Clerk."

Clerk O'Brien: "Floor Amendment #1 offered by Representative Kubik."

Kubik: "Withdraw Amendment #1."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk."

Clerk O'Brien: "Floor Amendment #2 offered by Representative Kubik."

Speaker Giglio: "Representative Kubik."

Kubik: "Amendment #2, Mr. Speaker, makes some minor changes in the Resolution. Technical changes. And I would move its adoption."

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Speaker Giglio: "You heard the Gentleman's Motion. Is there any discussion? Hearing none, all those in favor of the adoption of the Resolution signify by saying 'aye', opposed 'nay'. Adoption of the Amendment. All those in favor of the adoption of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. There's been some misunderstanding with regard to the Chair. Since it was taken out of the record prior we did not move to suspend the provision of Rule 14(a) and pursuant to 14...or to 43(a), to bypass committee and placed on the Speaker's Table. Would you make that Motion?"

Kubik: "I will so move. I would move to suspend the appropriate Rule to..."

Speaker Giglio: "The Gentleman moves to suspend the appropriate Rule to Senate Joint Resolution 147, to be place on the Speaker's Table for immediate consideration. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Mr. Clerk, take it out of the record for a moment. Introduction, First Reading of Bills."

Clerk O'Brien: "House Bill 4246 offered by Representative Giorgi and Hallock, a Bill for An Act making appropriations in the General Revenue Fund to the Department of Children and Family Services for grants. First Reading of the Bill."

Speaker Giglio: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. As was presented in my earlier remarks when it was pointed out by Representative Black that the Conference Committee Report on House Bill 2030 was not on the desks, we recommended at that time that it be printed and passed out to the Membership. It is not forty-seven pages, it is the 1 page that was included in my initial remarks. And I would move

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that we go to that order of business since that was part of our earlier agreement."

Speaker Giglio: "Supplemental Calendar #3 under Motions, House Bill 2030. Representative Black."

Black: "Thank you very much, Mr. Speaker. I just commend the printing unit to be able to condense a forty-seven page Conference Committee Report on one sheet of paper. I think they should be commended for saving our resources. But I must also rise to make an inquiry of the Chair. I believe this Conference Committee Report would have to be on our desks at this time for one day before it could be acted on. If you'll...and I'm basing that on Rule 79. And if I could have a inquiry...ruling from the Chair, I don't believe this can be acted on tonight."

Speaker Giglio: "Representative Black, the Parliamentarian informs the Chair that when we moved to suspend Rule 79(d) and place on the Order of Conference Committee Report, that supersedes 79(d) and that adjournment...or that one hour is mute. So we could have immediate consideration as proposed by Representative Mautino."

Black: "If the Parliamentarian would...if you could explain that again. We are...we're even abrogating every point on Conference Committee Rules...or on the rules regarding Conference Committee Reports. Are you telling me we're going to move for immediate consideration and it doesn't even have to sit on our desks for one hour?"

Speaker Giglio: "Well, that's correct. When we suspended the appropriate Rule, it's now applicable to hear it on immediate consideration."

Black: "I...let me make another inquiry of the Chair. Would...in this matter then, would it take seventy-one votes to move this?"

Speaker Giglio: "Representative Black, could you state your

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inquiry again?"

Black: "Why, if we're going to...if the subsection that the Parliamentarian indicated had been suspended, I don't...you know...and I know you can't go back and pick it up, but I don't think we suspended the appropriate subsection by seventy-one votes as the Rule requires. And in that case, I question whether what we've done is in accordance with the Rules anyway shape or form."

Speaker Giglio: "Well, when we suspended the Rule...the rule, we did it by..."

Black: "But we did not suspend the Rule by seventy-one votes."

Speaker Giglio: "No, we did it by the Attendance Roll Call."

Black: "Well, I don't think there was seventy-one people here."

Speaker Giglio: "Which is more than seventy-one votes."

Black: "Well, alright. I respect the sanctity of the Chair, Mr. Speaker, but I see no reason to rush to judgement on this Bill. I...If this is the Bill that I think it is, the Governor has already publicly stated he is going to veto it. I know it sounds good on the face. There's school districts in my district that would be very interested in this Bill, but there are a lot of questions about where the money is going to come from. Why build false hopes. If the Governor has clearly stated he's going to veto this, we don't need to debate this for the next forty-five minutes. I think all of us are tired. I think we're ready to leave, get some supper. If the Gentleman wants to consider this tomorrow, fine, so be it."

Speaker Giglio: "Representative Mautino on the Conference Committee Report."

Mautino: "Thank you very much, Speaker. Approximately four hours ago this proposal was presented and questions were raised by Representative Black as well as Representative Ropp concerning the inclusion of the items in the Conference

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Committee Report. Nothing has changed since it was presented four hours ago. The legislation provides for fifty million dollars a year for each of the next three fiscal years to be provided to the downstate school systems in the same ratio of general state aid entitlements to the total general state aid entitlements excluding Chicago's entitlement. It's a hundred and fifty million dollars provided to downstate schools. And this is the substantive language which will certainly have to be followed by an appropriation of fifty million for each of the next three fiscal years. The question was raised whether or not that amount could be increased at any time now or in the future. Before us is fifty million a year for three years. If in fact this General Assembly would desire to increase that funding level, they could do it by appropriation...excuse me, by Amendment and then with a follow-up appropriation. That's what this Conference Committee does. And it provides one hundred and fifty million dollars in substantive language with the appropriation to follow for the downstate school systems. I move for its adoption."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Yes. First of all, you know we've had somewhat of a spirit of cooperation here for the last two days, and now because it's late the Chair can shove something through that should not be heard. We understand it should not be heard today, but in fact, you are just trying to press your will upon the Body. In addition, we have now more smoking Bills...mirrors that this Bill is going to show. A hundred and fifty million dollars, fifty million dollars this year which we do not have. We are already below the basis of having enough money to cover our state bills as it is, and now we want to tell schools in this state that maybe

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another fifty million dollars can be found for them. This is another sham that this Body wants to perpetrate on the people of Illinois. I think it's time for us to face up to our fiscal responsibility and simply say that if I'm going to vote for this legislation, that I'm going to vote for an appropriate tax increase to pay for it. And I think every Legislator should be questioned by the people of this state who votes for this Bill, to ask them what tax increase are you going to vote for to pay for this cause we do not have any money to pay for this. Now they're going to come back with an Appropriation Bill either later today or tomorrow to try and come up with some kind of a funding vehicle. We all know it means a tax increase. So Legislators go ahead and vote for it, but I hope the press asks you and I hope the citizens of this state ask you, 'Did you vote for this? What tax increase are you going to pass on to pay for it?'

Speaker Giglio: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield, please? As a listed Member of this Conference Committee...that I appreciate seeing this when it hit my desk. I just have a question as to why are we doing it?"

Mautino: "What we are doing, Representative Weaver, is the official movement of legislation by the Illinois General Assembly. The Bill was amended in the Senate. It comes back from the House. I happened to have been involved in the process of maintaining that the Sponsor of the legislation has total control of their Bill. They amended..."

Weaver: "No. No."

Mautino: "...my Bill in the Senate and that's why you're looking at it right now."

Weaver: "I know the legal and the parliamentary procedures we're

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going through. What I'm asking is why are we setting aside fifty million dollars for Fiscal Years '92, '93 and '94 for downstate schools? Why can we not give them that money during the regular appropriation process, since obviously this is not dealing with the need right now?"

Mautino: "Well, I really wanted to have the minorities as a part...the Minority Party as a part of this overall support for downstate school systems, because in a couple weeks your numbers drop down to forty-five and there might be an intention by the Majority Party...or forty six, there might be an intention by the Majority Party to just do it and have no respect for your considerations. I'm giving all the Members on that side of the aisle the opportunity to make a vote for their downstate school systems."

Weaver: "What..."

Mautino: "And I'm doing that as the individual who supported, and I think I was the sixtieth vote, on the surtax. So, I want to answer both questions at the same time. It's substantive language for the next three years for the downstate school system. We've already, through the majority vote of this council...this Assembly taken care of the Chicago school system. I think it's only fair and proper that we address now the rest of the state, the downstate school systems."

Weaver: "Well...Mr. Speaker, to the...to the Conference Committee Report. I appreciate the previous speaker's magnanimous attitude, but if he was so concerned about the Minority Party why didn't he give us a chance to sign the doggone Conference Committee Report? We didn't even see the thing. I think what we have here is a sham. I think it's a justification for additional financial support for the schools of the City of Chicago and the way that it's going to be done is by providing an empty promise to downstate

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schools so that we can get more money for the City of Chicago. I think it's a sham. I think if the downstate schools need the money, which they do, that need can be addressed through the regular appropriation process, through the Committee Hearing process. And we'll wait until Fiscal Year '92 which this Conference Committee Report will anyway. I think an adequate vote on this Conference Committee Report is a 'present' vote."

Speaker Giglio: "The Lady from Cook, Representative Currie."

Currie: "Will the Sponsor yield for a question, please?"

Speaker Giglio: "He indicates he will."

Currie: "So all schools get to participate in this fifty million dollar annual appropriation except the Chicago Public School System?"

Mautino: "That's the way the Senate Amendment reads."

Currie: "What's the justification for excluding the school children of the City of Chicago from state funds? Why have we not changed the formula for example if you think there's...?"

Mautino: "You might want to ask...you might want to ask the Senate Sponsor of that proposal."

Currie: "Well, you're the House Sponsor. I don't have the Senate Sponsor available to me at this time."

Mautino: "Well, there...you know the Rules here as well as I do, Barbara. This is a Second Conference Committee Report. When I asked the Senate Sponsors for their input, they felt that there was going to be sixty-six million going to the Chicago school system. There should also be a funding formula for future years for downstate schools. That was their..."

Currie: "To the...to the Bill, Mr. Speaker. This I hope is a sham, since the whole point of the Bill is to say that state dollars will go every place but to the youngsters of



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the City of Chicago. The earlier Bill that passed this Assembly, the acceptance of the Amendatory Veto involved not one penny of state aid. For this Assembly to say we're now going to spend state dollars on all school systems except the only school system that is taking care of itself, is trying its hardest to take care of itself, is a disgrace. The only responsible vote if you care about school children statewide, is to say 'no' to this folly."

Speaker Giglio: "Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, I appreciate that and I'm not being facetious, you have indeed been very helpful to many downstate Legislators and we do appreciate that, but I think for purposes of definition let's focus in on the...it's called the downstate...Supplemental Downstate School Financial Assistance Fund. How do we define downstate in this Bill?"

Mautino: "Everything outside the Chicago School District 299."

Black: "Ah. So actually...It isn't really just downstate, it's every school district in the state with the exception of the City of Chicago?"

Mautino: "Yes."

Black: "Okay. Well, and I think as you're aware, many of the school districts in the collar counties are not state aid receiving districts. A very small percentage of their money is accrued to their budget from the state aid formula. So I guess we could in a convoluted sense, say perhaps downstate, what we know as downstate say south of I-80, would perhaps get the lions share of this money?"

Mautino: "That could be true. I don't have all the actual figures, but that might not be a bad evaluation."

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Black: "Okay. Just a couple of more questions if you would. I think what we need very most definitely to establish is, how do we measure this fifty million? Is it off the top of GRF or is it off the top of Common School Fund money or off the top of school aid money or..."

Mautino: "GRF."

Black: "So it will be right off the top before we appropriate anything else?"

Mautino: "And it has to be appropriated by this General Assembly."

Black: "Alright. Now let's make sure we don't get into a situation that...I know on the banquet circuit we all get hit with the lottery question. We're not getting into another one of those things, are we? Where...Well now wait a minute, we transferred money and then that freed up some additional money and all we do is play the shell game?"

Mautino: "I don't think so."

Black: "Okay, now what if revenue growth...if we were to have revenue growth, natural growth next year of say seventy-five million dollars, does that mean the schools get this fifty plus the twenty-five or just fifty, regardless of what growth is?"

Mautino: "The maximum in this substantive language is fifty per year."

Black: "It's to be fifty, regardless? And it has nothing to do then with additional appropriations into what we call the Common School Fund or what we choose to appropriate?"

Mautino: "This is a new fund."

Black: "Okay."

Mautino: "With a max..."

Black: "Alright. And I appreciate you're candidness, Representative, and I appreciate what you're trying to do. Ladies and Gentlemen of the...Mr. Speaker and Ladies and

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Gentlemen of the Assembly, it's going to be a tough vote for some people. Most districts...most school districts in my legislative district...district are receiving districts, meaning they get a great deal of their money from the school aid formula. So on the surface it appears that this Bill might be beneficial to the school districts that I represent. I do remain concerned with what other Representatives have said. Chicago obviously is excluded and I'm not sure why that is, but they were included a little while ago. I think the thing you have to wonder about will be if the temptation won't be to say if we've already appropriated fifty million dollars off the top, we then can eliminate a fifty million dollar appropriation that we would normally put into the school aid formula. And I'm not sure that any of us can answer just how we're going to do that. The Gentleman has said and said very honestly it is up to this Body to appropriate the money. I think as an earlier Representative said, you're going to have to search your conscience on how you intend to vote on this. Perhaps a 'present' vote, which isn't generally a very courageous vote, would be the way to vote because if we vote this out I would certainly hope that the money would be forthcoming. My fear is that districts that are in desperate, desperate financial shape will see this action today and perhaps think that that money will be indeed be in the pipeline in a matter of months. And I'm not sure that there is any guarantee whatsoever that that money will be in the pipeline."

Speaker Giglio: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, all the speakers...almost all the speakers said this was a waste of time. I couldn't agree more. And we've wasted a lot of time since they said it."

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I move the previous question."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Motion carries. Representative Mautino to close."

Mautino: "One or two quick comments, Mr. Speaker. Is this a band-aid approach? Yes, maybe it is a band-aid approach, but in all the terms I've served in this General Assembly we do a lot of things that are a band-aid approaches. Almost every, every day of every session. There is now a court suit that addresses the question of equality of funding. And if I know this General Assembly, it'll take about two to three years for that suit to be resolved and it'll take the General Assembly probably three or four years after that to figure out a way to implement whatever was resolved by the court. In the interim we provide here substantive language for those downstate schools that are in dire need. If you believe that your schools in downstate Illinois deserve and need funding, then I recommend most highly that you vote 'yes'. If you believe that they do not need additional funding and substantive language of which you will have the opportunity to appropriate money for during this new session, then I recommend that you vote 'no'. Personally, it's beneficial to downstate and rural districts, and I make no bones about that nor do I intend to mislead anyone on that issue, it's very important to downstate schools to establish a substantive language. The most important proposals we make in this General Assembly are established by substantive language and then we battle over the amount of money that we put into those programs established by the language. You either want to do it right, establish the amount and work out the funding and give some hope to those schools

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that are about ready to close. And I move for adoption of the Second Conference Committee Report on House Bill 2030."

Speaker Giglio: "The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 2030?' This is final action. The voting is open. All those in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr...Representative Leverenz, one minute to explain your vote."

Leverenz: "Well thank you, Mr. Speaker. I found the earlier debate very enlightening. I've been here for, I guess, sixteen years and Representative Black helped me sort out my problem. The downstaters think I'm part of Chicago and the Chicago guys never invite me to the table. A little louder. Ah. A little higher and green vote. And since I don't get invited to the table I've always been in that gray area called the suburbs, the suburban Cook area. So now that I know if I am not within 299 district, I should be voting in the affirmative for this so that you can go back to your district and say, 'I got a little bit better for you'. That's what you're really talking about here. And you're actually locking the money in because when we move the lottery money over to the Common School Fund, we just short-sheeted it with General Revenue Fund. You really cheated the districts that we represent. So if you are in the suburban area or any..."

Speaker Giglio: "Bring your remarks to a close."

Leverenz: "If you're in...no, we've got more. We're getting there. We'll talk this thing to death. If you're in the suburban area or outside of Cook County you should be voting green, or you may have a primary opponent that might drill you on an education vote. I would encourage your 'aye' vote."

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Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 42 voting 'yes', 52 voting 'no' and 19 voting 'present', 5 not voting and the Conference Committee Report fails. Resolutions. Chair would like to remind the Democrats that there will be a caucus in Room 114 immediately after adjournment. So the Democrats please report to 114. Agreed Resolutions, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 227 offered by Representative Tenhouse; House Joint Resolution 157, Munizzi; House Resolution 2410, McPike; 2411, Zickus; 2412, Zickus; 2413, Zickus; 2416, Harris; 2417, Wolf; 2418, Wolf; 2420, Parke; 2421, Harris; 2423, McPike; 2424, Wyvetter Younge; 2425, Sieben; 2426, Wennlund; 2428, Woolard; 2432, Wennlund; 2433, Virginia Frederick; 2434, Frederick; 2435, Edley."

Speaker Giglio: "Representative Giorgi moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 158 offered by Representative Morrow, with respect...this is General Resolutions. House Joint Resolution 158, Morrow; 160, Wyvetter Younge and House Resolution 2419, Black."

Speaker Giglio: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 2422 offered by Representative Countryman, with respect to the memory of Kenneth R. Hallgren; House Resolution 2429 offered by Representative Shaw, with respect to the memory of Reverend Henry Ausley, Sr.; House Resolution 2430 offered by Representative Shaw, with respect to the memory of Nolan Sean Marberry and House Resolution 2431 offered by Representative Martinez, with

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respect to the memory of Trinidad De La Torres, of Chicago."

Speaker Giglio: "Representative Giorgi moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'nay' and the Resolutions are adopted. Representative McPike now moves that the House stand adjourned until 10:00 a.m. tomorrow morning. 10:00 a.m. tomorrow morning. The House now stands adjourned. Democrats immediately in Room 114."

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