

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

134th Legislative Day

April 29, 1992

Speaker McPike: "The House will come to order. The Chaplain for today is Pastor William Freeman of Grace United Methodist Church in Springfield. Pastor Freeman is the guest of Representative Hasara. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Freeman: "Let us pause for a moment. To the One who was able to keep us all from falling, and to the One who was able to give us all the wisdom that we need, we come to You this afternoon asking for Your blessing upon this Body of Represen...Direct them in all their doings with Your most gracious favor and further them with Your continual help that in all their works begun, continued and ended in this day will be to Your name. Help them to do all this to Your glory. And, finally, by Thy mercy, that we all may be a better people. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Hartke."

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

Speaker McPike: "Roll Call for Attendance. Mr. Kubik."

Kubik: "There are no excused absences on the Republican side, Mr. Speaker."

Speaker McPike: "Representative Matijevich."

Speaker McPike: "On the Democratic side of the aisle, Representative Mulcahey has an excused absence. Mr. Clerk, take the record. One hundred-seventeen people answering the Roll Call, a quorum is present. Representative Matijevich."

Matijevich: "Thank you, Mr. Speaker. Announcement for both sides of the aisle because I think all of us on both sides of the

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aisle respect President Phil Rock. There is a testimonial, a retirement tribute, to Senator Rock tonight at the Ramada from 6 to 9 p.m. All are invited to be there. I'll make this announcement when we close today, too, so that everybody knows there is a retirement tribute for our good friend, Phil Rock, tonight, from 6 to 9 p.m., at the Ramada Renaissance."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I move that we waive the posting requirements so that Senate Bill 934 can be heard in Children and Family Law tomorrow."

Speaker McPike: "Have you cleared this with the Minority spokesman?"

Lang: "I have not. This involves some marital dissolution situations that the Bar Association and others have now agreed to. There was some offending language in the Bill last year that caused it to go down. But, it's agreed now. But I have not talked to the other side."

Speaker McPike: "The Gentleman waives the posting requirements on Senate Bill 934. Hearing no objections, the Attendance Roll Call will be used, and the Motion carries."

Speaker McPike: "Mr. Clerk, Committee Reports."

Clerk O'Brien: "Representative Saltsman, Chairman of the Committee on Executive, to which the following Resolution was referred, action taken April 29, 1992, reported the same back with the following recommendation: 'do pass' Senate Joint Resolution Constitutional Amendment #130. Representative Currie, Chairman of the Committee on Revenue, to which the following Bill was referred, action taken April 29, 1992, reported the same back with the following recommendation: 'do pass' House Bill 3455."

Speaker McPike: "Representative Williams."

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Williams: "We'd like to move that we waive the posting requirement for House Bill 4128..."

Speaker McPike: "4128, Mr. Clerk."

Williams: "4128."

Speaker McPike: "4128. 4128."

Williams: "Correct."

Speaker McPike: "Or, 4128."

Williams: "4 - 1 - 2 - 8. So it can be heard in the Children and Family Law Committee."

Speaker McPike: "All right. Mr. Black, this has been cleared on your side?"

Williams: "It's been cleared with the Minority spokesman."

Black: "It has?"

McPike: "Yes."

Black: "4128 has been cleared?"

Williams: "Correct. With the Minority..."

Black: "Is it the same as 4128?"

Williams: "I believe they are the same."

Speaker McPike: "...On 4128...Motion to suspend the posting notices. Are there any objections? Being no objections, the Attendance Roll Call will be used, and the Motion carries. Mr. Ackerman."

Ackerman: "Thank you, Mr. Speaker. I move to suspend the posting requirements on House Bill 3293 so it may be heard in the Elections Committee. I talked to the chairman of the Elections Committee."

Speaker McPike: "Representative Stern indicates that she has approved this...Mr. Ackerman's request. Representative Stern."

Stern: "I...I just want to clarify that this is for substance only. We are not going to take a vote on this. But, t...I did agree to suspend the posting notice."

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Speaker McPike: "All right. You've heard the Gentleman's Motion. Are there any objections? There being none, the Attendance Roll Call will be used, and the Motion carries. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1851, offered by Representative Satterthwaite; House Resolution 1852, offered by Representative Parke; House Resolution 1854, offered by Representative Frederick; House Resolution 1855, offered by Representative Stern; House Resolution 1857, offered by Representative Parcells; House Resolution 1858, offered by Representative Trotter; House Resolution 1859, offered by Representative Weller; House Resolution 1860, offered by Representative McGuire; House Resolution 1861, offered by Representative Capparelli; House Resolution 1862, offered by Representative Ryder."

Speaker McPike: "Representative Matijevich, on the Agreed Resolutions."

Matijevich: "Speaker, I move the adoption of the Agreed Resolutions. They have been examined."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1853, offered by Representative Anthony Young, with respect to the memory of Carla T. McCord. House Resolution 1856, offered by Representative Matijevich, with respect to the memory of Alfred Grosche."

Speaker McPike: "Representative Matijevich moves for the adoption of the Death Resolutions. All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. The Death Resolutions are adopted. Introductions and First Readings."

Clerk O'Brien: "House Bill 4204, offered by Representative

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Williams, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 4203, offered by Representative Harris, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. For an announcement, please. The Appropriations Public Safety and Infrastructure will not be meeting this afternoon. We have been requested by the different agencies that were to appear this afternoon that they needed an extension of time on their budgets to be prepared. So, we've extended them the courtesy of allowing them to testify next week for their Appropriation. So, the Appropriation I set for 4:00 will not meet today. Thank you very much."

Speaker McPike: "Mr. Clerk, Supplemental Calendar."

Clerk O'Brien: "Supplemental Calendars #1 and 2 are being distributed."

Speaker McPike: "Representative Keane on a Motion."

Keane: "Thank you, Mr. Speaker. I move to suspend Rule 35(a) and place House Bill 3455 on Second Reading."

Speaker McPike: "Now, you've heard the Gentleman's Motion. Are there any objections? Mr. Black."

Black: "Thank you very much, Mr. Speaker. I would rise to object to that matter and call for a Republican conference at this time."

Speaker McPike: "Mr. Black, how much time do you need?"

Black: "I would say...if I tell you 30 minutes, we'll probably need 45. If I tell you 45, we'll need an hour. We'll try to make it 45 minutes...or less."

Keane: "Uh, Mr. Speaker..."

Speaker McPike: "Yes, Mr. Keane."

Keane: "Were we on my Motion or where are we?"

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Speaker McPike: "You made your Motion, and the Gentleman has asked for a Republican Caucus."

Keane: "Is that after the Motion, or..."

Speaker McPike: "No, we're going to allow them to have a Caucus before the Motion. So, the Gentleman withdraws the Motion at this time. The House will stand in recess until the hour of 2:05. Mr. Black, how's that? 2:05?"

Black: "Thank you very much, Mr. Speaker. The Republicans would move posthaste to Room 118, we'll try to get our business conducted by 2:05."

Speaker McPike: "There will be...There will be a Republican Caucus immediately in Room 118. There will be a Democratic Caucus immediately in Room 114. The House will stand in recess until 2:05. At that point, we will take up Representative Keane's Motion. The House stands in recess. I would like to remind the Democratic members there is a Democratic Caucus immediately in Room 114. All Democrats, in Room 114. Conference."

Speaker McPike: "The House will come to order. Mr. Keane, on a Motion."

Keane: "Thank you, Mr. Speaker. I move...I will remove my Motion to suspend Rule 35(a) and place House Bill 3455 on Second Reading."

Speaker McPike: "All right, you heard the Gentleman's Motion. Is there any discussion? Any discussion on the Motion? There being no discussion, are there any objections to the Motion? Mr. Black."

Black: "I would just simply object based on...I don't think it's been cleared with our side of the aisle and I have no idea what the Gentleman's up to. Well, I think I have an idea, but I...He hasn't explained his idea."

Speaker McPike: "All those in favor of the Motion, vote 'aye'."

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Opposed, vote 'no'. This Motion requires 60 votes. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 68 'ayes' and 46 'noes', and the Motion passes. The Bill is now on Second Reading, Second Legislative day. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3455, a Bill for an Act to amend the Property Tax Extension Limitation Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Mr. Clerk, take this Bill out of the record. Senate Joint Resolution 130. SJRCA 130. Mr. Clerk, has this been read a second time?"

Clerk O'Brien: "The Resolution has not been read a second time."

Speaker McPike: "Read it a second time."

Clerk O'Brien: "RESOLVED, BY THE SENATE OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the ARTICLE X EDUCATION SECTION 1. GOAL - FREE SCHOOLS A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities. The State shall provide for an efficient, adequate and equitable system of high quality public educational institutions and services. Education in public schools through the secondary level shall be free. There may be such other free education as the General Assembly provides by law. The State has the primary responsibility for financing the system of public education. SCHEDULE This Constitutional Amendment takes effect upon approval by the electors of this State. Second

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Reading of the Constitutional Amendment. No Committee Amendments."

Speaker McPike: "Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair, perhaps not in a timely fashion, but is this on the Calendar? I didn't hear you say..."

Speaker McPike: "Yes, it's on Supplemental Calendar #2 which was distributed before we went to Caucus."

Black: "Did you so say that we were on the Supplemental Calendar?"

Speaker McPike: "Well, we're on the Supplemental #2. We've called this Constitutional Amendment."

Black: "So we are on Supplemental #2?"

Speaker McPike: "Yes."

Black: "And it has been printed and distributed?"

Speaker McPike: "Yes."

Black: "Thank you."

Speaker McPike: "All right. On the Amendment, Mr. Clerk, what is that? Amendment #1?"

Clerk O'Brien: "Amendment #1, offered by Representative Cowlshaw."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. To begin with, Mr. Speaker, I would like to respectfully request that we have a recorded Roll Call Vote on this proposed Amendment and that if it appears to fail, that I be given the opportunity for a verification."

Speaker McPike: "Very well."

Cowlshaw: "Thank you very much. Mr. Speaker, Ladies and

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Gentlemen of the House, Floor Amendment #1, as proposed to Senate Joint Resolution Constitution Amendment 130, is very simple and very straightforward, and, it seems to me, is more in accord with what the intentions of the Senate Sponsors were, at least it certainly makes that clearer. Let me...It's very brief. Let me just read it to you so we have it in the record. 'RESOLVED, BY THE SENATE OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the Illinois Constitution as follows: SECTION 1. GOAL - FREE SCHOOLS A fundamental right of the People of the State is the educational development of all persons to the limits of their capacities. It is the paramount duty of the State to provide for a thorough and efficiency system of high quality public educational institutions and services and to guarantee equality of educational opportunity as a fundamental right of each citizen. Education in public schools through the secondary level shall be free. The State has the preponderant financial responsibility for financing the system of public education. There may be such other free education as the General Assembly provides by law. This Constitutional Amendment takes effect upon approval by the electors of in this State. The Senate sponsors remarked that they wanted property tax relief in this Amendment. And this puts it there absolutely and with certainty. The other thing, of course, is that the way that we would go about determining how we can satisfy that 51% requirement, not just statewide, but in each and every

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school district, would be a matter for the General Assembly to decide by law. I believe this Amendment is clearer and fairer, and I would request, Mr. Speaker, since it seems to me that Amendments to the Constitution are comparatively important issues, that perhaps we could have a little order?"

Speaker McPike: "Well, you can hear a pin drop. Are you finished, Representative?"

Cowlshaw: "Yes, Sir. Thank you."

Speaker McPike: "All right. Yes, Ma'am. All right. In opposition to Amendment #1, is there any discussion rather? And on that point, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question?"

Speaker McPike: "Yes. Representative Cowlshaw."

Satterthwaite: "Representative, by putting in a figure of at least 51% of annual costs, have you provided any information about what costs would be included in that? Would that include, for instance, in a wealthy district, all kinds of extras, swimming pools and other facilities of that sort, that another school district might not have?"

Cowlshaw: "Representative Satterthwaite, as I said during my opening remarks when I tried to present this as clearly as I could, it is obvious that as with the much more vague language in the Senate version of this Amendment, it would be up to the General Assembly to make its own interpretation, in law, as to how it wants to define reaching that 51% level. And in answer to your question, since I know legislative intent is important, no, Representative Satterthwaite, it would not be my intention that the State would feel that it was obliged to let any school district spend as much money as it wants for all kinds of frivolous things and the State be obliged to pay

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51% of that cost. Instead, I am sure that we, as reasonable Legislators, would determine a means by which we can arrive at a figure that we believe to be a reasonable amount even on a regional basis for it to cost per pupil to adequately and well educate the children of Illinois. And under this Amendment, the State would then be obliged to pay 51% of that cost."

Satterthwaite: "Well, Mr. Speaker and Members of the House, even though the Lady seems to think that her Amendment provides for some restriction by the Legislature, it seem to me that it is not at all clear that under this Amendment we would be excused, somehow, from paying more than 51% of the cost of a district that might be exorbitantly high. And, so, I would suggest to Members that the Amendment is not well-drafted, and should not become a part of this proposed Constitutional Amendment."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I, indeed, rise in support of this Amendment because this Amendment guarantees, by virtue of its passage, that we in the suburban Cook County area will get meaningful property tax relief. So, anybody who votes against this Amendment is saying to the taxpayers of the suburban Cook County area that you do not want them to have property tax relief. And, so, I want everybody to be very clear on what you're voting on on this legislation. And I might respectfully point out to the previous speaker that this Amendment is no more vague than the original Bill that the Speaker's put in, which is just as vague, if not more vague. So, on vagueness, we're all even, and I would ask for everybody to support this wonderful Amendment."

Speaker McPike: "Representative Brunsvold."

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Brunsvold: "Thank you, Mr. Speaker. Would the Lady yield for a question?"

Speaker McPike: "Yes."

Brunsvold: "Representative, by putting this Amendment on - there is a deadline of Friday on this Bill - with that Amendment on, what is the process of putting this Bill back through the Senate and the House, and are you effectively killing the Bill by putting this Amendment on?"

Cowlshaw: "Representative Brunsvold...Oh no, no, no, no. Representative Brunsvold, it is not...now I may...I am not an attorney and I am not an expert in the Rules of the House, but it is my understanding that today is the day when we discuss the Amendments to SJRCA 130, and they're either adopted or not. Tomorrow, then, the House votes on this on this proposed Constitutional Amendment. If it has been amended today, it still has time to go back to the Senate tomorrow for them to concur in any of the House Amendments. For that matter, if this is important enough, and I think it is, the Senate may well want to stay in Session on Friday specifically to discuss the amended version of this proposal and give it adequate time for thoughtful deliberation and then vote on concurrence with the House version of the proposal. But, no, it's not my intention to try to delay this to the point where it would be impossible for it to meet the required deadlines."

Brunsvold: "Thank you, Representative. Can I ask the Chair for a time line on this Bill?"

Speaker McPike: "Representative Brunsvold, inquiry of the Chair?"

Brunsvold: "Yes. On the time line on this Senate Joint Resolution, should an Amendment be placed on this...on this Bill."

Speaker McPike: "Representative Brunsvold, if the Chair

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understands your question, the question is, 'If an Amendment is adopted today, would there be time left in the Legislative Session for sufficient days of reading to pass this?' We'll ask the Parliamentarian. Representative Brunsvold, if this is amended, the Constitutional Amendment, as amended, would have to be read on three separate, distinct Legislative Days in the House. Then it would go to the Senate and have to be read on three separate, distinct Legislative Days in the Senate."

Brunsvold: "Thank you, Mr. Speaker. I would put to the Body that adding any Amendments today on this important Bill would, in effect, kill this Bill that's very important to the children in this State, and I would ask for a 'no' on this Amendment and the following Amendments."

Speaker McPike: "Further discussion? Further discussion. Speaker Madigan. Excuse me. Representative Novak."

Novak: "Mr. Speaker, Ladies and Gentlemen, I would just like to remind my colleagues that we currently have a school aid formula in this State that seeks to equalize aid to those school districts in the State of Illinois that are property poor. The school aid formula helps Kankakee, it helps downstate communities that are represented by Democrats as well as Republicans. And I would like to point out, for their edification, that this Amendment adversely impacts the ability of the school aid formula to equalize State aid to those school districts that are property poor. Please keep this in mind. This is a bad vote whether you're a Democrat or a Republican to adopt this Amendment. Thank you."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Would the Lady yield for a question, please?"

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Speaker McPike: "Yes."

Steczo: "Representative Cowlshaw, looking at the text of Amendment #1, you say in the first line, 'Every school district in the State shall receive from the State at least 51% of its annual cost.' Realizing that this is an Amendment to the Constitution and not a statute that we're dealing with, wouldn't that mean that Representative Satterthwaite's argument's correct? That those districts that spend \$12,000 per child per year would be entitled to 51% of their costs; the district spending \$3,000 would be entitled to 51% of their (sic) costs? There would be no equalization."

Cowlshaw: "Representative Steczo, it is my understanding that the business of interpreting what any phrase in the Constitution means is partly a matter of the interpretation put upon it by this General Assembly. And, of course, we also have the power to limit the amount of permissible types of costs that any school district in Illinois can incur. And, consequently, and I...Terry, I really have tried to think this through very carefully, to try to be sure that we have at least made some attempt to be as equitable across the board with all school districts as we possibly can. And I submit to you that in our law-making process that fills in the blanks in the general statement that you find, and this is a very general statement as Constitutional statements should be, that we could...you know...do what we believe to be fair and equitable and even make regional cost differences a part of the laws that we pass to help to define what we regard to be the exact meaning of this language."

Steczo: "Representative Cowlshaw, under normal circumstances, where the current Constitution gives the State primary

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responsibility, to me that's something that could be debated and interpreted in the courts. By specifying 51%, you are taking, I believe, all debate out of the court process and, in fact, providing super relief to those super wealthy districts which is completely which is completely opposite to the kind of assistance we're trying to provide for school districts here. Question #2: Any school district that receives additional funds from the State as a result of the adoption of this Amendment, when...what constitutes 'additional funds' under this provision? When does that kick in?"

Cowlshaw: "That again, Representative Steczo, is a matter of the General Assembly's interpretation. We can interpret that to mean however much additional funding we are able to raise in revenues as a result - which we would be doing after this Constitutional Amendment had been approved by the people next November - we would have the opportunity then to determine how much, if any, of any tax revenues or tax increases that we had instituted were attributable directly to the passage of this Constitutional Amendment, but there again, it would be a matter of the General Assembly interpreting that through both the House and the Senate and in legislative action so that we have a way to establish how we go about actually making these provisions work. And, finally, Representative Steczo, please, it is not my intent to try to fund, through State funds, expensive, unnecessary programs in particularly wealthy school districts. By no means is that my intention. But it is my intention, if we are going to provide...ever provide, some kind of equity in educational opportunity throughout this State, that there ought to be a 51% support by the State for every school district within those

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constraints that the General Assembly might want to put upon that, legislatively, as what we would regard as reasonable costs. But I really believe, in talking to people who have knowledge about Constitutional law, that, in fact, this General Assembly would have the right to make those kinds of interpretations and pass those kinds of laws, so that we would not be in the position of subsidizing extremely wealthy school districts. Nobody wants to do that least of all me."

Steczo: "Mr. Speaker, to the Amendment...Looking at the Amendment and hearing the Lady's philosophy are...seemed to be two different things. This Bill, this Amendment, if read literally, would provide extraordinary relief to those very very wealthy school districts in our State, the ones that don't need the additional State assistance, as well as the poorer districts and middle-class districts in the State of Illinois. If taken one step further, those districts would receive a windfall of State assistance through additional State funds. Those wealthy property taxpayers or those wealthy individuals would receive windfall property tax breaks at the expense of middle- and lower -income people. I think this Amendment may be well-intentioned, but it does...just does...just the opposite of what the Lady intends, and I would ask for a 'no' vote."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, I heard very carefully the Sponsor of the Amendment, and I heard her say that the Constitutional Amendments are open for interpretation, but the courts, I'm sure, listen to the debate in the House to determine interpretation. And if the court listened to her response, I think it'd be...they would say that she could not even interpret her own Amendment because that's what I gathered

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from it. What this Amendment does, and make no mistake about it, this Amendment legitimatizes waste in government. A local school district can provide whatever costs they want and be guaranteed, a Constitutional guarantee, that half of it will be paid by the State of Illinois. Is that what anybody wants? Is that what a (sic) Republicans want? It's your Amendment. Is that what Democrats want? No. Now, I...what this tells me how difficult it is and how different it is to write Constitutional Amendments. We are so used to legislating by law that we try to put law in the Constitution, and we shouldn't do that. That's what you're doing here. I'm not sure how I'm going to vote on the...on the...final Resolution, to be honest with you, I've got some differences with some who think the Resolution in itself is good for everybody. But I surely am totally opposed to this. It is totally waste in government, and everybody ought to be against it."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Now we all know that this whole Amendment is a tax-and-spend legislation, but this...our Amendment to the basic Amendment really, in effect, talks about fairness. What we're really saying is that we're going to have these big tax increases that all schools should benefit. Now, what we're really saying here is that if...that if we get this 51% for all schools that that's going to make local school boards and everything irresponsible. What it really would do for them is that since they're paying so much of this additional taxation to send to Springfield, that they'd have a real opportunity for property tax reduction, something that everybody's interested in. So, it's fair in both ways. It's fair the fact that all schools benefit,

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and it's fair in the sense that we'll be able to reduce the property tax. Anyone who votes against this is really voting for high property taxes locally."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. In...response to Representative Pedersen. What this does is, if you have a school district that receives over 50% State funding, poor school districts that need those funds that spend \$2,800 per student, this Amendment does not give those school districts one extra dime. It gives the affluent school districts those dollars that spend \$10,000 or \$12,000 per student. In this scenario, the rich get richer and the poor get poorer. What are we doing? This makes no sense at all, and I urge we defeat this Amendment."

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Yes."

Lang: "Representative, we note your Amendment here. I'm just wondering if you're prepared to vote for the Resolution without your Amendment on it?"

Cowlshaw: "I'm like the Gentleman who was about three speakers before me who claimed he had no idea how he was going to vote on this Amendment when it was finally brought to a vote. I don't know, Representative."

Lang: "Well, the reason I ask the question is clear. The Constitution...the laws of the State of Illinois require that, if this is amended, it will have to be read three separate times in both chambers as amended. There's no time to do that."

Cowlshaw: "Representative, we waive the rules for absolutely everything around here all the time so that that is really I mean really...that is just really too much. All the

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Senate has to do is waive the three readings and go ahead and vote on the thing."

Speaker McPike: "Excuse me. Excuse me, Representative. Excuse me, Representative. The Chair, Representative, the Chair cannot waive the Constitution. The Chair cannot waive the Constitution. So, let's make it clear. If you think the Chair can waive the Constitution, the Chair cannot."

Cowlishaw: "I'm sorry, Mr. Speaker. I thought that was a Rule of the Senate. I didn't realize it was a Constitutional requirement."

Lang: "So, to the Bill, let's be clear about what this Amendment will do. This Amendment will kill the Resolution. This Amendment will kill the effort to cause a better life for our school children across the State of Illinois because if this Amendment is adopted, there is no time to meet the Constitutional deadline. So, let's be clear. If you're going to vote for this, you're going to kill the Constitutional Amendment. That's first. Second, as many others have said, this Amendment ensures that the richest school districts get all the money. This isn't going to help anybody. This is going to help the rich school districts. Now, perhaps I shouldn't be saying this because some may say I'm from a rich school district, but the whole point of the Constitutional Amendment is to do something right for our school children and to make sure that the poorest districts get some help and not the richest school districts. And, I'm here to tell you that this Amendment will scuttle the Bill, will scuttle the purpose for the Constitutional Amendment. The Sponsors of the Amendment fully know this. They fully know this, make no mistake about it. I, in the strongest terms, urge you to vote 'no' on the Amendment."

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Speaker McPike: "Representative Persico."

Persico: "Thank you, Mr. Speaker and Members of the House. In response to the last speaker, I would like to say that by not voting for this particular piece...or this Amendment, you are, in effect, going to kill the Bill. What we have done in the last year because of areas of the State that are experience (sic) high growth in assessed valuation, we have placed caps on these particular areas because people have reached the saturation point in what they can pay in property taxes. Unless we provide, and nowhere in the unamended Constitutional Amendment is there property tax relief guaranteed, except in Amendment #1 here, you are telling the people of the State of Illinois that you are against property tax relief. And, in effect, I believe, that you will be killing this Bill if it is put on the November ballot because people are not going to vote for a tax increase without any corresponding decrease in property taxes."

Speaker McPike: "Representative Cowlshaw, to close."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. First, I would like to say that it is certainly not my intent that this Amendment, if it were adopted and then a final Amendment was adopted by the people of Illinois, should provide some sort of windfall for rich school districts. That is the furthest thing from my intent. It is my intent, however, that the State should share take a major share, in the funding of school districts throughout Illinois, not just a few here and there. We can, by legislation, set limits on how much school districts can spend. We do that kind of thing with tax rates and other things frequently. Consequently, this need not be anything other than an equalization factor for

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State funding for school districts throughout the State. Secondly, the element of property tax relief is something that many people throughout this State, including those in rural areas, have been seeking, without success, for years from us, and here is our opportunity to do that. And, finally, Mr. Speaker, I am told by one of the attorneys who advises us on this side of the aisle that the Constitutional requirement for this thing to be read in the Senate three times has already been met. And that at least, in accordance with this attorney's interpretation, if we were to amend this today and pass it tomorrow, since what the Senate would be voting on would be a Concurrence Motion, they would not be voting on the original Constitutional Amendment, the three reading requirement has already been met, would not need to be met again and, consequently, we can amend this, and there is still ample time. Well, maybe not ample, since it didn't get introduced in the Senate in a timely way to begin with. I urge support for Floor Amendment #1 to this proposal and ask for a recorded Roll Call Vote and a verification in the event that it appears to fail. Thank you very much."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'. Opposed, vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 43 'ayes' and 67 'noes', and the Lady has asked for a verification. Is the Chair correct, Representative Cowlshaw? Have you asked for a verification?"

Cowlshaw: "Thank you, Mr. Speaker. I don't want to delay the business of the House, and that is..that is, you know, substantial difference in vote, so I withdraw the request for a verification. Thank you."

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Speaker McPike: "Representative Shirley Jones votes 'no'.
Representative Black."

Black: "I have an inquiry of the Chair when you complete your
business."

Speaker McPike: "On this Amendment, there are 43 'ayes' and 68
'noes'. Amendment #1 is defeated. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I would rise in
inquiry of the Chair and ask for a ruling. If we accept
that Rule 44 deals with Resolutions concerning
Constitutional Amendments and Rule 44...reference Rule 34
about assignment to committee and Bills, and therefore Rule
33 references Rule 35, I question, and it was raised
earlier in the debate, I question the time line as to
whether or not we can even be on this subject matter today
because 35(a) says, clearly, that any Bill or Resolution'
-- my wording, resolution -- 'a (the) Bill shall stand on
the Daily Calendar on the Order of Second Reading for one
legislative day before it may be called on that order. The
Order of Second Reading -- First Legislative Day shall not
appear on any supplemental calendar.' Now is you...my point
is that if Rule 44 references 33, 33 references Rule 35, I
don't think we can be acting on this Bill on Second Reading
today unless you suspend the rules, and I would ask the
Chair to so rule."

Speaker McPike: "Where in 33 does it reference 35?"

Black: "I think...I think by the very nature of Rule 33
Assignment of Bills, then you've got to carry that over to
Bills reported out. The Bill was reported out this
morning. So we can't be acting on this on Second Order for
Second Reading today."

Speaker McPike: "But, there is no reference in Rule 33 to
reference 35, is there?"

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Black: "Well, I suppose we could have an honest difference of opinion, but obviously, 33, coming before 35, references 35."

Speaker McPike: "Mr. Black, your point is not well-taken."

Black: "Are you sure?"

Speaker McPike: "Yes. Rule 44 only references Rule 33 in paragraph (b), and that is only in regards to assignment of Bills. There is no other reference whatsoever. So your point is not well-taken. The Bill is...The Constitutional Amendment has been read a second time, is properly before the Body. Further Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. As with the prior Amendment, I would respectfully request a recorded Roll Call Vote and the opportunity for a verification if the Amendment appears to fail. May I have that?"

Speaker McPike: "Absolutely."

Cowlshaw: "Thank you very much."

Speaker McPike: "Yes, Ma'am."

Cowlshaw: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 is very, very simple. What it does, essentially, is to abolish the school aid formula which is very unfair, extremely complicated and more of a detriment than a help in the whole business of trying to promote quality education for our children throughout this State. It states simply, 'The State shall provide for the distribution of State funds to school districts only on an equal per pupil basis.' Under this provision, if School District A has 100 students and School District B has 200 students, School District B would get twice as much money

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from the State as School District A. No complications. No waiting. No anything else. A very simple per-pupil head count would be the way that we go about distributing State funds. We'd solve all kinds of controversies and totally do away with the school aid formula. I think, if you want clarity, this Amendment is clear."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. Is there any discussion? Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. One of the speakers, at least on the previous Amendment, certainly put the argument in good perspective for this Amendment as well. The fact that the Lady is suggesting that every school district should be reimbursed the same amount per pupil goes against all of the court decisions since 1972 or '73 in the Serrano case when it was determined that, in fact, states had to provide more money for those school districts that did not have local wealth and local ability to educate the students. And so, I would suggest, that as popular as this may seem, in fact, we would never be able to enforce this, and we would find ourselves in a Constitutional quagmire should this Amendment be adopted both here and by the people of the State of Illinois. This is only a tactic to confuse and delay and does not deserve our support. I recommend a 'no' vote on this Amendment."

Speaker McPike: "Further discussion? Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I think the Sponsor of the Bill is correct that this would abolish the school aid formula, the...a distributive formula that tries to equalize school funding between the very wealthy and those who are less fortunate. This is a bad idea. The only way that it would be a good idea is if we took all the property tax that is

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paid statewide and put that into the State's formula...uh, funding and...uh...distributive, but that's not what she's proposing to do. This is merely more welfare for the wealthy, and I would urge a 'no' vote."

Speaker McPike: "Representative Cowlshaw, to close."

Cowlshaw: "Thank very much, Mr. Speaker, Ladies and Gentlemen of the House. It seems as though...There seems to be a kind of a chorus here about the fact that we...we ought to be doing something that...that is, if at all possible, as detrimental as possible to school districts that may have at least a little bit of local property wealth. And I certainly would like to see more equitable funding per student prevail throughout this entire State, even taking into account regional differences in those kinds of costs. However, there is nothing to preclude this General Assembly from having separate appropriations for any kind of item that it wants to have beyond and above what is distributed through this kind of provision that is a substitute for the very controversial and apparently much too complicated school distributive aid formula now in effect. This makes everything remarkably simple and every student in Illinois equal to every other student. Therefore, Mr. Speaker, I would request a 'yes' vote on Floor Amendment #2 to Senate Joint Resolution Constitutional Amendment #130 and ask for a recorded Roll Call Vote."

Speaker McPike: "The question is 'Shall this Amendment be adopted?' All in favor vote 'aye'. Opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 43 'ayes' and 69 'noes'. Representative Cowlshaw has asked for a verification. Ms. Cowlshaw."

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Cowlishaw: "Thank you, Mr. Speaker. Because of the disparity in that vote count, I will certainly be glad to withdraw the request for a verification. Thank you."

Speaker McPike: "On Amendment #2, there are 43 'ayes' and 69 'noes'. Amendment #2 is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Cowlishaw."

Speaker McPike: "Representative Cowlishaw."

Cowlishaw: "Mr. Speaker, I would ask once again for a recorded Roll Call Vote."

Speaker McPike: "Yes, Ma'am. Yes, Ma'am."

Cowlishaw: "Ladies and Gentlemen of the House, Floor Amendment #3 simply states, 'The General Assembly, by law, shall adopt a system of accountability to ensure continued improvement in educational achievement.' If the basic premise of this Constitutional Amendment, as it came to us from the Senate, is try (sic) to improve schools throughout Illinois and the level of learning of our children everywhere in Illinois, then it seems to me we have to have some kind of system, really effective system, of accountability for how do we know that we are investing more money and getting anything for that additional investment? I would submit to you, Mr. Speaker and Ladies and Gentlemen of the House, that without some really effective and workable system of accountability, we have no way of knowing that any amount of increased funds that we spend for schools is being used well and is being anything except an absolutely deplorable waste of the State's resources. Therefore, Mr. Speaker, I would ask for a 'yes' vote on Floor Amendment #3."

Speaker McPike: "And on that, Representative Satterthwaite."

Satterthwaite: "Point of Order, Mr. Speaker. Has this Amendment been printed and distributed?"

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Speaker McPike: "Yes."

Satterthwaite: "Well, it has not been distributed in this row.

Again, however, this is not an issue that should be part of a Constitutional Amendment. This is something that is done by law. Will be done by law, and there is no need for this Amendment. I recommend a 'no' vote."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...I rise in support of this. I mean this ought to be the crux of the whole Constitutional Amendment: accountability. If, in fact, this Amendment passes, if, in fact, you as Representatives of the taxpayers of this State who, ultimately will have to spend anywhere between two and three billion dollars in new tax revenues to pass this legislation, the taxpayers of this State ought to know what they can expect, what they can expect by passing on that kind of a tax increase for the sake of public education. I cannot think of a more astute way of letting the taxpayers of this State know what they are being asked to vote for in terms of this Constitutional Amendment. I think everyone should join with Representative Cowlshaw in sponsoring this Amendment and voting for it because accountability, spending that kind of money and not having any idea of what the taxpayers are going to get for this, what we can expect from the educational community that we entrust our children to, what kind of accountability that we can expect from the educators, from the school boards, from the administrators of the schools in this State, when we have traditionally looked at education in a way that disturbs us in what we see in the trends in public education. People in this State deserve to understand, if they vote for this in the fall, what can they expect in terms of accountability. I

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would ask that everybody votes (sic) for this positive, good, worthwhile, and only if this passes should we ever vote for the Bill itself because without accountability, wasting two to three billion dollars could be the benefit by voting 'no' on this Amendment."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you, Mr. Speaker. A Point of Order. Did we not close already? Mr. Speaker, did we not close already?"

Speaker McPike: "No. No. Did you wish to sp...? Representative Satterthwaite spoke and then Representative Parke spoke. This is Amendment #3. Representative Lang."

Lang: "Thank you, Mr. Speaker. Two points of information. First, I'll repeat again that if we add any amendments to this Resolution, it kills the Resolution. Second, the previous speaker spoke of...The previous speaker spoke of the need to pass this because accountability is so very important. The fact is that last year we passed a system of accountability, the result of discussions between the State Board of Education, business, the education community, we passed a law. The Governor signed it. This is the law. It's a superfluous Amendment. We don't need it. Vote 'no'."

Speaker McPike: "Representative Cowlshaw, to close."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Once again, let me please address the issue of whether adopting any Amendment whatsoever to this proposal would mean that we cannot get it passed within the deadlines. That is a matter, of course, of the interpretation, and there seem to be two different interpretations. However, the one that I have received most recently and which is from someone who, I assume, is very well qualified to make those kinds of judgments, is

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that the three-reading requirement in the Senate has already been met, and that we can meet...we can amend this proposal and still have time to pass it out of the House tomorrow and to have a Concurrence Motion adopted by the Senate, either later tomorrow or on Friday. Consequently, Mr. Speaker, I plead with you and the Members of this House to realize that if we believe that these Amendments are valid and that they really improve the underlying proposal, then we ought to pass them because under no condition should we send a proposed Constitutional Amendment, anything that serious, out of this chamber without being sure that it is clear, that it is sharp and that we all understand precisely what it is going to do. This Amendment is meant to assure the taxpayers who are, if this Amendment were finally adopted in the fall, presumably going to have to pay an exorbitant increase in income taxes to meet the provisions of the Amendment, to assure them that they will get something for their money. I urge a 'yes' vote on Floor Amendment #3. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye'. Opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 55 'ayes' and 61 'noes', and the Lady has asked for a verification. Mr. Clerk, poll the...poll those not voting."

Clerk O'Brien: "A poll of those not voting: Richmond, no further."

Speaker McPike: "Mr. Richmond. Mr. Richmond votes 'no'. Mr. Clerk, read the negative vote."

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn.

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Edley. Farley. Flinn."

Speaker McPike: "Excuse me. Mr. Hicks would like to be verified, Representative Cowlishaw. Yes, go ahead."

Clerk O'Brien: "Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. J. Hoffman. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. Mautino. McDonough. McGuire, McPike. Morrow. Novak. Phelan. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Schakowsky. Shaw. Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Young. And Mr. Speaker."

Speaker McPike: "Representative Cowlishaw, questions of the negative."

Cowlishaw: "Yes, Sir, Mr. Speaker. Thank you very much. Representative DeLeo?"

Speaker McPike: "Mr. DeLeo? He's here. He's here."

Cowlishaw: "Thank you, Mr. Speaker. Representative Morrow?"

Speaker McPike: "He's here."

Cowlishaw: "Representative Wyvetter Young?"

Speaker McPike: "Representative Young? Wyvetter Young? The Lady is not here. Remove her from the Roll Call."

Cowlishaw: "Representative Balanoff?"

Speaker McPike: "He's here."

Cowlishaw: "Representative Preston?"

Speaker McPike: "He's here. He's here."

Cowlishaw: "Representative Turner?"

Speaker McPike: "Mr. Turner? Representative Turner?"

Cowlishaw: "Representative Mautino?"

Speaker McPike: "I'm still on Mr. Turner. Representative Turner? The Gentleman is not here. Remove him from the Roll Call. Mr. Mautino is here. He's here."

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Cowlishaw: "Representative Martinez?"

Speaker McPike: "He's here. Mr. Hoffman would like to be verified. Jay Hoffman. Is that all right?"

Cowlishaw: "Jay Hoffman? Yes, Mr. Speaker, that's fine. Representative Mautino?"

Speaker McPike: "He's here. Twice."

Cowlishaw: "Representative Farley?"

Speaker McPike: "Mr. Farley? He's here. Mr. Granberg would like to be verified."

Cowlishaw: "Fine. Thank you. Representative Steczko?"

Speaker McPike: "He's here."

Cowlishaw: "That's all, Mr. Speaker. Thank you very much."

Speaker McPike: "On Amendment #3. There are 55 'ayes' and 60 'noes', and the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I also make the same request for a record a Record Vote and a verification if this receives at least as many votes as the last one. On Amendment #4...First of all, these Amendments are indeed well-intentioned Amendments. We're talking about a Resolution for a Constitutional Amendment that will call for the largest single income tax increase in the history of this State. And if you don't remember what happened to Richard Ogilvy, who first passed the income tax in 1972 and signed it into law, I'll remind you: He was blown out of office at the end of that term. Simply blown out. Now, you may believe that the estimates, the minimum estimate, of one billion dollars in additional money - that's at least a 50% increase in the Illinois income tax - to three

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billion dollars of an increase in the income tax that will be necessary to fund this, a 100% increase, a doubling of the income tax increase in Illinois, on a state that's just coming out of a recession. Something of this magnitude, of this importance, deserves all of the time and debate it takes. Even if it goes on beyond the May 3rd deadline. Next year is another year. It can be considered then. We're taking and in one week, passing a Resolution, or attempting to pass, a Constitutional Amendment Resolution that will call for the largest single income tax increase in the history of this State. That's why this deserves all of the time necessary to debate it. The Speaker stated in the Executive Committee this morning that the 1970 Constitution intended that this be the case. Well, it took 20 years. It's this General Assembly that had the duty to pass the income tax if that's what it took and to properly fund education in Illinois. This General Assembly is attempting, by mandate on itself, to pass the largest single income tax increase in the history of this State. Therefore, the purpose of Amendment #4 is that on the explanation that must be published 30 days prior to the election, it should be made clear to all Illinoisans that the Secretary of State should include in the published explanation of the Amendment, in large, bold and clearly readable type, that the adoption of the Amendment will result in a tax increase because it obviously will. What this does in its bare form is an unfunded mandate. The next thing will be the Illinois Supreme Court ordering, or the United States Supreme Court ordering, this General Assembly which has failed in its own responsibility to adequately fund education for 20 years. You want to take 20 years and wrap it into one week with the the single

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largest income tax increase in this history. The explanation should explain to all voters in Illinois, when they go into that booth, that this, indeed, will result in a (sic -an) increase in the Illinois income tax. They ought to know that before they vote on it. That's the purpose of Amendment #4."

Speaker McPike: "On Amendment #4, Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. In the Executive Committee today, when we considered the Constitutional Senate Joint Resolution #130, I said that if the Constitutional Amendment went to referendum that I seriously doubt if the debate would be a reasoned debate, that instead it would be an emotional debate on taxation. This Amendment offered by Representative Wennlund gives you the strongest clue as to what type of debate we would have. It wouldn't be a debate on whether we should shift the burden of financing education from the property tax to the income tax. The whole issue would be taxation. This Amendment offered right now is really an insult to the electorate because the whole intent of Senator Berman is -- and I don't think we'd accomplish it -- but his whole intent is that there be a (sic - an) advisory referendum by the people in a debate on the priority of education and the financing of education. And we by this Amendment are saying 'Hey, you electorate, you're stupid!. You need in bold letters that this a tax increase. You can't judge for yourself in a reasoned debate.' This would be a first for all of us in any type of Constitutional Amendment, that in the Amendment itself we tell the Secretary of State what they should publish in the information of the Constitutional Amendment. Now, when I said it wouldn't be a reasoned debate, Governor Edgar immediately, immediately,

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set off a scare tactic, set the tone of the debate by calling it his attention to the fact that this would be a large tax increase. Here's the Governor who, prior to the election, said that education is his main priority, who said that he's against taxes, (now has some tax increases by the way) and who is waffling by saying, 'Well, I'm against tax increases and I'm not sure how I stand on this Resolution, but if the people want a tax increase and it comes to my desk, then, I may sign it.' It doesn't take a political genius, I think, to forecast that in this type of atmosphere, in the type of atmosphere that has already happened on the Second floor, and the atmosphere that has already happened on the floor of the House, and, surely with the introduction of this Amendment, that the Constitutional Advisee...Amendment will become emotional. And it also doesn't take a political genius to know that if it becomes emotional, it will fail miserably. Fail miserably. And then, what does that do for education? In other words, we have already set the tone. We are going...set the tone that it be an emotional debate on taxation not on shifting the cost of education, and where do we leave education? I'm afraid that education after that would not be anybody's priority because I can see the Legislature after that debate, after that advisory referendum, saying, 'Hey, education doesn't have to be my main priority. It evidently isn't the main priority of the Governor or the electorate'. So, I would urge the Members to vote against this Resolution. It is an insult to the electorate."

Speaker McPike: "Representative Homer."

Homer: "A question for the Sponsor?"

Speaker McPike: "Yes, he'll yield."

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Homer: "Representative Wennlund, under...Do you know how much currently is spent approp...how much currently is spent on education by local property taxes each year? Currently?"

Wennlund: "The...I just received from the Economic and Fiscal Commission...It took total amount in property taxes?"

Homer: "Yes, property taxes. How much per year, total, statewide for education?"

Wennlund: "Five point six billion dollars a year."

Homer: "How much State funds for education in dollars each year?"

Wennlund: "Three point four two five nine zero zero. Three billion, four hundred and twenty five million."

Homer: "Is there any circumstance conceivable...is there any circumstance under which, then, adoption of this Resolution by the electorate and a (sic - an) obligation to fund education 51%, would not result in a tax increase?"

Wennlund: "No. There is only... There is only..."

Homer: "What would happen, theoretically, if the school districts, school boards around this state, decided that they were going to lower property tax levies for education and that, in fact, that they would only raise statewide three point five billion, the same amount that the State is presently contributing? Let's say that happened. Then, if there were an obligation on our part to pay 50%, would that then require a tax increase?"

Wennlund: "Well, first of all, I have never seen a school district lower a levy, and I don't believe in the Easter Bunny either. I mean I have not seen any school district lower their (sic) levy unless they are mandated to do that. The problem is that...The problem is that what this really amounts to is an unfunded mandate that you come up with the 50% of the cost. And it's...it's not...it's not...it's hidden in its face because, yes, theoretically, if there

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was no tax increase, you'd have to lower Public Aid. You'd have to lower their budget. You'd have to lower Corrections, Human Services, every other budget in the State to make up for the additional three billion dollars."

Homer: "Representative Wennlund, Representative Wennlund, if school districts throughout this State abated their property taxes by a billion and a half, however unlikely, then if this Amendment became law and it required 50 more than 50% state contribution, would that then require a tax increase? Would it require a tax increase? Yes or no."

Wennlund: "I don't know the answer."

Homer: "Pardon me?"

Wennlund: "I..."

Speaker McPike: "He said he didn't know the answer."

Homer: "Well, you want the Secretary of State to print on the ballot that the adoption of this Amendment 'shall', 'shall', not 'may'...On line eight it says, 'shall result in a tax increase' but, yet you've just acknowledged there is one set of circumstances where it wouldn't. The fact is...In fact, this could be fully implemented with not only not a tax increase but with a substantial property tax decrease."

Wennlund: "Well, I don't think it's credible...creditable (sic - credible) at all to believe that any school district in this State is going to do that. That's just not credible; it's not believable. There's only one choice and you and I both know it."

Homer: "Well, it may not be believable but it's theoretically possible, and you want the Secretary of State to certify on a ballot that...something that may not in fact be the case. So, I would suggest to you that your Amendment is flawed. If you had changed the word 'shall' to 'may', then you

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might have an argument. By putting the word 'shall' in there, you've precluded a...or a possible set of circumstances from occurring."

Wennlund: "Are you or anybody else ready to certify that indeed it will not result in a...in an income tax increase?"

Homer: "No, I'm not offering such an Amendment. You are. I think your Amendment's flawed, should be withdrawn: if not, then defeated."

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Yes."

Lang: "Representative, you used in your opening statement on this Amendment...you used the word that it's 'obvious', obvious that an income tax increase will necessary. What makes it obvious? What are your facts? What figures do you have that indicate to us that it's obvious?"

Wennlund: "Well, it's obvious because that's the only source it's going to come from, Representative Lang."

Lang: "Well, that's...You and I know that's not much of an answer. You're trying to indicate through some sort of scare tactic it seems to me..."

Wennlund: "Obviously the State..."

Lang: "Excuse me. Excuse me. You're trying to indicate there is some sort of scare tactic, it seems to me on the ballot, to voters that this shall end up in an income tax increase, and now you're telling us, you're telling 117 other Members of this House, that it's obvious. Where is it obvious? Where are your figures? What makes you think this House won't decrease whatever budgets have to be decreased to fund (sic) whatever funds are necessary to...to take care of the Constitutional Amendment, should it pass?"

Wennlund: "Well, only if you're ready to cut Public Aid a billion

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and a half dollars to...to find the money to fund what this obviously requires - that the State provide 51%. According to the Economic and Fiscal Commission that would raise income tax rates to four point four from three on the personal level and seven point oh four on a corporate level to raise two point nine billion dollars to fund this mandate."

Lang: "Aren't those numbers based on the premise that no other budgets will be cut?"

Wennlund: "Absolutely."

Lang: "Should...Should this General Assembly decide to cut out Corrections, to cut out Public Aid, to cut out three billion dollars from the budget someplace, would an income tax increase be necessary? Would it be obvious?"

Wennlund: "You and I...You and I both know the answer to that is obviously this General Assembly is not prepared to cut any of the budget."

Lang: "That's not the question. The question is: 'That you wanna put on a ballot for...for...for several million people to vote on, a statement that it will absolutely, positively, obviously raise income taxes, now is that the case? I would like to have the answer to my question.'"

Wennlund: "Yes. The answer is yes. The people of this State..."

Lang: "So, if we cut three billion dollars out of Corrections or out of Public Aid we'll still will need an income tax increase?"

Wennlund: "For all the consumer oriented Bills that I see being sponsored in this General Assembly to inform the people of Illinois to inform the taxpayers, this is true consumerism. The taxpayers in this State ought to be informed what's coming ahead and we all know and everybody knows, that...and nobody genuinely believes that that's not going

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to happen. You bet it's going to happen."

Lang: "Do you have any interest at all in answering my question?"

Wennlund: "I did. I answered in the affirmative."

Lang: "You yielded to answer a question. The question is, 'If we cut three billion dollars out of Public Aid, will we need an income tax increase?'"

Wennlund: "The answer to the question is that...'No', but we're never going to cut three billion dollars out of Public Aid."

Lang: "But because you're sure, because you are obviously positive, you want us to put on the ballot, for millions of people to vote on, that it will absolutely be an income tax increase. Is that correct? Is that what you're telling us?"

Wennlund: "I'm saying that it's time to quit fooling the taxpayers in Illinois. Let them know what's ahead."

Lang: "So, you're...that's not what you're telling us. Mr. Speaker, if anyone was listening to this debate, anyone who was listening would hear that there is no answer to my question because my question is: 'What would happen if the General Assembly set up a given set of circumstances to save the money?' and the answer is, 'We would not need any kind of tax increase,' and as Representative Homer said, if there was (sic) voluntary decreases in real estate tax levies, we would not need an income tax increase. So to say that it's obvious that we're going to need an income tax increase, to tell millions of voters in the State of Illinois that we will absolutely, positively need an income tax increase, is ludicrous. It's bad government; it's a wrong position to take; vote 'no'."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. Regardless

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of which of the two Gentlemen in the previous exchange you may agree with, I think there is another issue that needs to be considered here, and I would suggest that the Sponsor of this Amendment, if he desires to do something about changing the procedure by which we inform people of the State of Illinois of the impact of Leg...of Constitutional Amendments, he is not even amending the appropriate part of the Constitution. If he desires to have this kind of language pertaining to that method of informing the electorate, he should be proposing an Amendment to Article IV, Section 2 of the Constitution, which is, in fact, the part of the Constitution that directs how we go about the procedure of informing the electorate about the substance of Constitutional Amendments and, so regardless of which side of the issue you're on about any of the wording that is included in his Amendment, it is, in fact, inappropriate that that kind of language go on the Amendment that is before us, and I urge a 'no' vote on the Gentleman's Motion."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. I have a question of the Sponsor of the Amendment."

Speaker McPike: "Yes."

Weller: "Representative Wennlund, I am getting confused by some of the rhetoric on the other side of the aisle regarding the intent (of) this Constitutional Amendment. Is there any guaranty in this Constitutional Amendment that there will not be a tax increase?"

Wennlund: "Representative Weller, I am waiting for the Sponsor of the Resolution to inform this General Assembly and the people of Illinois whether indeed, it is the intent that there be no tax increase. Is it..Is it that the intent of

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the Sponsor of this Resolution for a Constitutional Amendment that there be no tax increase to fund it? And I have not had that answered."

Weller: "All right. Thank you. Representative, I also, you know we talked about property taxes here, is there any language in this Constitutional Amendment which calls for a...?"

Speaker McPike: "Representative Weller. Representative Weller and Mr. Wennlund, we're on Amendment #4."

Weller: "Yes, I understand that and that follows up my questions...."

Speaker McPike: "Well, you've asked two questions about the Amendments and no...you've asked two questions about the Constitutional Amendment, and you've asked no questions about Amendment #4."

Weller: "Well, Mr. Speaker..."

Speaker McPike: "Proceed, Sir."

Weller: "Representative Lang indicated this in his questioning of the Sponsor that since there was no property tax relief provision in the Amendment that your Amendment to the Constitutional Amendment, the Resolution,...basically tells the people that there probably will be a tax increase. Is that the intent of your Amendment?"

Wennlund: "Absolutely. The people of Illinois deserve to know."

Weller: "Well, you know, we've passed a lot of right to know legislation in this Body. Haven't we, Representative?"

Wennlund: "Absolutely."

Weller: "And I consider this Amendment a right-to-know Amendment. Do you feel the people of Illinois need to know what they're voting on and that if they're voting on something that is probably going to increase their taxes, they should have a right to know? I rise in support of this Amendment. It makes sense. I believe the people of Illinois need to

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know that if they vote for this Constitutional Amendment, it's going to increase their taxes because none of those on the other side of the aisle have (sic) guaranteed this will not increase their taxes. I urge an 'aye' vote. Thank you."

Speaker McPike: "Mr. Wennlund, to close."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Governor of the State of Illinois has been up-front with the people of Illinois. He's not pulling any...any wool over anybody's eyes. He's letting the people of Illinois know up-front the consequences of the passage of the Constitutional Amendment, and the voter in the voting booth will get an explanation of what...of this Constitutional Amendment, and that voter ought to know up-front what the consequences of his vote will be on this Amendment. I can think of no greater consumer Bill, no greater consumer provision, than to advise the voter in Illinois the consequences of his actions, the consequences of his vote on this issue. That's what this is all about. Nobody's kidding anybody here. You and I both know that there will only be an income tax increase as a result if this Resolution is adopted by the voters in November, and they ought to know up-front. Ask for...I did ask for a Roll Call, record vote."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative Parke, to explain his vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, in...looking at the votes that are going up there, my able opponent on the other side of the aisle did a very good job of questioning the witness, but in, quite frankly, and as in his legalese, he is not going to be able to smoke

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the true issue of this Amendment and that is the notification of the people of this great State of Illinois as to what this multi-billion dollar Amendment...Constitutional Amendment will cost the citizens of this great State. I think that anybody that (sic) doesn't vote simply says...is trying to tell the citizens of this State that...they are...kidding the citizens and not presuming that a major tax increase must be passed, and I hope that my able colleague on the other side will be one of the lead Sponsors of that Amendment...of that tax increase when it comes up and is forced upon this Body if this Constitutional Amendment...And if he thinks that there isn't a tax increase going along from this then he is from ...must be from Kansas, Toto."

Speaker McPike: "Representative Edley."

Edley: "Mr. Chairman. I...I'm really surprised at my colleagues on the...on the opposite side of the aisle are so ready to tax and spend. I mean...we just went through the last two Sessions and cut almost two billion dollars out of the budget, supposedly. We have a presidential election coming up this year, and I'm sure both candidates, or all three candidates, will be vying for who is going to be the education President, so there is certainly other funds out there that may be channeled through the State to provide these additional revenue (sic) without a tax increase."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On Amendment #4, there are 48 'ayes' and 64 'noes'. Mr. Wennlund withdraws his request for a verification. On Amendment #4, there were 48 'ayes', 64 'noes'. The Amendment is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative

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Wennlund."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We labored long into July last year trying to provide some property tax relief to the citizens of Illinois when you and I both know that 70% of everybody's property tax bill is to fund elementary and secondary education. Well if, indeed, (and you and I know that there will be an income tax increase), if, indeed there is, Amendment #5 provides that any amount of the funds received by a school district, from the State, in any school year, that is in excess of what they received in '88 and '89, (that was before the surcharge.) shall be abated from the school district's next tax levy on real estate. So that for once, in Illinois, we can change the Constitution to require property tax relief that is indeed meaningful. So if 70% comes from the state property taxpayers, the State pays half of that, they ought to abate it back so that they don't get a double dip, and we know that municipalities in Illinois, very few, if any, abated their tax levies when they received the surcharge. To believe that school districts would abate anything, even if they got the additional State monies, is ludicrous. The purpose of this Amendment is to, indeed, provide bona fide property tax relief in the event that there is an income tax passed to fund this unfunded mandate in the Resolution. That's the purpose of this Amendment. It's a good Amendment. It will, for once and for all, provide and put in law the property tax relief that Illinois citizens so deserve, and I ask for a record vote on this issue, and if it doesn't...if it exceeds the requisite number, or if it doesn't get the requisite number of votes, I'd ask for a

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verification."

Speaker McPike: "Representative Matijevich, on the Amendment."

Matijevich: "Mr. Chairman...Amendment 5 like the other Amendments, and I think we're up to 10, shows again that we are treating a Constitution much like we treat a Bill, and a Constitution should not be treated like a Bill. But I would ask the Gentleman, let us, - and you know I don't want to get into an emotional type of debate like Louie Lang, but that proved what I said earlier is when we're going to have this referendum - it will be emotional much as that debate was - but I would ask Representative Wennlund, let us take this circumstance: It very well could happen. Let us say that a school district received (x) amount of dollars in added State revenues, up and above the 1988 - 1989 school year - which, by the way I think it's ridiculous in our State charter to specifically say a particular school year, but let's say that we did, a school district did - but that school district wanted to abate the next tax levy beyond...beyond what it received in state dollars, what...what happens then? You know, you're a conservative and you'd like to...abate property taxes as much as you can, what would happen in that instance?"

Speaker McPike: "Question of the...Was that a question of the Sponsor?"

Matijevich: "It sure was."

Speaker McPike: "Mr. Wennlund."

Wennlund: "I don't know the answer to the question because I've never seen them abate a levy."

Matijevich: "Well..."

Wennlund: "They just don't do it in Illinois. They didn't do it..."

Matijevich: "Well,...the same...the same response I would have

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that Representative Lang (had). When you put something in the Constitution, you put some principles in and anything can happen. None of us know (sic) what the future is: none of us know. And the fact of the matter is, because you haven't seen an abatement, that doesn't mean in the future that there may not be abatements of property tax. But what you do by drafting this Amendment in a State charter in...eight...what could be an interpretation of your provision would be that you would limit the abatements only to that which is in excess that they received by (sic) the State in the 1988-1989 school year."

Wennlund: "That's correct and that's before...that was before the income tax surcharge was passed and they received additional monies."

Matijevich: "That's right. You...You just answered my question. In other words, you limit it so that a school district couldn't abate beyond that, and that I...that's how ridiculous it is to draft this type of provision..."

Wennlund: "No. Excuse me, Representative. You misunderstood that...no...They are not prevented by this Amendment from abating further than that."

Matijevich: "Well, that's...that's your interpretation."

Wennlund: "...They...They can abate additional funds...They can abate additional levies, absolutely. This would not prevent that from happening."

Matijevich: "Well, that's your interpretation. We don't know what (sic) the courts may interpret it, and I...But I think that all of us know that this type of provision - and, you know, we're playing games here with the 10 Amendments, we're playing games - we all know that this type of language doesn't belong in our State Constitution. Everybody, if they really were voting conscie...their

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conscience, would say it shouldn't get one vote because that type of language surely doesn't belong in the State charter, and I would urge the Members to vote against it."

Speaker McPike: "Representative Wennlund, to close."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It was the legislative...It was the intent of the Sponsor...the Sponsors of this Amendment that school districts not be limited in what...in the amount that they can levy, and, in fact, they are not by its very language, regardless of what...I don't see how a court could interpret this in any other fashion. But the fact of the matter remains that when the resource equalizer was passed some years ago, it was designed to provide some property tax relief. Well, you and I know that that never happened, and there were no levies abated. But if we're going to (excuse me) if we're going to provide additional funds as a result of this Resolution and this Constitutional Amendment then, indeed, the property taxpayers of Illinois deserve to have their property taxes abated because you and I know that the only fair and equitable method of funding education or any other governmental services is based on a person's ability to pay and ownership of real property is not an indication of a person's ability to pay, and they don't abate unless you make 'em abate, and that's what this Amendment is all about. I move its adoption."

Speaker McPike: "Question is, 'Shall Amendment #5 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. Particularly, people from areas of the state that have growing population should not vote for this Amendment. Can you imagine the devastation to a school district where

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there is a growing population, where they may have to educate more and more children because of economic growth and because of new housing in the area, and any new money that they got from the state would have to be abated in property tax? And so the school district would be frozen at pay...at having only the resources they would have (had) in 1988-'89. This is a terrible Amendment and o one should be voting green."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Amendment #5, there are 47 'ayes' and 67 'noes'. Mr. Wennlund, do you wish a verification? No, he withdraws it. Amendment #5 has 47 'ayes', 67 'noes'. Amendment #5 is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative B. Pedersen."

Speaker McPike: "Mr. Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I would ask that on this Amendment that we have a Roll Call vote."

Speaker McPike: "Very well, we will."

Pedersen: "...and a verification. Amendment #6 says, 'Provided that the monies required to fulfill this mandate shall not be derived by the imposition of new State taxes nor from the increasing of current State taxes, but shall be reallocated from other currently budgeted general fund expenditures.' So, Mr. Speaker, this does answer the question of the...of the Representative from Skokie...and this Amendment is for him. It comes down to this: If you don't want to vote for a tax increase, you should support this Amendment."

Speaker McPike: "On the Amendment, Representative Matijevich."

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Matijevich: "Would the Gentleman yield?"

Speaker McPike: "Yes."

Matijevich: "Representative Pedersen, in your own mind, do you think that property taxes are too high in the area where you come from?"

Pedersen: "Well, my taxpayers certainly think they're high."

Matijevich: "Well, how do you...how do you think. And I'm not running against you. How do you think?"

Pedersen: "Well, I always agree with my taxpayers."

Matijevich: "All right. You think that property taxes are too high in your area. You agree with your taxpayers. Given that, let's say that we had a debate with regards to the priorities of education and out of that debate came a distinct majority who felt that we ought to shift the cost of education from the property tax to the income tax which, evidently, if you believe that the property taxes in you area are to high you would support that. Given that..."

Pedersen, B.: "No, no I wouldn't."

Matijevich: "Given that, how could you support it with your own provision? Because with your own provision you say that there could be no increase in the present taxes. You could not shift the cost of education, could you?"

Pedersen, B.: "Well, Representative, I don't think we should shift the cost. I mean, we all know from experience and other states that when you increase income taxes, and the whole idea is to reduce property taxes, it doesn't work, and the State of Wisconsin is a perfect example. In fact, there's a professor up at Marquette University named Bill Hunter, a professor of economics. He calls it the 'flypaper effect', that when you increase income tax at the state level with the notion that you're going to reduce property taxes locally, it doesn't work. The money qticks

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where it hits. The flypaper effect says the money sticks where it hits. It hits at the local government level. It is not passed through to the...to the taxpayers. In fact, in the State of Wisconsin, they have the highest revenue-sharing, probably in the country, 62% of the state budget goes to revenue-sharing, and they have the highest - always in the top five - highest property tax burden in the country."

Matijevich: "Well, Mr. Pedersen...I would say that none of us here are (sic) going to be here forever. None of us here are (sic) going to be Legislators forever. We should not put in our Constitution something that forecloses future Legislatures; we don't know what the future will be - But you have foreclosed in (sic) your own district from shifting taxes to fund education from the property tax to the income tax, by this provision. Even though you believe property taxes in your area are too high, you foreclose that, and that is wrong, and your own taxpayers ought to know that."

Speaker McPike: "Representative Pedersen, to close."

Pedersen: "Well, I...I think that it is certainly...true that...a Constitutional Amendment shouldn't be just another Bill and I think you can say...make that criticism of this whole blasted Amendment, this whole (SJRC) 130, that's what it really is. And if you want to reduce property taxes, you have school boards, they can reallocate and they can provide better education for less money, that's the goal. If you don't want to vote for a tax increase folks, you should support this Amendment."

Speaker McPike: "Question is, 'Shall Amendment #6 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish?"

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The Clerk will take the record. On this Motion, there are 47 'ayes' and 65 'noes'. Mr. Pedersen, do you want a verification? No, he does not. On Amendment #6, there 47 'ayes' and 65 'noes', and the Amendment is defeated. Further Amendments? Further Amendments? Mr. Clerk? Mr. Clerk? Mr. Clerk, are there any further Amendments?"

Clerk McLennand: "Amendment #7, offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Amendment #7 is needed to this Constitutional Amendment proposal because, as I stated before, if this is passed, the first thing that's going to happen is there's going to be a lawsuit, and you're going to have the court ordering this General Assembly to do what it should have been doing for the last 20 years: You're going to get them to order us to, indeed, provide the funding by passing an income tax increase. What Amendment #7 provides is that under no circumstances shall this General Assembly or any of its individual Members be penalized by the judicial system for failing to pass such an income tax to fund it because that, indeed, is what will happen; that, indeed is what will be required, a three billion dollar tax increase, the largest in the history of this State. Amendment #7 is needed to protect the Members of the individual...the individual Members of the General Assembly and the Body as a whole, and it's...a good vote. I request a record vote on it and verification, if it gets close."

Speaker McPike: "All right. Mr. Clerk, put Amendment #7 on the board. The Gentleman withdraws Amendment #7. Further Amendments? Mr. Clerk, further Amendments."

Clerk McLennand: "Amendment #8, offered by Representative

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Wennlund."

Speaker McPike: "Representative Wennlund withdraws Amendment #8. Further Amendments?"

Clerk McLennand: "Amendment #9, offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund. Amendment #9."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #9 could have solved the whole problem to begin with in the first place 'cause what it does is that after years and years of this General Assembly piling on local school districts mandate after mandate, increasing the cost of public education in Illinois, without providing benefits to the children of Illinois, it provides that no State mandate imposed on public school districts in Illinois, after the adoption of this Constitutional Amendment, shall be implemented without full State funding. That's the root cause of the cost of education in Illinois to begin with: mandated programs, one after the other, flowing out of this General Assembly, year after year, with what seemed to be great ideas, but are costly to each individual school districts and requires those individual school districts to increase their property taxes to pay for 'em because no money comes with the mandate from this General Assembly. And it's also needed because the whole Resolution, the whole Constitutional Resolution, that is proposed to be amended here, amounts to one, big, unfunded mandate because there is nothing else to fund it. I'd ask for a record vote on this and a verification, if it gets close."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too rise in support of this Amendment...to...to

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rectify the problem that this Body has traditionally played upon local units of government including our school districts, passing mandate after mandate without any funding from the State and, therefore, passing on an unfunded mandate which requires, normally, a tax increase to our local units of government. I think this Amendment is long overdue. If the State passes any Amendments...unfunded...mandates, then the State must pay full-funding for those unfunded mandates. This is an Amendment, long overdue, especially when it applies to public education. I would ask every Member of this Body to vote for this great Amendment."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Well, Mr. Speaker and Members of the House, if people were concerned about the language of the original Constitutional Amendment in terms of cost to the State, here we come in with an Amendment that not only talks about the State having a fair share of the funding, but now we're demanding full State funding under this Amendment. I think that this is just another ruse. It is certainly an issue that is dealt with time and time again through the legislative process and is something that is properly in the legislative domain, but it is certainly not something that belongs on this serious Amendment by which we hope to improve the funding for our state school systems, and I would suggest to the Members of the House that we give this a resounding 'no' vote."

Speaker McPike: "Representative Matijevich."

Matijevich: "Well, it's just another ridiculous example how we're legislating as if this is (sic) a Bill...You and I know that in the future even though we're not...we're getting less federal funds now than we should have, but, again we

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don't know what the future holds, and it may be that on a federal level education will finally be the first priority, and let's say that on a federal level education does become a first priority and we get some federal funds, and with those federal funds decide that a program is a salutary program totally funded with federal funds, but we implement a state mandate with state law. This would curtail us would prevent us from doing that. This would...say that if we have a state mandate, we've got to use state dollars. We can't use federal dollars; we've gotta use state dollars if 'full state funding'. It doesn't say we can use federal dollars. It's just ridiculous, just crazy, and, as I said, another indication why we shouldn't be...treating this Constitutional Amendment as though it were a state law."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in strong support of Floor Amendment #9. For the 10 years that served on a local school board and for the nearly 10 years that I have served here, there has been a cry from school districts throughout this State to stop passing mandates that the State does not fund. It went on for 10 years when I was a school board member, it's gone on for 10 years here. The only way to cause this General Assembly to be responsible is to pass an Amendment, such as Amendment #9, offered by Representative Wennlund, who ought to be, it seems to me, commended for finally doing what the General Assembly has not done in its irresponsible behavior for 20 years. I stand in support of this Amendment."

Speaker McPike: "Representative Wennlund to close."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Cowlshaw said it well. The real

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problem with funding education in Illinois is the fact that this General Assembly has heaped upon local school districts for over 20 years one mandate after another, without paying for them, and that's what this Amendment is designed to do. It will be of great relief to local school districts all across the State of Illinois to know that by the Constitution that they will not have new mandates placed on them and these are state mandates, not federal. These are state mandates, mandates generated by this General Assembly without state dollars to fully fund each and every one of those mandates. So a Bill won't fly out of here without dollar bills attached to it to pay for each and every one of the mandates that this General Assembly has passed. That's why this Amendment is necessary, and that's why local school districts really need that kind of protection in Illinois. I ask for an 'aye' vote."

Speaker McPike: "Question is, 'Shall Amendment #9 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 52 'ayes' and 61 'noes'. Mr. Wennlund, do you want to verify this? Everybody's here. No. On this Amendment there are 52 'ayes', and 61 'noes'. The Amendment's defeated. Further Amendments?"

Clerk McLennand: "Amendment #10, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would request a record Roll Call on this Amendment and a verification if it's close. If you didn't like the last Amendment, that required that any state mandate be accompanied by state dollars, then you might

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like this one because what this Amendment does is it says that...it gives the authority to the State Board of Education to grant waivers to any school district from the State Mandates Act that are imposed on public school districts to improve the efficiency of the system of public education. So the State Board could grant waivers from the state mandates imposed on public schools in order to improve the efficiency of this system. So what we're not doing with this Amendment is we are not mandating that public dollars, state dollars, follow state mandates. We're saying that if you pass a mandate, the State Board of Education can see how ridiculous that mandate is and can grant a waiver from it. So that they don't have to comply with that mandate. It gives the necessary relief to the individual school districts to appeal to the State Board of Education and say, 'Hey, wait a minute. I'm choking on mandates. It's time a get some relief.' The State Board of Education would have that authority to grant that relief from out...from underneath the mandate. This is a necessary Amendment. It will improve the efficiency and the quality of education in Illinois and I ask for its adoption."

Speaker McPike: "And on the Amendment, Mr. Parke. Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This probably is one of the most worthwhile Amendments that we've been proposing this afternoon. You know, we have found that many times when we mandate to our local units of government, especially our school districts, that, in fact, we try to solve all the problems of this State with a broad brush and, quite frankly, this State is so diverse and there are so many citizens with so many

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ideas and so many needs and so many ethnic backgrounds and so many things that apply to them, it's hard to paint it with a brush. What we ought to be doing is allowing this Amendment to go on because it simply says that if a school district is mandated to have a, let's say a, report card, and they are already doing a great job on report cards that, in fact, we can allow them to continue to do that if the State Board of Education agrees that this is a great idea, that this...that their report card is better than the mandate. Rather than telling them, 'we're sorry you have a good report card, that's not good enough we want it done our way 'cause our way is the only right way, obviously,' and this Amendment is worthwhile, and it gives the State Board of Education the opportunity to waive out your school district that they have a better program than what we're mandating. I can't think of a better mandate and a better idea to put on this Bill, so I would ask that all the Members join in voting 'yes' on this Amendment."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, again, I would ask for a 'no' vote on this Amendment. Before, we were talking about full state-funding of mandates. Even if the State were to fully fund these mandates, they could...the school district could be waived from having to take part in them if that...if this becomes part of the Amendment and becomes part of the Constitution. We have run out of ways, I think, of trying to deal with these issues and make sense. In fact, the State Board of Education does have power to waive various mandates on school districts - I understand that there are some school districts that have had waivers from their P.E. requirements for a number of years now - and so this is not

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something we need to have cluttering our Constitution. I urge a 'no' vote."

Speaker McPike: "Representative Wennlund, to close."

Wennlund: "Well, in a way, I quite agree with the previous speaker. The Constitution of the State of Illinois shouldn't be cluttered with (SJRCA) 130, with the whole Resolution, the whole Constitutional Amendment, but the fact remains that school districts in Illinois are choking on unfunded mandates, and this would provide some necessary relief for them in the future. It's a good Amendment and because...and it doesn't belong to be a...Anything could be a Bill...the whole Constitutional Amendment could be just another Bill, but the school districts of Illinois need the protection in the Constitution because they're not getting it from the General Assembly. I can assure you of that. Go home and ask 'em. Go home and ask your local school districts. They are not getting the protection from this General Assembly. They are getting choked with more and more mandates, year after year after year. That's why this Amendment is necessary: to provide some relief for the taxpayers of Illinois. Ask for a record vote and a verification, if it's close."

Speaker McPike: "Question is, 'Shall Amendment #10 be adopted?' All in favor vote 'aye', opposed vote 'no.' Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote, if you look in your Journal in this Session of the General Assembly, there are at least four separate Constitutional Amendments sponsored by Members from both sides of the aisle that try to address this very problem. It's a problem we all know that's been here for years, as the Sponsor of this Amendment has

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already stated, there are at least four separate House Constitutional Amendments proposed in this Session to deal with mandates, so I don't see why anyone should have a problem with this particular Amendment because many of you are Co-Sponsoring similar stand-alone Constitutional Amendments. An 'aye' vote is appropriate."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 53 'ayes' and 61 'noes'. Mr. Wennlund would like to...Oh, Mr. Clerk. Mr. Clerk, you cannot dump the Roll Call. You cannot dump the Roll Call. Mr. Wennlund, the Clerk has dumped the Roll Call, so we will take it again. On this Amendment, the question is, 'Shall Amendment #10 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 54 'ayes' and 60 'noes.' Mr. Wennlund asks for a verification. Mr. Clerk, poll those not voting."

Clerk McLennand: "Representative Persico. Representative Persico."

Speaker McPike: "Mr. Persico. Is the Gentleman here? Any others Mr. Clerk?"

Clerk McLennand: "Representative Andrew Young."

Speaker McPike: "Who?"

Clerk McLennand: "Representative Anthony Young."

Speaker McPike: "Representative Anthony...any further?"

Clerk McLennand: "No, no further."

Speaker McPike: "All right. The Gentleman asked for...Okay, just a minute. Mr. Wennlund, wait a minute, we've got some people here who would like to be verified. Trotter. Balanoff. Trotter, Balanoff, who else? Representative Young, Tony Young. Representative Tony Young votes 'no'.

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Mr. Clerk. Mr. Clerk, Anthony Young, 'no'. All right. Representative McDonough would like to be verified. Larry, Mr. Wennlund, McDonough. Thank you. Any further? All right, Mr. Clerk, proceed with the poll of the negative."

Clerk McLennand: "Representative Balanoff. Representative Brunsvold. Representative Bugielski. Representative Burke. Representative Currie."

Speaker McPike: "Mr. Wennlund, Mr. DeLeo would like to be verified. He is right here. Thank you, proceed, Mr. Clerk."

Clerk McLennand: "Representative Davis."

Speaker McPike: "Now Mr. Morrow would like to be verified. He is right in the center aisle. Proceed, Mr. Clerk."

Clerk McLennand: "Deering. DeJaegher. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. J. Hoffman. Homer. Hultgren. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. F. Mautino. McDonough. McGuire. McPike. Morrow. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Shaw. Stepan. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Young. And, Mr. Speaker."

Speaker McPike: "Representative Wennlund, questions of the negative."

Wennlund: "Representative Phelps?"

Speaker McPike: "He's here."

Wennlund: "Representative Wyvetter Young?"

Speaker McPike: "Representative Wyvetter Young? Mrs. Young? The Lady is not here. Remove her from the Roll Call."

Wennlund: "Representative Lou Jones?"

Speaker McPike: "She's here."

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Wennlund: "Representative Al Ronan?"

Speaker McPike: "Representative Ronan? Is Mr. Ronan here? Al Ronan? Gentleman's not here. Remove him from the Roll Call."

Wennlund: "Representative Farley?"

Speaker McPike: "Mr. Farley is here."

Wennlund: "Where?"

Speaker McPike: "He's here. He's in the chamber."

Wennlund: "Representative Steczko?"

Speaker McPike: "He's here."

Wennlund: "Representative Turner?"

Speaker McPike: "He's here."

Wennlund: "Representative Preston?"

Speaker McPike: "He's here."

Wennlund: "Representative Williams?"

Speaker McPike: "He's here."

Wennlund: "Representative Lang?"

Speaker McPike: "He's here."

Wennlund: "Representative Rotello?"

Speaker McPike: "He's here."

Wennlund: "Nothing further."

Speaker McPike: "On Amendment #10, there are 54 'ayes' and 59 'noes', and the Amendment is defeated. Further Amendments? Mr. Clerk?"

Clerk McLennand: "Amendment #11, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund withdraws Amendment #11. Further Amendments?"

Clerk McLennand: "No further Amendments. Ah, Rep...Amendment #12, offered by Representative Wennlund."

Speaker McPike: "Amendment #12, Mr. Wennlund."

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

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House. To this Amendment I certainly invite Representatives Lang to Co-Sponsor this with me. He didn't like the word 'shall' when, in a previous Amendment which would have required the Secretary of the State to include in the published explanation of the Amendment in large, bold and in clearly readable type, that the adoption of this Amendment 'may' result in a tax increase. As Representative Lang suggested that we advise the taxpayers of Illinois 'well, not 'shall', because we don't know for sure that it's going to, but it 'may'. And I agree with Representative Lang. It was such a fine suggestion that I had this Amendment prepared so that the Secretary of State can advise the taxpayers of Illinois, in a true spirit of consumerism, that this 'may' result in a tax increase. Just like the warning on a package of cigarettes: 'It may be hazardous to your health.' The taxpayers of Illinois ought to know that the passage of this Amendment may be hazardous to their pocketbook because it may cause a tax increase and I ask for your support, Representative Lang, for this fine Amendment. The people of Illinois ought to know."

Speaker McPike: "Representative Matijeich."

Matijeich: "Would the Gentleman yield?"

Speaker McPike: "Yes. Yes."

Matijeich: "With this language, Representative Wennlund, when you say it 'may', that in itself says that it 'may not'. Is that correct?"

Wennlund: "That's right. It may and it may not."

Matijeich: "Well, then, if that's true, why shouldn't the Secretary of State say, 'It may not include a tax increase'?"

Wennlund: "The same reason we put labels on packages of

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cigarettes."

Matijevidich: "You should say, 'It may not include. It may but it may not'. Right? You're right. You said 'yes.'"

Wennlund: "Well, let me answer the question. Let me answer the question. The same reason we put warning labels on packages of cigarettes is to warn them that they may be hazardous to health. Well, the taxpayers of Illinois ought to know that it may be hazardous to their pocketbook. And that's why this Amendment is needed, as suggested by Representative Lang. I think it was a wonderful suggestion, and it ought to pass. Mr. Speaker, I ask for a record vote and (inaudible)."

Matijevidich: "Mr. Speaker, he was answering my question."

Speaker McPike: "Yes, he was."

Matijevidich: "This response shows how ridiculous this Amendment is, his own response."

Speaker McPike: "Representative Daniels."

Daniels: "Well, Mr. Speaker, once again we have a response from the other side of the aisle that is most disappointing for every taxpayer in this State. We have offered, through a series of Amendments, starting with Amendment #1, property tax relief, equal funding of education, accountability in our educational system -- that we all know needs it -- property tax abatement and relief. And going on through issues now that we have before us, a full-funding of every mandate, which every one of you running for office has said you stood for, and the Majority Party has defeated. We've asked for waivers when we're showing that we're doing a better job in our educational system and the Majority Party has defeated. And now you intend, of course, once again, to make light of the fact that this Amendment, and you know it, will require a tax increase to be imposed on

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the people of Illinois. You know that the Amendment that's before us, in an unamended form, which you're about ready to do, which we will vote on tomorrow, will thrust upon the people of Illinois an unreasonable doubling in our State Income Tax in this State of Illinois. And, yet, you sit there, and you make light of a situation. A big Amendment. An ambiguous Amendment. An Amendment that almost every major newspaper in this State says is so ridiculous we ought to leave it alone and gets a failing grade. Your own paper, the paper of the Majority Party, where you live in the City of Chicago, the Chicago Tribune, has stated, 'Leave this Amendment. Don't pass it because it's fraught with danger, fraught with danger' on behalf of all the citizens of Illinois. And I want to tell you, I don't think there's any question about it. You pass this out. You have the taxpayers vote, and they're going to have the last say on this Amendment. And you're going to pay for it because starting now every Member of this House is going to be held accountable for his or her vote when they put this out and require us to increase our taxes without accountability, without property tax relief, without reform in the school aid formula. You know what you're doing and you're wrong. You're wrong. You're wrong."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. As always, I read with great interest the remarks of the Minority Leader. First, I want to ask, 'Why are we so afraid of letting the people vote on something?' I thought that we lived in a democracy. I thought it was okay for the citizens of our country and the citizens of our State to vote on questions and to vote for Members of legislative bodies and to vote for Members of the Executive. I simply

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can't understated why that is such a problem. We have spent the entire afternoon entertaining a series of proposed Amendments to this Constitutional Amendment. The Constitutional Amendment is straightforward. It's clear. It simply says that what was intended to be done by the Constitutional Convention of 1970 was not done and that we simply want to strengthen the language so that as we move into the next decade the Constitutional language of Illinois will be crystal clear, that the State of Illinois is responsible for providing one-half of the support of educational costs. There is no need to offer these Amendments. There is no need for people to raise the specter of a tax increase because that's what it's all about. There are certain people in this State that (sic) have spent a lifetime proclaiming that they're for education. And now we have this Constitutional Amendment which lets them put up or shut up. Well, they don't want to address the Amendment straight on. They want to raise this specter of a gigantic tax increase, and so they can run off into a corner and they can hide and they can say, 'Oh, there's going to be a tax increase and therefore I wouldn't let the citizens of the State vote on this question. That was my rationale, and they'll feel real good about it, and they'll be happy.' Well, the problem is this matter is going to Third Reading, and we're going to vote tomorrow. And tomorrow you can stand up, and you can say that you believe in a Constitutional mandate that education should be properly funded. You don't believe in it. Simple. Straightforward. That's what we'll do tomorrow, but for now, let's defeat this Amendment. Let's put the matter on Third Reading."

Speaker McPike: "Representative Wennlund, to close."

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Wennlund: "Thank you, Mr. Speaker. Speaker Madigan makes a good point. The people of Illinois, if they want to vote on it, they ought to be able to vote on this Amendment, too. They ought to be able to vote on whether or not there ought to be a warning label on this Amendment, the same way that a package of cigarettes carries, that voting in the affirmative on this Constitutional Amendment 'may' result in a tax increase, and it may be hazardous to their pocketbook. It's something the people of Illinois ought to have the opportunity to do. They ought to be aware. Of all the consumerism Bills that I've seen come out of this General Assembly, this one is of the most basic instinct. They ought to be warned of the consequences of their vote, and, Mr. Speaker, I ask for a record vote and a verification, if necessary, if it's close."

Speaker McPike: "The question is, 'Shall Amendment #12 be adopted?' All those in favor vote 'aye'. Opposed, vote 'no'. Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to take a moment to commend the Chair in allowing us the opportunity to have each Amendment heard in its due process, and I just want to take time to commend the Chair for it. And, I'd also like to just point out that the Speaker very easily tries to say that we're trying to correct an error that happened 20 years ago when he was involved in the Constitutional Convention. It is not that simple. Everybody here understands it is not that simple. The dialogue tomorrow will address the issue. We were elected by the people to make these kinds of decisions. This is the kind of decision that each of us should be voting on in terms of the consequences of it, and this, again, is just the opening volley. Tomorrow we will have

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to discuss it more so the public understands what they will be looking forward to if it passes in November."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 51 'ayes', and 65 'noes'. Mr. Wennlund withdraws his...withdraws his request for a verification. On this Amendment, there are 51 'ayes', 65 'noes', and the Amendment is defeated. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. We will now return to Representative Keane's Bill that was taken out of the record four hours ago. House Bill 3455. Mr. Keane, the Bill is...the Bill is on Second Reading. It's been read a second time. Mr. Clerk, is that correct?"

Clerk McLennand: "That is correct."

Speaker McPike: "Are there any Amendments?"

Clerk McLennand: "Amendment #1, offered by Representative Capparelli."

Speaker McPike: "Representative Capparelli. Withdraws Amendment #1. Further Amendments?"

Clerk McLennand: "Representative (sic) #2, offered by Representative Currie."

Speaker McPike: "Representative Currie withdraws Amendment #2 and withdraws Amendment #3. Further Amendments?"

Clerk McLennand: "Amendment #4, offered by Representative Capparelli."

Speaker McPike: "Representative Capparelli, Amendment #4."

Capparelli: "Mr. Speaker, Amendment #4 addresses what we did last year. Last year, we enacted legislation to cap real estate taxes from 5% in the collar counties. But it excluded Cook County at the time. This Amendment would include Cook County and cap it at 5%. Same as the Collar counties. I

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would ask for a favorable Roll Call."

Speaker McPike: "Mr. Clerk, would you put Floor Amendment #4 up, please? The Gentleman has moved for the adoption of Amendment #4 and on that... And on that, Representative Kubik."

Kubik: "Would the Sponsor yield for a couple of questions?"

Speaker McPike: "Yes."

Kubik: "Representative Capparelli, Amendment #4 would place a cap similar to the cap that we have on the collar counties in this State, on Cook County. Correct?"

Capparelli: "Right."

Kubik: "Would that include Home Rule units?"

Capparelli: "This Amendment does not include Home Rule units."

Kubik: "So, in other words, this would exclude the City of Chicago and the County of Cook?"

Capparelli: "It does not include Home Rule units."

Kubik: "Okay. Representative Capparelli, the other question I have is, 'Does this Amendment...What is the effective date of this Amendment? When will this particular capping procedure take effect?'"

Capparelli: "Amendment #4 will take effect this year."

Kubik: "So, there won't be the phase-in period that was adopted last time with the...There was a phase-in period that we had, a lag in a couple of months. This will not occur on this particular Amendment?"

Capparelli: "No. It takes place this year."

Kubik: "So that when the Governor signs this Amendment, this is effective immediately?"

Capparelli: "Effective as of the July tax. Yeah, it applies to this year's taxes and would be effective upon signing."

Kubik: "Now, Representative Capparelli, I...I...I realize there's going to be a couple parts of this Bill. I do not have a

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copy of Amendment #4 in front of me. Does it deal specifically and only with the cap?"

Capparelli: "That's right."

Kubik: "Okay. Thank you, Representative."

Speaker McPike: "The Chair would like to welcome Speaker Redmond back to the House floor. Representative Stern."

Stern: "Mr. Speaker and Members of the House, if you recall when we passed the legislation last year which put caps on the collar counties and their units of local government, there was very little opportunity to express one's self if one were opposed, to say the least. I was strongly opposed then. I am just as strongly opposed now to the implementation of caps on the units of local government. In a representative democracy, if you don't like what your elected unit of local government is doing, you elect someone else and throw the bums out. You do not...You do not put caps on them in Springfield and prevent them from conducting the business that their voters have elected them to do. I think it is every bit as big a mistake to pass this Bill today as to was it pass that Bill last summer and I think we are moving in the wrong direction. I hope you will consider a 'no' vote, in spite of how attractive it sounds to cap taxes."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, the major concern that I have with your Amendment: Does it apply to the Chicago Board of Education?"

Capparelli: "Yes, it does."

Black: "So, unequivocally, it is your intent and your

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understanding that your Amendment absolutely impacts the Chicago Board of Education?"

Capparelli: "That's what I am told. Yes."

Black: "Thank you."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On this very issue, in my new legislative district, which is all suburban Cook, I sent a questionnaire out to 22,000 citizens asking if they supported a 5% cap or a CPI, whatever is the lesser. The response to that questionnaire showed 87% of the suburban taxpayers that I surveyed said they favored this, and I would say that that is a mandate that the taxpayers of this State, and especially the Cook County area, are saying they want. And I think that anybody who serves suburban Cook should be voting for this Amendment."

Speaker McPike: "Representative Capparelli to close."

Capparelli: "A favorable Roll Call. Thank you."

Speaker McPike: "All right. The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye'. Opposed, vote 'no'. Have all voted? Amendment requires a simple majority. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 62 'ayes', 37 'noes'. Amendment #4 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representative Currie."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Amendment #4 offered property tax relief opportunities to people in Cook County, and Amendment #5 offers the people of DuPage County the opportunity to provide some tax relief for

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themselves. The Amendment would put on the November ballot the opportunity in DuPage County for people to vote to mandate a classification system of the DuPage County Board. As you know, our current Constitution provides that opportunity to the board, but the board has never acted upon it. We do have classification of real property in Cook. The result of that classification system is to keep it 16% residential property - single-family dwellings and apartment units up to six -- 16% rather than 33 1/3. The opportunity for that same kind of approach in DuPage County would surely provide immediate and helpful property tax relief to home owners, but, again, as I say, the issue here is not one that we ourselves are deciding. This Amendment would merely give the opportunity to the voters in the November election to tell their County Board whether they want a classification system to reduce their home real estate taxes or whether they don't. I'd be happy to answer your questions and would appreciate your support for this Amendment."

Speaker McPike: "And on the Lady's Motion, Representative Kubik."

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

Speaker McPike: "Yes."

Kubik: "Representative, I was wondering, with regard to the classification system, you do not set any classification numbers within this Amendment. Is that correct?"

Currie: "That's right, Representative. For the reason that I think there are several different ways to organize classification in DuPage County. And it would seem to me appropriate to leave the how-to-do-it up to the DuPage County Board."

Kubik: "So, the board would have the authority to set the various rates, et cetera?"

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Currie: "It could, as in Cook, have eight or nine systems of separate classes of property. It could decide to do a more simplified system in order to make sure that the equalizer does not go much above 1. They may wish to set rate at varying levels. There's nothing automatic about 57% for this group or 25% for another in this Amendment."

Kubik: "So, the Legislature would have no...no...If the...If the board or if the voters were to adopt this particular proposal in the November election, or any election for that matter, the Legislature would not have any authority in terms of setting the classification numbers?"

Currie: "Just as we do not now have authority for setting of the classification system in Cook County. The classification system in Cook is set by the Cook County Board. They've taken advantage in Cook County of their Constitutional opportunity to classify real property. All this Bill does is to say the voters of DuPage County will have the opportunity to direct their county board and, as in Cook County, the board would make the decision how to implement that change."

Kubik: "The multiplier, I assume, would still be set by the Illinois Department of Revenue?"

Currie: "Absolutely."

Kubik: "Okay. Now, Representative, just one final question. I think that we've all...As the ...Chairwoman of the Revenue Committee, you're well aware of the problems we have with property taxes in this State - there have been a number of counties that have been concerned about the increase in their assessments - I was just curious as to why this particular Amendment is limited to DuPage only. It was just curious to me why you'd selected a county...the County of DuPage as the only county that would fall under your

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proposal. I just would enjoy the benefit of your thinking behind that particular selection of a...of a county. I mean I think that there are property tax...large property tax increases occurring in Will County and Lake County, in Kane County and those kinds of places. Just happened to wonder why DuPage County, of all counties, was selected."

Currie: "I appreciate the question, Representative. If you'll look at the Amendment, you'll see that DuPage County is not listed. This Amendment would apply to any county with a population over 750,000. Certainly, it makes sense to classify only in counties where there is some variety in the different kinds of properties that make up the tax rolls. DuPage County has some fourteen and a half billion dollars worth of assessed valuation. And it has major industrial and commercial properties, unlike some of the smaller counties of the State. The Oak Brook Shopping Center, for example, is a major money-maker for its owners. Under the provisions of this Amendment, were it the classification proposal approved by the citizens of DuPage County, my guess is that Oak Brook Shopping Center would be paying a larger share of the school bill and the municipal bill in DuPage County, and the home owners would be paying less. So, I wasn't trying to single out that county, but the issue is that you gotta have enough...enough people, you gotta have enough assessed valuation, and you have to have enough variety in the assessed valuation in order to make a classification system worthwhile. In addition, I think that the leadership of the Republican Party in this House and in this Senate coming from DuPage County, have been very concerned, very concerned about property tax relief for the little people in Cook and in their home communities. It seemed to me that they should be concerned

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about property tax relief right there in their own home county. So, I think that it's an important opportunity to give to the leadership of this General Assembly, especially among the Minority Party Members."

Kubik: "Well, thank you for that rather creative answer, Representative Currie. If I could just briefly close my remarks, Mr. Speaker. I'm not sure that I wouldn't oppose this Amendment. Living next door in Cook County, certainly...I look at this Amendment and will look at it very carefully as I, as I decide how I am going to vote. However, I can't escape the thought that there is, oh, perhaps, a small element of political gamesmanship going on here. Although, I'm sure the Sponsor's well-intentioned. But, I think that we ought to look at the substance of this particular Amendment, make a judgment, make a judgment based on good public policy. And I think that...again, I'm not sure exactly how I'm going to vote, but I certainly appreciate the opportunity of the Sponsor allowing me to question her on this Amendment."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. It is curious to me that anyone who has received the benefit of the golden egg would want to do damage to the hen that lays it. The fact is that the County of DuPage is one of the few counties in this state that is thriving economically. The classification system in Cook County has been an abysmal failure, and one of the reasons that we are doing so well in DuPage County is because businesses that did not like the classification system in Cook County and found it unfair have moved to DuPage because it did not have a classification system. And consequently, DuPage has thrived, and the people and

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the businesses who are thriving there are paying large amounts of money in taxes to the State of Illinois. This...is...this wonderful, thriving, healthy hen that lays this big, beautiful golden egg for the State of Illinois and along comes somebody from the county that already has a failed classification system and wants to impose that wound upon the hen. That makes absolutely no sense economically or otherwise. As it is right now, the people of DuPage County send a whale of a lot of dollars to the State of Illinois, and we get back a minnow. What we ought to do in DuPage County is make the same sort of proposal they are in the state of Kansas. We should secede from Illinois."

Speaker McPike: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker, Members of the House. The issue is property tax relief for the little guys, for the home owners, for the renters in DuPage County. This Amendment doesn't provide that directly. All it offers the people of DuPage County is the chance to tell their board whether they want classification and thus the opportunity for lower real estate taxes or whether they don't. People have been talking a lot about property tax relief in this chamber. This is put-up or shut-up time. We have classification in Cook County, and it is a help to the home owner. If you care about the home owners in DuPage, the right vote on this Amendment is a 'yes' vote."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All those in favor vote 'aye'. Opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On Amendment #5, there are 63 'ayes', 40 'noes'. Amendment #5 is adopted. further Amendments?"

Clerk McLennand: "Amendment #6, offered by Representative..."

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Speaker McPike: "Representative Currie withdraws Amendment #6.
Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. All right, could the Chair have your attention for announcements in regard to committees? All right, the committees that were supposed...Listen, could we have your attention for a minute? Thank you, Mr. DeLeo. The committees that were supposed to meet at 2:00 p.m., Consumer Protection; Counties and Townships; Health Care; and State Government will meet immediately in the same rooms that they were assigned to. In regard to the 4:00 p.m. committees, the Environment Committee will meet immediately on the House floor. All other 4:00 p.m. committees will meet Friday. That's Higher Ed.; R and R; and the two Approps. They will meet from 8:00 a.m. until 10:00 a.m., Friday morning, except Approp. I, Public Safety, Representative Hicks, has been cancelled for the week. All right, we are prepared to adjourn. The 2:00 p.m. committees will meet immediately. Environment will meet on the House floor. The other 4:00 p.m. committees will meet Friday morning. Representative Matijeich."

Matijeich: "Speaker, I wanted to remind everybody about Phil Rock's retirement party. If they can go, because committees come first."

Speaker McPike: "All right, allowing the Clerk Perfunctory time, for Committee Reports. Representative Matijeich moves that the House now stands adjourned until tomorrow, the hour of 4:00 p.m. All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

Clerk McLennand: "Committee Report, offered by Representative Richmond, Chairman of the Committee on Agriculture, to which the following Bills were referred, action taken April

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28, 1992, reported the same back with the following recommendations: 'do pass' House Bill 3488 and 3325. Representative McNamara, Chairman of the Committee on Education Finance, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bill 2166; 'do pass as amended' House Bill 695; 'do pass as amended Short Debate Status' House Bills 809 and 1658. Representative Saltsman, Chairman of the Committee on Executive, to which the following Bills were referred, action taken April 29, 1992, reported the same back with the following recommendations: 'do pass' House Bills 3275, 3807, 3624, 3776, 3201, 3725, 4059, 3423, 3255, 1042 and 3446; 'do pass as amended' House Bills 3869 and 3962; 'do pass Short Debate Status' House Bills 2803, 3779, 3679, 3675, 3464, 3175, 3166, 3137, 3136, 3135, 2958, 2734, 3742, 3153, 3495 and 3417; 'do pass as amended Short Debate Status' House Bills 3433, 4119, 3864, 3692 and 3561; 'do pass Consent Calendar' House Bills 3583 and 3269; 'do pass as amended Consent Calendar' Senate Bill 626. Representative Flinn, Chairman of the Committee on Financial Institutions, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bill 3845; 'do pass Short Debate Status' House Bill 3689; 'do pass as amended Short Debate Status' House Bill 3438; 'do pass Consent Calendar' House Bills 3569, 3674, 3711 and 4094; 'do pass as amended Consent Calendar' House Bill 3823. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bills 3350,

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3609, 3245, 3886, 4056, 3409 and 2758; 'do pass Short Debate Status' House Bills 3694, 3047, 3939, 4079, 4078, 3885, 3394 and 3285; 'do pass as amended Short Debate Status' House Bills 3395, 3950, 4170, 3716 and 849; 'do pass Consent Calendar' House Bill 4167; 'do pass as amended Consent Calendar' House Bill 4166. Correction on Committee Report, Representative Saltsman, Chairman of the Committee on Executive, to which the following Bill was referred, action taken April 29, 1992, reported the same back with the following recommendation: 'do pass as amended Consent Calendar' Senate Bill 626. Representative Rice, Chairman of the Committee on Insurance, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass as amended' House Bill 3334; 'do pass Short Debate Status' House Bills 4191, 3909, 3092, 3803 and 2825. Representative Farley, Chairman of the Committee on Labor and Commerce, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bills 2927, 3793, 2982, 3358, 3870, 3432, 3407, 3234; 'do pass as amended' House Bill 2964; 'do pass Short Debate Status' House Bill 3429; 'do pass as amended Short Debate Status' House Bill 3107; 'do pass Consent Calendar' House Bills 3814 and 3641. Representative Brunsvold, Chairman of the Committee on municipal and Conservation Law, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bills 4042, 3656, 3657, 3189 and 4115; 'do pass Short Debate Status' House Bills 3661, 4083, 3894, 3750, 3969, 3473 and 4159; 'do pass as amended Short Debate Status' House Bills 2786, 3749 and 705; 'do pass Consent Calendar'

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House Bills 3773, 3902 and 4008. Representative Levin, Chairman of the Committee on Public Utilities, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bills 3734, 3582, 3581 and 3083; 'do pass Short Debate Status' House Bills 3788, 3679 and 3209; 'do pass Consent Calendar' House Bill 3971. Representative Ronan, Chairman of the Committee on Transportation and Motor Vehicles, to which the following Bills were referred, action taken April 28, 1992, reported the same back with the following recommendations: 'do pass' House Bill 2649; 'do pass Short Debate Status' House Bills 3887, 3792, 3746, 3061, 3027, 2989, 3060, 3063, 3232, 3354, 3452, 3595, 3596, 3634, 3707, 3708 and 4142; 'do pass as amended Short Debate Status' House Bills 2741, 1129, 3297, and 3246; 'do adopt' House Resolution 874, House Resolution 855, House Joint Resolution 108. Representative Dunn, Chairman of the Committee on Judiciary I, to which the following Bills were referred, action taken April 29, 1992, reported the same back with the following recommendations: 'do pass' House Bills 2532, 3355, 3371, 3790, 3794 and 3333; House Joint Resolution Constitutional Amendment 32; 'do pass as amended' House Bills 608, 2716, 3079 and 4007; 'do pass Short Debate Status' House Bills 4194, 3000, 3926, 3078, 3126, 3810, 4024, 4049, 4187, 3813, 3652, 3174, 4009, 3372, 4073 and Senate Bill 460; 'do pass as amended Short Debate Status' House Bills 3215 and 3406; 'do adopt' House Resolution 322."

Clerk McLennand: "There being no further business the House does stand adjourned until 4:00, tomorrow."

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