

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

77th Legislative Day

June 30, 1991

Speaker Giorgi: "The House will come to order. The Members will be in their seats. We'll be led in prayer by Representative Nelson Rice, and the guests in the gallery may want to rise and join in the prayer by Representative Rice."

Rice: "Let us bow our heads. Dear Lord, we are gathered here in this place near the end of an interesting and serious Session. We thank You for the direction of each and every Representative in this Body. We ask You to help us in solving in our final deliberation, continue to shower Your blessing on each and every one of us. Let us praise Him for what You have done. We ask these simple blessings, in Your Son, Jesus' name. Amen."

Speaker Giorgi: "Thank you, Reverend Rice. We'll be led in the Pledge of Allegiance by Representative Gordon Ropp."

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

Speaker Giorgi: "Roll Call for Attendance. We want to remind the Members that went home overnight to check in with the Clerk's well for reimbursement. Alright, excused absences, Representative Matijevich."

Matijevich: "Mr. Speaker, on this side of the aisle, for the moment, Representative Flowers is excused, we think she'll be around later on."

Speaker Giorgi: "Representative Kubik on the Republican excused absences."

Kubik: "Mr. Speaker, let the record reflect that Representative Klemm is excused due to illness."

Speaker Giorgi: "Thank you, Representative Kubik. Take the record, Mr. Clerk. There being 116 Members present, the

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House is a quorum. Call the Members attention to the presence of a former Legislator, and now a federal judge, Brian Depp in the middle aisle. One of my colleagues of earlier years."

Speaker Giglio: "The House will come to order. Senate Joint Resolution 1, Conference Committee Reports, Representative Mulcahey. Senate Joint Resolution 1. Representative Granberg, for what purpose do you arise?"

Granberg: "Thank you, Mr. Speaker, a point of personal privilege. Representative Black, Cardinals 4, Cubs nothing."

Black: "Mr. Speaker, Mr. Speaker, we need a little order in the chamber. I think there are more serious things today than the Cardinals, Cubs game. I want you to look at the front page of today's Tribune, the headlines 'Legislators at Surcharge Standoff' and shows tanks surrounding the Capitol. And I called General Holsinger, and he said Governor Edgar didn't call out those tanks, I think the Speaker did. I want this straightened out. 'Legislators at Surcharge Standoff' we're surrounded by tanks. I feel threatened. And If I hear any explosions tonight, Mr. Speaker, I'm ducking for cover under your desk."

Speaker Giglio: "Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I agree with the last speaker, Representative Black, but I would like to join him the next time he throws something, I have my map. He can throw his."

Speaker Giglio: "House Joint Resolution 64, Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. House Joint Resolution 64 creates a joint Persian Gulf War Memorial Committee that will study the erection of a suitable memorial to commemorate those who served in the Persian Gulf War, and particularly noting

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the Illinois citizens who made the ultimate sacrifice while serving in that conflict. I would ask that the House Concur in House Joint Resolution 64."

Speaker Giglio: "Okay. The first Motion, Representative Black, would be to move to bypass Committee and place on the Speaker's table for immediate consideration."

Black: "Absolutely."

Speaker Giglio: "Does the Gentleman have leave? Leave is granted by the Attendance Roll Call. Now, on the Resolution, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much. I've explained HJR 64, I would be glad to entertain any questions that you might have, otherwise would ask for a favorable vote on HJR 64."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Representative McPike. Representative McPike. Representative McPike on the Resolution. Representative McPike, did you want to speak on this Resolution? Further discussion? Hearing none, all those in favor of the Resolution signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution's adopted. Okay. On this question, all those in favor say 'aye', hearing none, the Attendance Roll Call will be used for the adoption of House Joint Resolution 64. The Chair would like to make an announcement. There's a bracelet that was found on the floor, it looks like a wrist bracelet. It's pearls. No, it's not Representative Levin's. Anybody...does anybody claim this? We'll leave it at the Clerk's well here. Anybody's missing...Representative Mulcahey. Representative Mulcahey."

Mulcahey: "Do you want to do Senate Joint Resolution 1?"

Speaker Giglio: "Senate Joint Resolution 1. Proceed, Sir."

Mulcahey: "Thank you, Mr. Speaker. I move that the House Concur

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with Conference Committee Report #1 to Senate Joint Resolution #1, and we adopt the report. It simply changes the number of Members on the task force from 24...it was originally 12...six it was originally three appointed by the Speaker and the Minority Leader of the House, President and the Minority Leader of the Senate. That's basically all it does, it convenes as soon as possible, as soon as the appointments are made, and really is long overdue."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House Concur with Senate Joint Resolution #1?'...or'...adopt the First Conference Committee Report on Senate Joint Resolution #1?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open, this will be final action. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. McPike, 'aye'. Have all voted who wish? On this question, there are 116 voting 'yes', none voting 'no', and the House does adopt the First Conference Committee Report on Senate Joint Resolution #1. Having received the required Constitutional Majority, is hereby declared passed. The Chair would like to correct the remarks, that on Senate Joint Resolution 1, and that was...the House adopted the second Conference Committee Report, and that report, having received the required Constitutional Majority is hereby declared passed. The Chair would like to go to concurrences on page 4, Representative Ronan. House Bill 886...889. Is Representative Ronan in the chamber? Out of the record. House Bill 1464, Myron Olson. Representative Olson. Representative Black on House Bill 1475."

Black: "Yeah. Thank you very much, Mr. Speaker. House Bill 1475 amends the Solid Waste Management Act, creates an advisory task force in developing markets. I move to concur. I know of no opposition to the Bill."

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Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1475?', and on that question, all those in favor signify by voting 'aye', opposed 'no'. This will be final action. Any discussion? Representative... Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 114 voting 'yes', none voting 'no', and the House does concur with Senate Amendment #1 to House Bill 1475, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Manny Hoffman on House Bill 2181. Gentleman from Cook, Representative Hoffman."

Hoffman, M.: "Thank you, Mr. Speaker, I move to concur with House Bill 2181, Amendment #1. The Amendments are a printing contract, a video conferencing, private colleges and universities, telecommunications, and a CMS audit cleanup."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2181?', and on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 109 voting 'yes', 3 voting 'no', and the House does concur with Senate Amendment #1 to House Bill 2181, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Wennlund on House Bill 1464."

Wennlund: "Thank you, Mr. Speaker, I move to concur on Senate Amendments 1, 2, 3, and 4 to House Bill 1464. What these are, are Department of Agriculture basic cleanups in pesticide control and Senate Amendment #1 provides that...for a manual for public distribution on approved procedures for the application of pesticides. Senate

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Amendment #2 creates the Agrichem Incident Response Trust Fund, and Amendment #3 provides that licensed commercial applicators provide certificates of liability insurance, Senate Amendment #4 provides that moneys in the fund be separate from public moneys. Move for the concurrence to all Senate Amendments."

Speaker Giglio: "Any discussion? Any discussion? Hearing none, the question is, 'Shall the House concur with Senate Amendments #1, 2, 3, and 4 to House Bill 1464, and on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 111 voting 'yes', none voting 'no', and the House does concur with Senate Amendments #1, 2, 3...Representative Parcells, 'aye'...anybody else? On this question, there are now 112 voting 'yes', none voting 'no', and the House does concur with Senate Amendments #1, 2, 3, and 4...Anthony Young, 'aye'...There are now 113 voting 'yes', and the House does concur with Senate Amendments #1, 2, 3, and 4 to House Bill 1464, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Jay Hoffman, House Bill 2556."

Hoffman, J.: "Mr. Speaker, and Ladies and Gentlemen of the House. I move to nonconcur with House Bill 2556."

Speaker Giglio: "Gentleman moves to nonconcur with Senate Amendment #1 to House Bill 2556. Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur in Senate Amendment #1 to House Bill 2556. Supplemental Calendar."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Giglio: "Messages from the Senate."

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Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to following Bill, to wit; Senate Bill #1345, a Bill for an Act to amend the Illinois Income Tax Act. Action taken by the Senate June 30, 1991. Linda Hawker, Secretary of the Senate.'"

Speaker Giglio: "Representative Currie on Senate Bill 1345."

Currie: "Thank you, Mr. Speaker, and Members of the House. I move the House refuse to recede from House Amendments 1 and 2 to Senate Bill 1345, and I would ask for the appointment of a Conference Committee."

Speaker Giglio: "Any discussion on the Lady's Motion? Hearing none, the House refuses to recede on House Amendments #1 and 2 to Senate Bill 1345, and a Conference Committee be requested. On House Bill's Second Reading, page 2 of the Calendar, appears House Bill 1360. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1360, a Bill for an Act to apportion State of Illinois into Congressional Districts. This Bill has been read a second time previously. Amendments #4 and 5 are adopted."

Speaker Giglio: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Lou Jones."

Speaker Giglio: "Representative Jones."

Jones, L.: "Mr. Speaker Withdraw Amendment #6."

Speaker Giglio: "Withdraw Amendment #6, Mr. Clerk. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Curran."

Speaker Giglio: "Representative Curran."

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Curran: "Floor Amendment #7 to the Illinois Congressional Reapportionment Act. It offers Congressional boundaries for the 13th through the 20th U.S. Congressional District in Illinois."

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

Churchill: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Churchill: "Representative, does your map comprise the whole state?"

Curran: "It does not."

Churchill: "Are there overlaps or gaps in your map?"

Curran: "For the downstate portion, I believe that there are no overlaps or gaps."

Churchill: "What portion of the state does it not cover?"

Curran: "It does...Cook, DuPage, Lake...it does not cover part of Will, it does not cover part of Kane, and it does not cover part of McHenry."

Churchill: "When was your map distributed?"

Curran: "I think you'd have to ask the Clerk of the House to answer. It's my understanding that the Amendment was distributed yesterday, the visuals have just been distributed in the last hour or so."

Churchill: "Can you tell me the incumbents that your map favors?"

Curran: "I don't believe it favors anybody, Representative."

Churchill: "Can you tell me the split between Republicans and Democrats?"

Curran: "Just a second. Since these are new Congressional maps, Representative, they would be new districts, there would be no sitting Congressman who would yet represent this district. What is your question, specifically?"

Churchill: "Can you tell me, have you analyzed each or any of



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these districts in regards to the voting makeup by partisan politics vis a vis the Republican and Democratic parties?"

Curran: "No, I have not."

Churchill: "Has anyone on your staff made that analysis?"

Curran: "I believe this map adheres to the U.S. Constitution and the Federal Voting Rights Act of 1965 as amended."

Churchill: "What about the partisan makeup of the map, though? Has your staff looked at the partisan makeup of the map?"

Curran: "I've not talked to any staff who have told me they've looked at any nature of the map, and I believe this map adheres to the U.S. Constitution and the Federal Voting Rights Act of 1965 as amended."

Churchill: "Was this map prepared by your staff?"

Curran: "To be honest with you, I don't know who prepared this map, but I believe that it is fair and equitable, that it adheres to the U.S. Constitution, and complies with the Federal Voting Rights Act of 1965 as amended."

Churchill: "Was this your Bill?"

Curran: "It is not my Bill."

Churchill: "Is this your Amendment?"

Curran: "It is my Amendment."

Churchill: "And did you prepare the Amendment yourself?"

Curran: "No."

Churchill: "And so you had someone help you prepare the Amendment?"

Curran: "I didn't actively seek anybody to help me prepare the Amendment."

Churchill: "Did someone help you prepare the map?"

Curran: "I had the assistance of staff."

Churchill: "And did the staff advise you of the racial makeup of this map?"

Curran: "I have statistics here regarding the racial makeup of this map, and I believe that is in the handout that has

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been presented to you and to others of the House this afternoon."

Churchill: "And did the staff present you with any breakdown of each district by either Republican or Democrat University of Illinois Trustee basis voting strength?"

Curran: "They did not."

Churchill: "Did Congressman Durbin help you prepare this map?"

Curran: "Congressman Durbin did not help me prepare this map, nor did we discuss it."

Churchill: "You've discussed this map with Congressman Durbin. Do you know if Congressman Durbin has had an opportunity to view this map?"

Curran: "I do not know the answer to that."

Churchill: "Do you know if there are any sitting Congressmen who have had an opportunity to examine this map?"

Curran: "I do not know whether they have had or whether they have not had the opportunity to review this map."

Churchill: "Have you consulted any Member of the Republican party on the drawing of this map?"

Curran: "I'm sorry. My attention was diverted. Would you ask that question..."

Churchill: "Have you consulted any Member of the Republican party in drawing this map?"

Curran: "I personally have not. No."

Churchill: "Do you know if your staff has?"

Curran: "I do not know the answer to that question."

Churchill: "Have you solicited input from any Members of the Republican party in drawing this map?"

Curran: "I have not solicited input, from either Democrats or Republicans on this map."

Churchill: "Has your staff solicited the input of any Members of the Republican party in drawing this map?"

Curran: "I do not know the answer to that question."

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Churchill: "Have you solicited the input of any Members of racial minority groups in the creation of this map?"

Curran: "I have not personally solicited anyone's advice or assistance or counseling or guidance, Democrat, Republican, or of any race or of any group on this map."

Churchill: "Has your staff done so?"

Curran: "I do not know the answer to that question."

Churchill: "Do you know whether any representatives of any groups representing racial minorities has had any input at all in the creation of this map?"

Curran: "I don't know the answer to the question."

Churchill: "Thank you. To the Amendment."

Speaker Giglio: "Proceed."

Churchill: "Mr. Speaker, obviously this Amendment as with the two previous Amendments on this Bill, does not comply with Constitutional standards. First and foremost, this is not a whole map. This is only a part of a map. We now, if you pass this Amendment, we will now have three Amendments on here, two of which are overlapping, one of which creates a gap between the two previous Amendments in the current Amendment, and therefore this is deficient. I would ask for a Roll Call vote on this Amendment, and I think that the proper Roll Call vote is a 'no' vote."

Speaker Giglio: "Representative Madigan."

Madigan: "Mr. Speaker, as I did on the previous Amendments, as an accommodation to a Member, I will accept the Amendment."

Speaker Giglio: "Any further discussion? Question is, 'Shall Amendment #7 be adopted?' All those in favor, signify by saying 'aye', all those in favor signify by voting 'aye'...Roll Call...'aye'...all those in favor say 'aye', opposed...the 'ayes' have it, the Amendment's adopted. Further Amendments? Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative

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Shaw."

Speaker Giglio: "Representative Shaw. Representative Churchill."

Churchill: "Mr. Speaker, before my good colleague ends up hurting himself..."

Speaker Giglio: "Representative Black."

Churchill: "Mr. Speaker, before my good colleague ends up hurting himself physically, he is correct, a Roll Call vote was requested by me, and it's clear on the record, you did turn on the machine, the Roll Call was started, and in the middle of the Roll Call, as votes were going up, you asked for a voice vote, and then proceeded to make an announcement on the outcome of the Roll Call on the voice vote, when you were in the middle of a recorded Roll Call vote. Now I've asked for...I believe that's evidence of intent to discriminate against the Minority party, I believe that the Roll Call was properly requested, and I believe that you should go back on that Amendment and continue the Roll Call until we get to a proper conclusion of that Roll Call."

Speaker Giglio: "Representative Daniels."

Daniels: "What are your intentions?"

Speaker Giglio: "The Amendment's been adopted. We're on Amendment #8."

Daniels: "Mr. Speaker, the record will show that there was a Roll Call requested. What is your response to that? On the record, it was requested in the transcript, now what you don't want to do is be part of a federal court action, but since apparently you don't care, and apparently that what you're trying to do here is an accommodation, and of course, we wonder when you tell an accommodation, you're accommodating how many millions of people? You have no concern for the action of this legislature or the

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legislative process, so you can just turn your back on a course of action here that impact millions of people in this state? And that you could stand there in the Chair and try to casually avoid the rules of this House, the Constitution of this state, and the Constitution of the United States of America, and one of the things that you attempt to do in approaching this, is to step and trample on the rights of millions of people, because you ought to contemplate your actions in this instance. You know that a Roll Call was requested, requested on the record, in the transcript. The speaker made a statement that he was going to do this as an accommodation. Frankly, this side of the aisle wonders about an accommodation to an Amendment that impacts millions of people, if you're trying to set a legislative record in here, you know that you're voiding that right now, and your actions are speaking ill of your side of the aisle and the Majority party. Now some of us were here ten years ago when the current Speaker stood on this floor and yelled about the actions of the Chair, and some of the people here remember his tantrum that he threw, smashing his shoe on the table when he was mad at then presiding officer Art Telscher, on the Congressional map. Well, maybe we don't have the same reaction that the then...now Speaker, then Minority Leader, has to this action, but let me tell you, that this will be reviewed by a court, and frankly, Representative, I think you ought to know, that your actions of discrimination ten years ago are going to be cited in this instance as well, and it will be reviewed, so what are your intentions, Sir, as to the request for a Roll Call, and the record should reflect that the Democrat Clerk of the House, opened the Roll Call, and started taking the Roll, had started that process. I had personally voted 'no', as several other people did. Now

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what are your intentions?"

Speaker Giglio: "The intention of the Chair is to read Rule 55(c). Upon the Motion of any Member joined by four other Members a record Roll Call shall be taken on any question. There were not three other Members along with the Representative asked, so therefore there was no Roll Call taken. Representative Madigan."

Daniels: "Well, let me just answer that as an inquiry of the Chair, that there were several Members here...I for one had my light switch on, and was joining Representative Churchill as was Representative Black, Wennlund, Deuchler, and many others, and let me also..."

Speaker Giglio: "Representative Madigan."

Madigan: "Mr. Speaker, I'm the Bill's Sponsor, please take the Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To avoid seeing 46 rule books being thrown in the air, or at the Speaker's podium, you know as well as everyone in this House does, as well as the Speaker himself knows, that their speak lights were on and the five Members in compliance with rule 55(c) were in fact there. Now, now I know, as everyone in this House knows, that you Gentlemen have the 71 votes it takes to amend the House rules. If you don't like 'em, amend 'em. It's as simple as that, but to trample on the rights of the Minority to have the rules abided by, is shameful on such an important issue as the remap. This indeed will go into the court proceedings that are already been filed, and everybody will regret it. If that's the way it's going to be from now on, we're just going to violate the rules, and ignore 'em, and ignore the rights of minorities, then what are we doing here? If you don't like the rules, change

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'em. You have the votes to do it. If you want to trample on the rights of the Republican Minority in this House, then go ahead and do it, but change the rules."

Speaker Giglio: "Representative Jones, House Bill 118. Representative Shirley Jones. Did you want House Bill 118...it's on concurrence...Governmental...Representative Leitch. Representative Leitch. George Leitch."

Leitch: "Point of Parliamentary Order, Mr. Speaker. I'd like to have the record reflect that I was attempting to vote 'no' on the last Amendment when the board was locked out."

Speaker Giglio: "The Bill was out of the record, Representative Leitch. Representative Harris. Harris."

Harris: "Thank you, Mr. Speaker. I'd like to also let the record reflect that on the last Roll Call I was attempting to vote 'no' when the board was locked out."

Speaker Giglio: "This Bill's been out of the record, and we're not on that Bill at the present time. Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. I'd like the record to show that I would have voted 'no' had I had the opportunity on the last vote."

Speaker Giglio: "We're not on that Bill. Representative Parcels."

Parcels: "Thank you, Mr. Speaker, I'd like the record to reflect that I would have voted 'no' on Amendment #7 to the last Bill we did vote on."

Speaker Giglio: "That Bill's been out of the record, and we're not on that business. Representative Balthis."

Balthis: "Thank you, Mr. Speaker, I would like the record to reflect that I had voted 'no' on House Bill 1360."

Speaker Giglio: "Bill's not in the record. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, I would also like

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to have the record reflect that I would have voted 'no' had I had the opportunity to do so, and I not only want the record if at all possible to reflect that, you...I would also like to use a phrase someone else once used...this day will live in infamy."

Speaker Giglio: "We're not on this Bill. The Bill's been out of the record. There's no action taken on this Bill. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Let the record reflect that I had voted 'no' on House Bill 1360, Amendment #7."

Speaker Giglio: "This Bill has been out of the record. There were no votes taken."

Speaker Giglio: "Representative Black."

Black: "Well, Mr. Speaker, I thank you for recognizing me. The cost to the taxpayer for this light having been on for the last 35 minutes should come out of your check, Sir. I have an inquiry of the Chair. Rule 56...'all record votes of the House shall be taken on the Electrical Roll Call System unless it is not working, you know it was called for, rule 57...'an oral Roll Call shall be taken in lieu of an electrical Roll Call only if the Electrical Roll Call System is not working. The Clerk shall call the names of the Members alphabetically, and the Members shall, when called or recognized, vote by orally declaring their vote.' Since obviously the machine must have broken, while you were in the Chair, I would ask that the Chair rule that rule 57 be invoked, and that we have an oral, verified Roll Call on the previous Bill which you must not have taken out of the record because several people have read their vote into the record, so Mr. Speaker, we're early on the last day. We have a lot of business to do, this is silly. Take the Roll Call. You're the Majority Party, if you want it to pass it'll pass, but you, Mr. Speaker, you're charged



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with protecting the rights of the minority, that includes Members of the Minority Party. You know better. Don't make me be dismayed, discouraged, and disappointed by your action. You're a man of integrity, you're a licensed plumber, don't get involved...I say to you, I say to you, Sir, I say to you, don't endanger your license by this action, the Department of Professional Regulation may be listening to this transcript, now Mr. Speaker, you've heard all of the rhetoric, now you know you called for a Roll Call, if the machine was broken, and it might have been broken. You can't help that, then I ask the Chair to rule that rule 57 be invoked, and we have an oral verified Roll Call. Let's be fair, Mr. Speaker. Don't tarnish your years in this chamber by an action of desperation in what might be your retirement Session. Mr. Speaker, don't do that."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, on behalf of Representative Giglio, I want to thank Representative Black for that unsolicited commercial, because that map is coming over from the Senate, he will continue to be a licensed plumber, I understand, is that right, Frank?"

Speaker Giglio: "Representative Black, with regard to your inquiry, 55(b) states 'if the vote is via vocal, and the Speaker doubts the result, the Speaker shall order a Record Vote taken, and I don't doubt the results. Representative Robert Olson."

Olson, B.: "Thank you, Mr. Speaker, I would like the record to show that I was in the process of hitting my red button, when the board was dumped. Thank you."

Speaker Giglio: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, I'd like the record to reflect that on the previous vote on House Bill 1360, I had voted

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'no', and my red light was lit on the Board at the time the Chair, in violation of the House rules, dumped the Roll Call."

Speaker Giglio: "There was no vote taken. Representative there was no record vote taken on the Bill you just requested, and that Bill is not in the record. Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Regardless of the phrase that you continue to repeat, we all know that a vote was taken on Amendment #7 to House Bill 1360, that you at first extended to the Gentleman requesting a record Roll Call the courtesy that is the time honored tradition in this House, and what is expected by all Members of the Chair that when a record Roll Call is requested, it is taken. But in the midst of that record Roll Call, which was pending on the Electronic Roll Call Board, when Members had already begun to record their votes, you, Mr. Speaker, precluded further recording of votes, and denied the Gentleman his legitimate request for a record Roll Call vote. Mr. Speaker, on the question of Amendment #7 to House Bill 1360, my vote would be 'no' if you were to permit the time honored tradition of the House, and courtesy, and the Members' rights to be implemented, and I wish the record to so reflect. Thank you."

Speaker Giglio: "Representative Pedersen."

Pedersen, B.: "Thank you, Mr. Speaker. Would you have the record show that I was in the process of voting 'no' on Amendment #7 to House Bill 1360. Thank you."

Speaker Giglio: "Representative Doederlein."

Doederlein: "Thank you, Mr. Speaker. I'd like to have the record show that I would have voted 'no' on Amendment #7 to House Bill 1360."

Speaker Giglio: "Representative Deuchler."

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Deuchler: "Thank you, Mr. Speaker. I would also like the record to reflect that in fact I had voted 'no'. I did look up at the board, and I pressed my 'no' switch, it was recorded up there, and I am extremely upset at your ruling."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I have two questions. The first one, would the Chair inquire of the Clerk whether or not the voting board was lit during House Bill 1360, Amendment 7, and the voting was in process? Do you need the Parliamentarian or what..."

Speaker Giglio: "Representative Ropp, we're not on that Bill."

Ropp: "Well, I think it would be good to have that just for a reference anyway, and if you don't want to ask the Clerk, I know the Clerk doesn't make any errors, he's always follows the direction of the Speaker. Let me also add that I, too, was in the process of voting 'no' on Senate...on the Amendment #7 to House Bill 1360, and let it also be known for the record, that clearly in the process of voting, the voice of Speaker, Representative Madigan was calling for a voice vote while the record was being taken. Thank you."

Speaker Giglio: "Representative Sieben."

Sieben: "Mr. Speaker...Thank you, Mr. Speaker. I'd like the record also to reflect that I was in the process of voting 'no' to Amendment #7 to House Bill 1360, and in light of the fact that you are a licensed plumber, I would request that the Chair also have available this evening a licensed electrician in this chamber, because I've witnessed some previous Sessions on the final day that we do have problems with the electronic clock that's also on that board, so I would request of the Chair that a licensed electrician be available this evening to make sure that all the electronics work properly in this chamber."

Speaker Giglio: "Representative Noland."

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Noland: "Thank you, Mr. Speaker. Please let the record reflect that I had voted 'no' before you dumped the Roll Call on House Bill 1360, Amendment 7. Thank you."

Speaker Giglio: "Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker. There's a difference of opinion of whether the vote on Amendment #7 of House Bill 1360 is out of the record or not. It is quite evident by the discussion. As a point of personal privilege, would you inquire of the Clerk, for my own knowledge and satisfaction, if the board was indeed open and were there votes in the process of being cast. I would like to just be able to sleep tonight...making sure that I didn't...my eyes weren't playing tricks on me."

Speaker Giglio: "You could sleep very well tonight, Representative Olson. Representative McAuliffe."

McAuliffe: "Mr. Speaker, it was my intention, also, to be recorded as voting 'no' on that Bill."

Speaker Giglio: "Representative Stange."

Stange: "Thank you, Mr. Speaker. I was also in the process of voting for House Bill 1360, Amendment #7, voting 'no'. Thank you."

Speaker Giglio: "Representative Wojcik."

Wojcik: "Mr. Speaker, I have...visibly witnessed a lot in the nine years that I have been here, but, I must say, this is the first time that I actually watched a 'no' vote that I cast on Amendment #7, House Bill 1360, visibly disappear before my own eyes, and had this had not happened, I certainly would have voted 'no'."

Speaker Giglio: "Representative Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. On House Bill 1360, when we were voting on a Roll Call vote on Amendment #7, I had my button pushed red, it...it was indicated on the board that I had voted 'no', and I wish we

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could have a Roll Call vote on that, and it would show definitely that I had voted 'no' on that Amendment. Thank you."

Speaker Giglio: "Representative Wait."

Wait: "Mr. Speaker, I'd, also, like the record to reflect that my button was also pushed red, and it was so reflected on the board, and I wish the record to so reflect that. Thank you."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Let the record reflect that I had voted 'no' on Amendment #7 of House Bill 1360, and the red light was on. I would like the record to reflect that, also."

Speaker Giglio: "Representative Petka."

Petka: "Thank you very much Mr. Speaker, Members of the House. I, too, would like to rise to...explain...my attempt at a 'no' vote on House Bill 1360, Amendment #7. I was...I was proud to be in the process of attempting to cast that vote, when I was disenfranchised by the Speaker and the actions of the Majority Party here in the House. I would have been proud to vote 'no' against this wildly, gerrymandered partisan map, which does an injustice to the people of the State of Illinois, does not meet constitutional requirements, and whose sole purpose is to gain a partisan advantage and to disenfranchise millions of peoples. I would have proudly voted 'no'."

Speaker Giglio: "Representative Cronin."

Cronin: "Yes, Mr. Speaker, your Honor, may the record reflect that, with respect to House Bill 1360, Amendment #7, I had cast a 'no' vote, and I would have remained a 'no' vote until the record was taken."

Speaker Giglio: "Representative Persico."

Persico: "Thank you, Mr. Speaker. I'd like the record to reflect

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that I, too, had for a brief, shining moment voted 'no' on Amendment #7 for House Bill 1360."

Speaker Giglio: "The Chair would like to say that there was no vote taken except a voice vote. Representative Burzynski."

Burzynski: "Thank you, Mr. Speaker, for the opportunity to indicate that I know that I saw red on the board for a minute and saw quite a bit red after that, but anyway I'd like for the record to reflect that I, too, voted 'no' on Amendment #7 to House Bill 1360. Thank you."

Speaker Giglio: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, I'd like the record to reflect that I had voted 'no' on House Bill 1360, Amendment #7. I'd like the record to reflect that. Thank you."

Speaker Giglio: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Let the record reflect that I had voted 'no' on Amendment #7, and I did see the red light on the board before the Bill was, against the rules, taken out of the record."

Speaker Giglio: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker. May the record reflect that I, too, had voted 'no'. I had voted 'no' on Amendment #7 of House Bill 1360. I looked at the board and found that I was joined by a great number of my colleagues, also. Let the record reflect that, please."

Speaker Giglio: "Let the record reflect there was no vote taken except the voice vote. Representative Peterson. Bill Peterson."

Peterson: "Thank you, Mr. Speaker. I'd like the record to reflect that I had voted 'no' on Amendment #7 of Senate (sic House) Bill 1360 when the Roll Call was dumped; and I'd like the record to reflect that, if it was taken, I would have voted 'no'."

Speaker Giglio: "Representative Johnson. We'll come back to

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Representative Johnson. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I would like the record to reflect that I...voted 'no' on Senate (sic House) Bill 1360."

Speaker Giglio: "Representative Johnson."

Johnson: "I...two points: one is I'd like to be so reflected as a... 'no' vote on the Bill referred to, and, also, I think it's appropriate to introduce two members of the Illinois Delegation to the Congress, Congressman Bruce and Congressman Durbin, who are with us on the floor for some time, just here as citizens interested in the general process, and I think it's great to see them here."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would ask that the record reflect that I had voted 'no', by using my vote switch, on Amendment #7 to House Bill 1360 and that the 'no' light had been eliminated."

Speaker Giglio: "Representative Churchill."

Churchill: "Mr. Speaker, I...as I was the person who asked for the Roll Call vote and...as you started to open up the Roll Call vote, I did not, at that point, feel any necessity of coming back and requesting other Members of my side of the aisle to join me in that, since the electronic Roll Call vote was open and, had you afforded me ample opportunity to...tell me that a Roll Call vote would not be taken, then I certainly would have had the proper number of Members...join me in that request. I, also, noted as the electronic board opened up that there were a great number of...of negative votes on Senate Amendment...or on Amendment #7 to House Bill 1360. It is my belief that...that there were not enough people on the Majority side of the aisle present at that time that...that...that Amendment probably would have lost, and I think...that an

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electronic Roll Call would have afforded us the opportunity to...to determine that. I had pressed my 'no' vote, and...and I do not want...an oral vote to show that I had voted 'aye'. I want to be recorded as a 'no' vote on Amendment #7 to House Bill 1360."

Speaker Giglio: "Representative Regan."

Regan: "Thank you, Mr. Speaker. An inquiry. Is Amendment #7 adopted on House Bill 1360? Mr. Speaker."

Speaker Giglio: "Your inquiry of the Chair is whether or not the Amendment was adopted?"

Regan: "Yes, that's correct."

Speaker Giglio: "Amendment #7 was adopted by a voice vote."

Regan: "Well, it seems to me on the...when the board lit up and I voted 'no' on 1360, Amendment #7, and when the electronic board went off, when you closed it, it was 25 'nos' to 17 'yes', so I think that Amendment should fail."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Two points: first of all, I was in the process of voting 'no' on Amendment #7 to House Bill 1360 on the electronic vote that...was being cast at the time, and the second point is that, the Speaker has the power of the Chair, and I'm offended on behalf of, not only myself who represents over 120,000 citizens of this state, but I'm offended for every Member of this Legislature that the Chair can blatantly abuse his position; when the standard procedure is to ask for a Roll Call, an electric Roll Call, that the Chair can abuse that by simply ignoring that and going to whatever position they want to take on a Roll Call. Now, I'm...I'm afraid now, because we're in the process of developing a map to protect the rights of all citizens of this state, both the majority and the minority, and I am fearful for all these citizens, because tomorrow or tonight on other votes that you can abuse that by



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ignoring whatever you choose to do. Now, you know, you have 72 votes. You have more than enough votes to control the situation in any way you want, since it only takes 60 votes to pass a Bill. I am concerned for the citizens of this state than in the future of the negotiations on the redistricting maps, both Congressional, House and Senate, that you will abuse the Chair...the Chair will abuse the system, and I would ask that in the future that we watch that and that these things do not continue, that the rights of the citizens of this state are protected, and that we go in a normal systematic Session that, is understood and normal, and I would ask that you reconsider your position on behalf of all the citizens of this state."

Speaker Giglio: "Mr. Parke, the Chair would like to remind you that the people of this state should not be fearful at all while the Legislature's in Session. Representative Wennlund. Weller, excuse me."

Weller: "Close, Mr. Speaker. Mr. Speaker, on Amendment...the vote on Amendment #7 to House Bill 1360, how am I recorded? Mr. Speaker?"

Speaker Giglio: "It was a voice vote, Representative."

Weller: "So, on a voice vote...you're saying that my vote was not recorded? Did I vote in that vote...in that voice vote, Mr. Speaker?"

Speaker Giglio: "The Chair couldn't tell. It was a voice vote. The 'yes' out voted the 'nos', and the Chair declared that Amendment #7 was adopted."

Weller: "Well, Mr. Speaker, I recall that the...electronic...voting board was...all the lights were on, green and red lights were appearing on the board, and I know that one of those lights was a red one, right next to my name. On Amendment #7 to House Bill 1360 which, as I understand from looking at it, creates the 13th

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Congressional District, the 14th Congressional District, the 15th Congressional District, 16th Congressional District, the 17th Congressional District, the 18th Congressional District, Mr. Speaker, the 19th Congressional District, and the 20th Congressional District, and that looks like the only Congressional Districts that are...created by this Amendment that should the recorded vote had been taken, as I believe it was before the board either was dumped or perhaps broke down, I wish the record to reflect that I would have been recorded as a 'no' vote. Mr. Speaker, you have 72 Members of the House. I can't understand why you did not allow a recorded vote to be cast so that the people of the State of Illinois would understand exactly how the 118 Members of the House would have voted on Amendment #7 to House Bill 1360."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Please excuse me if I have trouble reading this, because I think my rule book is the one that Representative Black threw at you...or threw up there the other day, so it's in pieces, but...seeings how you maintain that a...a Roll Call was not taken, and I distinctly recall having hollered 'ya' as I walked down the aisle, so having voting on the prevailing side, I hereby move to reconsider the vote by which House Bill 1360, Amendment #7 was passed, and under Rule 73(a) that states, 'when the Motion to reconsider or the notice of the Motion is made within three days of June 30th of a Regular Session, any Member may move that the vote on reconsideration be taken immediately.' I, hereby, move that the reconsideration Roll Call vote be taken immediately, and I now have four others who will join me in that request. I ask for a Roll Call and a...and I'm joined by four right now who will, also, request that."

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Speaker Giglio: "Representative Ewing. Representative Ewing. Representative Ewing, do you want to speak?"

Ewing: "I want to speak, but I want you to finish the business at hand, because...my...comments may refer to that, so please take care of Representative Weaver in your fair and honest manner."

Speaker Giglio: "Representative Weaver, your...your Motion that you...what would you like? What's your pleasure, Representative Weaver?"

Weaver: "Mr. Speaker, I have filed a Motion to reconsider the vote by which House Bill 1360, Amendment #7 was passed, and, as a Member voting on the prevailing side, I have several witnesses who are rather upset with me that I did vote 'yes', but I hollered 'ya' when you asked for a...for a oral vote on that, and I hereby request, and I'm joined with four others requesting a record Roll Call vote immediately in accordance with Rule 73(a)."

Speaker Giglio: "Representative Weaver, this vote was a voice vote, and we don't know...the Chair does not know whether or not you were on the prevailing side or the other side; therefore, the Motion is out of order."

Weaver: "It is not out of order, Mr. Speaker. 73(a). I have several witnesses that will attest to the fact that I did vote 'ya' when you called for a Roll Call, and I demand 73(a) be enforced. Mr. Speaker, I don't think 73(a) should be...alright!"

Speaker Giglio: "Majority Leader, Representative McPike, in the Chair."

Speaker McPike: "House Bill 1360. Mr. Clerk, what was Representative Curran's Amendment number?"

Clerk O'Brien: "Amendment #7 was offered by Representative Curran."

Speaker McPike: "Put Amendment #7 on the board. It would appear

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that there was a request for a Roll Call vote on...on Amendment #7. According to the rules, it was not a proper request, according to the rules, but the Chair will recognize the request, nonetheless. The question is...the question is, 'Shall Amendment #7 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Representative Black, do you wish to explain your vote?"

Black: "Well, thank you very much, Mr. Speaker. I knew we could trust a Navy man and a graduate of the Naval Academy; by golly, it's good to have you in the Chair, and I'd like to request a verification of this vote."

Speaker McPike: "Representative Daniels, did you wish to explain your vote?"

Daniels: "No, I...I'll let the verification speak for it, but I...I want you to know I'm voting 'no' for several reasons, none the least being, this proported Amendment, which I'm just sorry I didn't have a chance to introduce...to everybody here Congressman Durbin and Congressman Bruce, who were here on the House floor, and, obviously, had a part in the drafting of this Amendment, that's why they were here present during our last debate. I would like to have recognized them and congratulate them on this...Amendment that I would just refer to the debate...and the quotes back in 1981, by then Michael J. Madigan, Minority Leader of the House. I rise in opposition to this Bill, because it is purely and highly partisan Bill drafted by, he said, the Republican staff, so I'll say in this Amendment, the Democrat staff, for the Democrat Party in the House of Representatives. It maximizes the election of Democrat Members to the United States Congress, without due consideration for Republican constituency located throughout the state. Because of its

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maximization of the election of Democrat Members, it will, in effect, dilute the representation given to Republican voters throughout this state and, in a sense, will disenfranchise those Republican voters who are living throughout the State of Illinois. You know, those words apply today; they apply to Amendment #7. I'm just sorry I didn't have a chance to introduce Congressman Durbin and Congressman Bruce who were here obviously in the part of the drafting of this legislation, and, unfortunately, if you look at it carefully, you'll notice that this has to impact Congressman Russo and Congressman Lipinsky up in Cook County because it goes up in those areas. So, remember, when you're voting for this Amendment, you may be voting to take them out, and so you might, if they're friends of yours, you might want to think about that."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker. On this day that we have to deliberate on so many things, so many important things, I'd just like to acknowledge that we have with us a former Representative, Jesse Madison, who will be here to assist us in our...in our deliberations today. Thank you."

Speaker McPike: "Representative Matijeich."

Matijeich: "In explaining my vote, Mr. Speaker. I...I think, on reflection, some of us ought to know what happened ten years ago, because you...you know on Sunday you surely have to tell the truth, and somebody was talking about how the Chair was speaking on the Amendment. Ten years ago our counselor was at the podium, and he wasn't speaking, he was mumbling. Nobody knew what he was saying, and so you talk about a fast gavel; there was an attempt by mumbling to fast-gavel a whole map with nobody having one single second of input, and that's why Legislators stormed the Chair, at that time, because nobody, but nobody, either Republican or

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Democrat, was going to have a voice or anything to do about it. There's a lot of difference! At least, you can understand and the court has something to understand this time. Ten years ago the court would have been totally puzzled, because there was nothing to understand, no record at all."

Speaker McPike: "The Chair would like to encourage no one to storm the podium while I'm here. Representative Davis."

Davis: "Thank you, Mr. Chairman. I have just a simple question. I'd like to know what impact, if any, does this have on the three Congressional African-American districts in Chicago?"

Speaker McPike: "We're on explanation of vote, Representative. Representative Davis, we're on explanation of vote."

Davis: "Pardon?"

Speaker McPike: "We are on explanation of vote."

Davis: "Thank you."

Speaker McPike: "Representative Petka."

Petka: "Thank you again, Mr. Speaker, Members of the House. As I indicated before, I believe that this map was drawn for the sole purpose of making sure that, literally, millions of Republican...households throughout the state and voters throughout the state would be disenfranchised. This is a...actually the quintessential example of what a gerrymandered map looks like, and, if...the request has not been made before, I'm asking for a verification of this Roll Call on this Amendment."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I try not to mention someone's name in debate, but Representative Matijevec told us a nice story, as he usually does, to try and justify actions taken by the Democratic Majority. And I don't know about you, but my mother always told me that, 'If it's wrong then and it's wrong now, then it's still wrong, and that two

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wrongs do not make a right, and there is no justification of abusing anything', and that is...that is what I have to say."

Speaker McPike: "Representative Curran."

Curran: "I would just like the record to reflect that on both occasions when Members of the other side of the aisle, the Republican side, mentioned that Congressman Durbin and that Congressman Bruce were in the room, they were not in the room, and that on those occasions, you know it and I know it, Congressman Durbin and Congressman Bruce, were not in the room at that time. Perhaps, earlier they were; perhaps, later, but not when you mentioned it. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Representative Morrow has asked leave to be verified. Who's doing the verification, Mr. Black? Mr. Morrow's here. Fine. Mr. Morrow's verified. Mr. Black, on this Amendment, there are 70 'ayes' and 45 'no' and 1 voting 'present'. On Amendment #7, Representative Black has asked for a verification of the affirmative. Mr. Clerk, read the affirmative."

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran."

Speaker McPike: "Just a minute, Mr. Clerk. Mr. Black, Representative Steczo is here. Alright. Representative Turner. Representative Balanoff, and Representative Woolard. Those people have been verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Curran. Currie. Deering. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks."

Speaker McPike: "Just a minute. Representative Santiago is in the center aisle, Mr. Black. He's verified. Thank you. Proceed."

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Clerk O'Brien: "J. Hoffman. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Maitjevich. Mautino. McAfee. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Mr. Black, questions of the affirmative."

Black: "Thank you very much, Mr. Speaker."

Speaker McPike: "Just a minute. Just a minute, please."

Black: "Oh, I'm sorry."

Speaker McPike: "Representative David Phelps in the middle aisle?"

Black: "David Phelps?"

Speaker McPike: "...is verified."

Black: "Where is...where is David Phelps? Oh, there's David Phelps."

Speaker McPike: "Right there and Lou Lang."

Black: "Lou Lang?"

Speaker McPike: "Proceed, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Representative Keane."

Speaker McPike: "Who?"

Black: "Representative Keane?"

Speaker McPike: "Representative who?"

Black: "Keane. Representative Keane."

Speaker McPike: "Keane. Mr. Keane. Is the Gentleman here? Mr. Keane. Mr. Keane is here, and the Chair...the Chair has had a call from Representative Telsor, 'his name has been used in vain,' he said. Anything else? Mr. Black, the vote is 70 to 45, and we request that you not be dilatory."



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Black: "I...I'm not even sure I know what that word means, but I'll try to comply with the Chair."

Speaker McPike: "I don't either."

Black: "Representative Ronan?"

Speaker McPike: "Mr. Ronan. Al Ronan. The Gentleman is not here. Remove him from the Roll."

Black: "Representative Mautino?"

Speaker McPike: "Mr. Mautino. Dick Mautino. He's not here. Remove him from the Roll."

Black: "Representative Mulcahey?"

Speaker McPike: "Representative Mulcahey. Representative Mulcahey. The Gentleman is not here. Remove him."

Black: "Representative Giglio?"

Speaker McPike: "Mr. Giglio's in his chair."

Black: "What?"

Speaker McPike: "He's in his chair."

Black: "I'm sorry. Where? Oh, alright. Representative Telsor. I'm sorry, I heard you mention his name. I'm sorry. Representative DeLeo, that's who I meant."

Speaker McPike: "Mr. DeLeo is in his chair."

Black: "What?"

Speaker McPike: "He's in his chair."

Black: "I don't see Representative Homer in his chair."

Speaker McPike: "Mr. Ronan. Mr. Homer is here. Mr. Ronan has returned. Return him to the Roll Call as an 'aye' vote. Anything further?"

Black: "Well, Mr. Speaker, you have admonished me not to be dilatory, ...and any further attempts to remove anybody from the Roll would probably fit that definition. I...have no further questions."

Speaker McPike: "Thank you. On Amendment #7, there are 68 'ayes' and 45 'nos'. Amendment #7 is adopted. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #8, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "I withdraw Amendment #8."

Speaker McPike: "The Gentleman withdraws Amendment #8. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #9 is a technical Amendment restoring the...the...numbers of the...what's now the African-American districts back to its original numbers; one, two and seven. I ask for adoption of the Amendment."

Speaker McPike: "And on the Amendment, Representative Churchill. Mr. Churchill, you're on."

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

Speaker McPike: "Yes."

Churchill: "Representative Shaw, I could barely hear what you were saying over the noise in here. Could you just tell me again, what districts...are changed into what districts in this Amendment?"

Shaw: "It restores the African-American districts. Amendment #4 and 5 remove the...change the numbers as we now know those districts that exist in the city. Congressman Hayes, Congressman Savage, Congressman Collins; it gave them a different number than they now have...in their district, and it, also, creates number four for the Hispanic district. That's what...that's what Amendment #9 does."

Churchill: "Okay, so that changes the...the current District #4 to District #7 and that would be the Hispanic district?"

Shaw: "I beg your pardon?"

Churchill: "Number...you would now...on the bottom of the

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Amendment, you would now number the Hispanic district as the number seven?"

Shaw: "No, it's number four. Representative Collin's district is number seven."

Churchill: "Okay. Alright, I...I think that that's something that our side of the aisle can live with, too."

Shaw: "Thank you. I ask for adoption of the Amendment."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' Representative Daniels."

Daniels: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Daniels: "Representative Shaw, trace with me, if you will, what this Amendment does to the Hispanic district. Now, if I recall, Amendment #4 created Hispanic district. Amendment #5, also, created a Hispanic district. Is that correct?"

Shaw: "Right."

Daniels: "So, under those two Amendments, which are still on this proposed Bill, we have two Hispanic districts."

Shaw: "Right."

Daniels: "And don't they overlap?"

Shaw: "Not...no."

Daniels: "They do not. Well, then describe for me the two Hispanic districts created by Amendment #4 and Amendment #5."

Shaw: "Amendment #...in reference to Amendment #4, what Amendment #9 did is change...made...what was district one, the Hispanic district would have been one under Amendment #4. We changed that in Amendment #9 to make the Hispanic district #4."

Daniels: "You changed the numbering on it, but the physical layout..."

Shaw: "This Amendment does not do anything to...the physical layout. It doesn't change anything, in terms of the

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physical layout of the district."

Daniels: "So, then the original answer by the Sponsor of Amendment #5 that it conflicts with the Hispanic district created in Amendment #4 is correct then. Is that right? It still stands. You do have a conflict."

Shaw: "Right. That's right."

Daniels: "Okay. So, okay, we just wanted to make sure that Amendment #4 and 5 are in opposition to each other, and both four and five are on the Bill. Is that right?"

Shaw: "That's right. That's right."

Daniels: "Thank you."

Speaker McPike: "Further questions? Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Inquiry of the Chair. Has this Amendment been printed and distributed?"

Speaker McPike: "Mr. Clerk? Has this Amendment been printed and distributed? Yes. The question is, 'Shall Amendment #9 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Mr. Madigan."

Madigan: "Would you put the Bill on Third Reading?"

Speaker McPike: "Third Reading. Representative Daniels, for what reason do you rise?"

Daniels: "I had my light on before the Gentleman asked to move to Third Reading. I'd ask a ruling of the Chair as to whether or not...due to the fact the admission of the Sponsor of Amendment #4 and 5 and the Sponsor of Amendment #9 that four and five are in conflict with each other in the creation of a Hispanic district as to whether or not this Bill is in order as amended."

Speaker McPike: "Representative Madigan."

Madigan: "Mr. Speaker, I don't plan to call the Bill on Third

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Reading, so if you could take it out of the record."

Speaker McPike: "Thank you. The Bill's on Third Reading. It will be taken it out of the record."

Daniels: "Mr. Speaker, we are objecting to moving this Bill to Third Reading, based upon the conflict in the Amendment and ask a ruling of the Chair prior to your moving it to Third."

Speaker McPike: "Mr. Daniels, the Bill was moved to Third Reading, and the Bill is out of the record. Speaker Madigan."

Daniels: "Well, let the record reflect, then, that I objected to that; my light was on prior to your doing that, so...for the purpose of..."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker, let me repeat what I said earlier when this matter was called on a previous day, that the reason I don't plan to call the Bill is because it does not contain a complete map of the State of Illinois. Thank you."

Speaker McPike: "Page 2 of the Calendar, under concurrences, appears House Bill 841. On Special Order of Business on concurrences, appears House Bill 841. Mr. Steczo. Representative Steczo. Representative Steczo here? Mr. Steczo, we'd like you to call House Bill 841. Representative Matijevich."

Matijevich: "Mr. Speaker, the debate was pretty hot, so nobody made the announcement: the Cubs rallied back and they won 7-4."

Speaker McPike: "I think you were out of order, Representative Matijevich. Is Representative Steczo here? House Bill 841. The speaker has requested this Bill be taken out of the record. Representative Young in the Chair."

Speaker Young: "Representative Stepan."

Stepan: "Mr. Speaker and Members of the General Assembly. The

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Representative from the August 7th District rises...the 7th District, home of Wrigley Field, rises to announce that the Cubs have a two sweep, two out of three, beat the Cardinals, so this Representative would like to return this cheap-looking broom to the other side of the aisle. Representative Ropp, would you please come over and accept the broom?"

Speaker Young: "Representative Ropp."

Ropp: "Mr. Speaker, Ladies and Gentlemen of the House. I, at least, had the courtesy to deliver it. That's the least she can do is bring it over here. I mean...I expect to return it within a week when the Chicago Cubs come down to St. Louis on the 4th of July, so she might wanna just keep it 'cause it'll be right back there."

Speaker Young: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I rise to a point of personal privilege. Two things: (1) Don't call on Representative Flinn. He's liable to jump to his feet and damage his knees, and we don't want to go through that again, but point (2), I would like the Body to recognize a former Member, whose now in Governor Edgar's cabinet, Former Representative Lolita Dedrickson is with us in the back of the chambers."

Speaker Young: "We are not about to Adjourn or recess, but we are going to do agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 69, offered by Representative Kubik; 70, by Representative Kubik; 71, Kubik; House Resolutions 859, Ewing; 858, Ewing; 860, Wojcik; 862, Ryder; 863, Weller; 864, Daniels; 866, Hasara; 867, Novak; 868, White; 869, DeJaegher; 870, DeJaegher; 871, DeJaegher; and 875, Hicks."

Speaker Young: "Representative Matijevich, on the agreed Resolutions."

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Matijevidich: "Mr. Speaker, Ladies and Gentlemen of the House. We've examined the Resolutions. I move the adoption of the agreed Resolutions."

Speaker Young: "Representative Matijevidich moves the adoption of the agreed Resolutions. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 861, offered by Representative Martinez; 873, Wyvetter Young; and 874, Obrzut."

Speaker Young: "We will reread the General Resolutions."

Clerk O'Brien: "General Resolution is House Resolution 874, offered by Representative Obrzut."

Speaker Young: "Committee on Assignments. On page 4 of the Calendar, House Bill 298, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 and 2 to House Bill 298. Let me first explain what the Senate did in Amendment #1 and 2. ...Senate Amendment...the background of the Bill is the enterprise zone provisions that provide that contiguous enterprise zones can work together in the application of the local tax exemption. Senate Amendment #1 provides that the deduction is allowed only if the county or municipality that created the enterprise zone has adopted or has enforced, on the effective date of the amendatory Act, an ordinance authorizing the deduction and authorization claims for credit or refunds. The second Amendment is the one you've all been reading about in the newspaper and hearing on the radio, and I think you've seen it on TV. This amends the Illinois Income Tax Act that provides for an allocation of professional athletes income for performances in Illinois. This came about after the...information was made known

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that, for example, Michael Jordan and the Chicago Bulls must sign an income tax waiver in California. What this provision of the Amendment does is state that in those states that mandate that athletes from Illinois-based...sporting franchises the reciprocal provision is that if California establishes an income tax for athletes coming into California, Illinois will do the same for those teams from California. Reciprocal only affects three states: Ohio, California, and Minnesota. And Wisconsin, I'm sorry, not Minnesota, Wisconsin. So, in those instances where members of professional athletic clubs, such as the Bulls and the Bears, the Blackhawks, in those states it will be identical provisions as has occurred with the Chicago Bulls and, specifically, Michael Jordan. I ask for a concurrence in Senate Amendments #1 and 2 to House Bill 298. Happy to answer any questions."

Speaker Young: "The Gentleman moves that the House concur in Senate Amendments #1 and 2 to House Bill 298. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Amendments?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', none voting 'no' and none voting 'present', and the House does concur in Senate Amendments #1 and 2 to House Bill 298, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen, I've been kidded on my side of the aisle, but I have this delectable meal I eat, which is bananas and peanut butter. For those of you who haven't tried it, I think you'll love it. I bought a gross of bananas, lots of peanut butter.



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Come and try it. It's a great treat for all of us monkeys."

Speaker Young: "May I have the attention of the Body, please? We're about to take a very important vote. I expect dinner will arrive approximately 8:00. Shortly, we'll open up the Roll Call between pizza and chicken. Ladies and Gentlemen, the question is, 'Shall there be pizza or chicken?' All those for pizza vote red, for chicken vote green. Voting is open. Representative Turner."

Turner: "Thank you. Thank you, Mr. Speaker. I'm voting with the Speaker, because I see he's got yellow, and I think that means caesar's salad and filet mignon, and I'd encourage everybody else to vote..."

Speaker Young: "Representative Weaver."

Weaver: "Mr. Speaker, I just consulted Representative Black's rule book, which is torn to shreds by-the-way, and...seeings how he and I are both voting for chicken, we...if...if the...if the pizza vote appears to have the necessary votes to pass, we request a verification."

Speaker Young: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker. It seems as though, to me, that the chicken has won by a neck."

Speaker Young: "Representative Hartke."

Hartke: "Oh, is that true that if we vote yellow, we're going to have filet mignon?"

Speaker Young: "According to Representative Turner. Have all voted who wish? Take the record. On this question, there are 60 voting 'green', 45 voting 'red', and we will have chicken."

Speaker Satterthwaite: "Speaker Satterthwaite in the Chair. Supplemental Calendar #5 is being distributed. Supplemental Calendar #6 with House Bill 1354, Senate Amendment #1 is being distributed at the hour of 6:29. The

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Amendment is, also, being distributed at this time. Members who traveled to their homes and returned for today's Session are reminded that there is a special form available at the Clerk's well for you to sign. If you went home yesterday and returned for today's Session, you will not be reimbursed for travel unless you sign and leave with the Clerk this form. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in passage of the Bill with the following title, to wit: House Bill 1354, together with the attached Amendment in the adoption of which I am instructed to ask concurrence of the House, Senate Amendment #1, passed the Senate, as amended, June 30, 1991. Linda Hawker, Secretary of the Senate.'"

Speaker Satterthwaite: "Supplemental Calendar #5. There are several items. Representative Jones on Senate Bill 158 on nonconcurrence. Representative...excuse me, Representative LeFlore, it's Senator Jones's Bill. Representative LeFlore."

LeFlore: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to recede from Amendment #2 on Senate Bill 158."

Speaker Satterthwaite: "You move to recede from House Amendment #2 on Senate Bill 158. Is that correct, Representative?"

LeFlore: "Right. Exactly."

Speaker Satterthwaite: "Thank you. Any discussion on the issue? Seeing no one seeking recognition, all in favor say 'aye', opposed, 'no'. Representative Kubik."

Kubik: "Thank you, Madam Speaker. Inquiry. If he recedes from this Amendment, do we not...are we not in final passage?"

Speaker Satterthwaite: "It is final action, and we need a Roll

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Call, yes."

Kubik: "We need a Roll Call and, secondly, since this is final action, could we have the Gentleman explain what the Bill does so that we know what we're voting on?"

LeFlore: "The original Amendment would put appropriation into the Chicago public schools in the tune of \$81 million...I say, around \$81 million...from the Chapter I money. When we put the Amendment on here in the House of Representatives, we got 97 votes approval from the Members of the House. There was so much controversy from local school councils, and special individuals, the newspaper, it was decided by Senator Jones and myself that we would remove that Amendment and let the Bill go on to the Governor."

Speaker Satterthwaite: "Representative Levin."

Levin: "Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Levin: "First of all, I'd like to compliment you on your Motion to recede. You know, I think that the underlying Bill is an excellent Bill, and it's one that we very much need. I would like to ask one question, with respect to the language on page 14 at the very top that reads, 'districts may amend approved plans pursuant to rules promulgated by the State Board of Education.' It's my understanding, I'd like you to tell me if I'm understanding it correctly, that what this will allow, subject to State Board rules, is the local school councils to be able to amend their own individual plans at various times in the course of the year. So, if they find that they have unexpended state Chapter I money, they will be able to submit an amended budget, initially to the Chicago Board and they will then pass it on to the State Board, and they will then be able, later on in the year, to expend their funds pursuant to the amended budget."

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LeFlore: "Yes, Ellis, as it...indicated in the Bill itself."

Levin: "Okay. Thank you very much..."

LeFlore: "I'd like to have a favorable vote on this, Madam Chairman."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. I believe if that we recede from this House Amendment, this Bill is, literally, as the State Board of Education wants this Bill, and I would rise to support the Gentleman's Motion, and I think we can...pass this very easily."

Speaker Satterthwaite: "Representative Davis."

Davis: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Davis: "Thank you. Does that mean...Representative, that if there are no new dollars for the Chicago public schools and they do not have a balanced budget by August of 1991, that the School Finance Authority takes over the entire system? Is that what this means?"

LeFlore: "Well, it really means that the board is going to have to find some money to...put into that budget."

Davis: "Well, Representative, as...as of today, in the House of Representatives are there any dollars for the Chicago public school system?"

LeFlore: "Not to my knowledge, Representative."

Davis: "So, your noble effort to distribute those state aid dollars to 73% of those children and the rest..."

LeFlore: "But you know they said that these dollars is poor...for poor kids."

Davis: "But, Representative, do you know that 73% or 78% of the kids who attend the Chicago public schools are poor kids?"

LeFlore: "This is the reason why I'm removing the Amendment."

Davis: "Let me just say, and to the Bill, I understand exactly what he's doing, and I realize that your attempt to have

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dollars to support that system will now be gone; that this is a last-ditch effort to have dollars flow...to flow through that system that will no longer be there and will just about likely cause the system to be run by the School Finance Authority; however, Representative, I will certainly support...the Bill, if you wish to recede."

Speaker Satterthwaite: "The Gentleman moves that the House recede from House Amendment #2 on Senate Bill 158. The question is, 'Shall the House recede from that Amendment?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 113 voting 'yes', none voting 'no' and none voting 'present'. The House does recede from House Amendment #3 to Senate Bill 158, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Under Conference Committee Reports on Supplemental #5, House Bill 516, Representative Steczo. House Bill 516, Conference Committee Report."

Steczko: "Thank you, Madam Speaker, Members of the House. I would move for the adoption of the First Conference Committee Report on House Bill 516. House Bill 516 has language added that...deals with local governments being allowed to keep excess balances...in their funds. This...this Bill is endorsed by the Taxpayers Federation, and it allows local governments to do exactly what we in the state do now."

Speaker Satterthwaite: "Excuse me, Representative. Representative Black, for what reason do you rise?"

Black: "Thank...thank you very much, Madam Speaker. I don't believe this has been printed and distributed. If it has, we don't have it."

Speaker Satterthwaite: "Out of the record. How about House Bill 1024, Representative Obrzut. Out of the record. Representative McGann on House Bill 2149. Out of the

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record. Representative Lang on House Bill 2208.  
Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move the adoption of the First Conference Committee Report to House Bill 2208. The first portion of the Conference Committee Report was part of the original Bill. It provides that a court may order service in any manner consistent with due process, if a regular service is impractical."

Speaker Satterthwaite: "Excuse me, Representative Lang. Representative Black, is the same...the same...objection raised?"

Black: "That's...that's correct, Madam Speaker. Maybe we need to slow down a little bit and ask the pages if these are being distributed in a timely fashion. We don't have this one, either."

Speaker Satterthwaite: "Let me check and see if any of these others have been distributed. Has Senate Bill 10, Conference Committee Report, been distributed? Has Senate Bill 10 been distributed, the Conference Committee Report? It appears that Senate Bill 10, Conference Committee Report has been distributed. Representative Levin. Out of the record. What about Senate Bill 678? No. Senate Bill 1451? I understand that Senate Bill 1451 has been distributed. Representative Curran. Representative Curran."

Curran: "Thank you, Madam Speaker. Senate Bill 1451 is a Bill that amends the Emergency Telephone Systems Act in counties of less than a quarter million that has established an Emergency Telephone System Board containing a municipality with more than 1,000 that is located entirely within that county. Appointments shall be made by the corporate authorities...oh, I'm sorry...100,000...municipalities of

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100,000, appointments shall be made by the corporate authorities of the municipality and the county based upon the proportion of the population residing in each. This is, basically, a very simple one-man, one-vote concept that applies to the emergency telephone system, the 911 system. Be glad to answer any questions, ask for an 'aye' vote. This Bill has passed out of this House easily before."

Speaker Satterthwaite: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. May I please have the attention of the Body? This Bill passed out of this House late several nights ago, and I was not even given a chance to speak. I was allowed to explain my vote. This is a Bill that is a battle between the city and county here in Springfield and Sangamon County. This could very well be your community in your county. The Mayor of Springfield, without going to the county board or the Sheriff, got someone not from Springfield to sponsor a Bill in the Senate, to take the 911 system power away from the Sheriff, away from the county, and give it to the city. Whether you believe the city or the county should have the power is not even a question here. This legislation was drafted for one community only, and it is a 'power-grab' by one community, without consulting those effected. Again, whether the city or county should have it, I don't even know. That is not the question. Are we going to let one Mayor come to the General Assembly without informing anyone else involved and take power away from the county? That certainly is not our job as Members of the General Assembly, to get involved in one battle between one city and one county in this state. It...remember, it could be your city in your county on the next Conference Committee Report. I urge you to vote 'no' on this Conference Committee."

Speaker Satterthwaite: "Representative Brunsvold."

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Brunsvold: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Satterthwaite: "He indicates he will."

Brunsvold: "Representative, there's certain minimum numbers of requirements that'd be appointed on this board. Who will make those minimum requirements of appointments of safety personnel, the county or the city?"

Curran: "That minimum number would not change under this legislation."

Brunsvold: "No, I know that, but who's gonna make those appointments, the county or the city?"

Curran: "It would be done on the basis of the population of the city within the county so that the city would have a proportional vote according to their population on the 911 board."

Brunsvold: "To the Bill, Madam Speaker, I would join with Representative Hasara and question the wisdom of passing this Conference Committee Report, because in this situation the Sangamon County...would have the 911 system, and, if there's a problem here on appointees, there's a minimum number of five and there's no maximum number, there should be an agreement worked out between the county and the city, an intergovernmental agreement, which can be done. We've done it...in many areas. In my area, for example, we have...11 cities involved in this in the county, and they work fine together...putting the system together. There ought to be an agreement between the county and the city on who the appointments will be and come to an appropriate number, then we won't have to do this 'piecemeal' across the state, and I would join Representative Hasara in asking for opposition to this Conference Committee Report."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. I, simply, rise in support of



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the Gentleman's Motion to adopt this Conference Committee Report. He believes it's very important for his community, he's worked hard on this, and I think we should support him."

Speaker Satterthwaite: "Representative McNamara."

McNamara: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Satterthwaite: "He indicates he'll yield."

McNamara: "Representative Curran, how is the board, 911 board, appointed right now?"

Curran: "Right now, regardless of the population of the city, the county board appoints the entire 911 board, even though the city has two-thirds of the population in the county."

McNamara: "So, in other words, it is possible that, under the present floating structure, the 911 board could be appointed by the county and not have anyone within the city?"

Curran: "This is exactly true. The county board can completely ignore the wishes of the city, regardless of the fact that the city has the majority of the citizens in the county. That's just unfair in terms of...in terms of one-man, one-vote concept."

McNamara: "Okay, I understand that one-third...the county board could appoint one-third of the people outside of the city and disenfranchise the two-thirds of the people that are actually absorbing the...the services."

Curran: "That's exactly true and paying the tax."

McNamara: "One other question that I'm wondering about is is, 'On your proposal, how does your proposal, specifically, change that in order to afford more fairness?'"

Curran: "What the proposal does is it allows the city, by virtue of its population, its portion of a population in the county, to appoint that many members. It does not change

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whether...what the nature of those appointments are, but it appoints...it appoints the members according to its population in the county."

McNamara: "Okay. Madam Speaker, to the Bill. What this Bill does, apparently from the questions that were just asked and the answers that I have just heard, is it allows equal representation of people, of populations throughout the county. It proportions it out so that the city and...and a difficult situation cannot controlled by either one or the other. I urge your approval of this fine piece of one-man, one-vote legislation."

Speaker Satterthwaite: "Representative Robert Olson."

Olson: "Thank you, Madam Speaker. 911 boards have been in existence now for probably two to three years. Many are still being created. The process has worked up until this time, and I understand what Representative Curran is saying on percentages, but the city does lie within the county, and the county has that power to appoint persons living within the city. I suggest to you that this is not a matter of one-man, one-vote at all, it is a matter of political 'power-grabs', political 'power-grabs', and, if we let it happen here today and you have not got a county 911 system as yet organized, we're opening the door for politics to play a large role in a area that was never intended. I think the people, the Representatives of the people in Sangamon County, should be able to work this out upon their own, and we shouldn't open up a pandora's box that we're going to be doing more of these type of legislative processes in the future, which could be detrimental to your community. I support Hasara and Brunsvold in urging a 'no' vote on this Amendment to...First Conference Committee Report on Senate Bill 1451."

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Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. If this Bill is imminently fair, then I'm confused as to why Peoria wanted to make sure they were amended out of the Bill, because what you had in that county, I would assume would be very similar to what you had in Sangamon County, in Springfield, but make no mistake about it, the County of Peoria and that city wanted no part of this Bill. So, what Representative Hasara said earlier must be true. It only effects Sangamon County and the City of Springfield, and, if that be the case, then we wonder truly how fair it might be. I would rise in support of my colleague, Representative Hasara, and urge a 'no' vote on the Bill."

Speaker Satterthwaite: "Representative Leitch."

Leitch: "Thank you, Madam Speaker. I had an Amendment prepared, but we did not introduce it, which would have required both the city councils in a county and the county board to pass on a budget before the 911 board spent money. I think, potentially, that would be a solution to the problem that we have and a solution that would send this issue back to the cities and back to the county where it belongs, in my opinion, where that issue should be solved without sending it to us to do it for them. I would like to mention that I would be more concerned about this Bill were it not for our Sheriff, Sheriff Shaddod, who has assured me that the board has already adopted in Peoria County, a Resolution which, in effect, provides for an equal population-based distribution of the funding so that it should not be a situation where there is a great financial advantage to one part of our county over the city. I think it's very unfortunate that these are not worked out at a local level where they should be worked out, and I think it is a bad

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step for us to try and solve this for them, and so I would urge you to look at this Bill very closely. Thank you."

Speaker Satterthwaite: "Representative Curran, to close."

Curran: "The concept here is simple, Madam Chairman...Madam Speaker. The concept is one-man, one-vote. In this community, with the vast majority of its citizens who are from the largest municipality, Springfield, we have absolutely no say in the establishment that set up the 911 board, even though we pay the majority of taxes and even though we have the majority of phone calls made into the 911 board and even though we put the majority number of votes on it when it...when it went for a referendum. This is simply fair. It is one-man, one-vote, and it's for the City of Springfield, and I ask for your 'aye' vote."

Speaker Satterthwaite: "The question is, 'Shall we adopt the First Conference Committee Report on Senate Bill 1451?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Wojcik."

Wojcik: "Yes, Madam Speaker, we wanted to ask for a...verification if the...number of...votes got up there."

Speaker Satterthwaite: "Representative McCracken."

McCracken: "Yes, thank you, to explain my vote. I, also, rise in opposition. This is clearly a matter not to be decided at this level. In fact, when these systems were created, it's my recollection, our purpose was to allow, I think it was referenda at local levels, to determine the cost and how it should be borne on the local level. We never intended to get into the micromanagement of these systems at the State Legislature, and I think it's bad policy to start now."

Speaker Satterthwaite: "Representative Hasara. You spoke in debate..."

Hasara: "I had my light on to ask for a verified Roll Call."

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Speaker Satterthwaite: "For the verification. Alright.

Representative Curran asks for a poll of those not voting."

Clerk O'Brien: "Poll of those not voting. Munizzi and Woolard.

No further."

Speaker Satterthwaite: "Poll of the Affirmative, please."

Clerk O'Brien: "Balanoff. Burke. Curran. Currie. Davis.

Deering. DeJaegher. DeLeo. Dunn."

Speaker Satterthwaite: "Representative Lang asks leave to be

verified. Representative Munizzi wishes to be voted 'aye'.

Representative Schoenberg asks leave to be verified.

Representative Wolf and Representative McGann asks leave to

be verified. Leave is granted."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Dunn.

Edley. Farley. Flinn. Giglio. Giorgi. Granberg.

Hannig. Hartke. Hicks. J. Hoffman. Homer. Lou Jones.

Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore.

Levin. Marinaro. Martinez. Matijevich. Mautino.

McAfee. McGann. McGuire. McNamara. McPike. Morrow.

Mulcahey. Munizzi. Novak. Obrzut."

Speaker Satterthwaite: "Representative Deering asks leave to be

verified. Leave is granted."

Clerk O'Brien: "Phelan. Phelps. Preston. Rice. Richmond.

Ronan. Rotello. Saltsman. Satterthwaite. Schakowsky.

Shoenberg. Shaw. Steczo. Stepan. Trotter. Turner.

Walsh. White. Williams. Wolf. Anthony Young. Wyvetter

Younge and Mr. Speaker."

Speaker Satterthwaite: "Are there questions of the affirmative?

Representative Wojcik."

Wojcik: "Madam Speaker, Representative Ronan?"

Speaker Satterthwaite: "Representative Ronan. Is the Gentleman

in the chamber? Representative Ronan. How is he voting?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him."

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Wojcik: "Representative Laurino?"

Speaker Satterthwaite: "Representative Wojcik, would you give leave to verify Representative Keane, down here by the well? Representative Laurino is in the center aisle at the rear."

Wojcik: "Representative Kulas?"

Speaker Satterthwaite: "Representative Kulas is at his chair."

Wojcik: "Representative Farley?"

Speaker Satterthwaite: "Representative Farley. Is the Gentleman in the chamber? How is he voting?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him."

Wojcik: "Representative Davis?"

Speaker Satterthwaite: "Representative Davis. Monique Davis. Is the Lady in the chamber? She is not. How is she...how is she voting?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Satterthwaite: "Remove her."

Wojcik: "Representative Dunn?"

Speaker Satterthwaite: "Representative Dunn. Representative John Dunn is on the Republican side of the aisle."

Wojcik: "I'm glad to see he sees the light. Representative Santiago?"

Speaker Satterthwaite: "Does Representative Munizzi have leave to be verified?"

Wojcik: "She already has leave."

Speaker Satterthwaite: "She voted...she voted 'yes', verbally, so, okay. You don't need leave. You don't need leave. Who was the last one you asked for? Representative Santiago. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'present'."

Wojcik: "Representative Burke?"

Speaker Satterthwaite: "Representative Monique Davis has returned

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and wishes to be voting 'aye'. Representative Burke. Is Representative Burke in the chamber? He is not. How is he voting?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him. Representative Farley has returned to the chamber and wishes to be voting 'aye'."

Wojcik: "Representative Bugielski?"

Speaker Satterthwaite: "The Gentleman is voting 'present'."

Wojcik: "Representative Homer?"

Speaker Satterthwaite: "Representative Homer. He's up in the front of the chamber."

Wojcik: "Representative Morrow?"

Speaker Satterthwaite: "Representative Morrow is in the front of the chamber."

Wojcik: "Representative Currie?"

Speaker Satterthwaite: "Representative Martinez requests leave to be verified. Representative Martinez. Okay. Representative...who did you ask for? Representative Currie. She's in her seat."

Wojcik: "Representative Hicks?"

Speaker Satterthwaite: "Representative Hicks. Is the Gentleman in the chamber? He is not. How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him."

Wojcik: "Representative McGann?"

Speaker Satterthwaite: "Representative McGann had leave to be verified."

Wojcik: "Representative Wolf?"

Speaker Satterthwaite: "Representative Wolf had leave to be verified. Any further questions?"

Wojcik: "Yes, Representative Mulcahey?"

Speaker Satterthwaite: "Representative Mulcahey is in his Chair."

Wojcik: "Representative Schoenberg?"

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Speaker Satterthwaite: "Representative Schoenberg is at the back of the chamber. He was verified, anyway."

Wojcik: "No, he wasn't. He's not on the list."

Speaker Satterthwaite: "Yes, he had leave to be verified among the very first. Are there any further questions? Representative Hicks has returned and wishes to be voting 'aye'."

Wojcik: "No further questions."

Speaker Satterthwaite: "Representative Stern wishes to be voted 'aye'. On this question...Representative Capparelli wishes to be voted 'aye'. On the question...Mr. Clerk, take the record. On this question, there are 65 voting 'yes', 44 voting 'no', 4 voting 'present', and the First Conference Committee Report on Senate Bill 1451 is hereby adopted. The Bill, having received the Constitutional...the required Constitutional Majority, is hereby declared passed. House Bill 2417, Representative Giorgi."

Giorgi: "Madam Speaker, House Bill 2417 is the Bill that has to do with the pay phones that we had earlier this week. This Bill directs that the Municipal Utility Tax be collected from the pay phone revenues and addresses the problems resulting from a recent court decision that said the previous method of collection was not proper. When this Bill came before the House earlier this week, a number of Members objected because the Bill would have maintained for up to two years a subsidy of coin phone taxes by residences and business customers. This problem has now been resolved in the confidence of the report by making it clear that in the future all municipal utilities tax applicable to coin phones must be collected from coin phone revenues. It also clarifies the language in how telephone companies, over a period of years, may recover the money they have previously mandated to the municipalities. In addition, it includes a



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provision that came out of the House earlier this Session with 116 votes to zero, that directs the Illinois Commerce Commission to set up a method by which customers of local telephone companies who wish to do so may voluntarily, voluntarily contribute a monthly amount which will bring in matching federal funds to help the less fortunate with telephone service. This provision is in support of the telephone industry. The concerns of the Attorney General's office has been addressed in this report and they no longer oppose the Bill. The concerns of independent coin phone associations also have been taken care of, they support the Bill, the City of Chicago supports the Bill, the Municipal League has no problem with the Bill and the Telephone Industry supports the Bill. This Bill will end a subsidy of coin phone taxes by residence and business customers and protect against possible lawsuits against the 167 municipalities that have a municipal utility tax. It's a good Bill, and I urge your concurrence."

Speaker Satterthwaite: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. I, also, rise in support of this Bill. This Bill has changed substantially in the First Conference Committee from the vote we took on concurrence a day or two ago which was soundly defeated. Unlike that Bill, the Conference Committee provides for an immediate end to the subsidy practice of billing residential customers to pay for that portion of the tax attributable to pay phones. That ends immediately. The refund required as a result of the lawsuit, which Illinois Bell lost, will be made immediately. The refund can be amortized by Illinois Bell over 5 years which is consistent with the Public Utilities Act and the court's decision. There is no retroactive rate-making in this. It only directs the ICC to authorize a temporary coin phone

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increase, only in the cities that have a utility tax and only if IBT actually makes the refund. There is included in this, as a voluntary checkoff only, authorization for a customer to contribute the 15¢ per phone bill for the purpose of providing phone service for the poor and indigent. I want to stress, this is voluntary. This is not the automatic debiting that everybody found so objectionable. This is a voluntary checkoff. With all these changes, and because it complies with the recent court decision against Illinois Bell, I recommend a 'yes' vote on House Bill 2417."

Speaker Satterthwaite: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This clearly is far superior to the version we saw earlier and I compliment the Sponsor. The cost subsidy is out. There are just, however, a couple of very troubling provisions in this Bill which I do want to call to the attention of the Membership. When the attorneys for Illinois Bell, at the trial court level, lost, with respect to the underlying tax case, as a result of this legislation, they asked the court to allow them to continue to collect the illegal tax and they promised if they ultimately lost they would give it back to the consumers. What we have now is a situation where they have lost. It went all the way to Supreme Court. What we have here is a situation of having lost. Having made the promise that they're going to give the money back, they now come to us to say, 'we want relief.' We want the authority to turn around and charge other consumers, other customers, the coin telephone customers, for this money we illegally collected. What this does, is for the very first time, in the history of this General Assembly, it says that, 'if a public utility loses in courts and has to rebate money to

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consumers, they can come to us to have us say to the Illinois Commerce Commission that, that money...they should be able to collect that money from another source'. It's retroactive rate making done by this party, and I have been accused in the past of wanting this Body to tell the Illinois Commerce Commission what to do. Without this legislation, this 1.25 cents that was illegally collected, when they go to the Commerce Commission, they will not get that money from the consumers. They will get authority for the new 1.25 cents, clearly, but as far as the illegally collected 1.25 cents that the court said they should get back, if they go to the Commerce Commission, under current law, they're not going to be able to collect that, as well. And since we're talking about increments of 5¢ from pay phones, you're either going to be at 25¢ or you're going to be at 30¢. This will guarantee that Illinois Bell will get it's extra 5¢ from the Commerce Commission, rather than leaving it at 25¢. That's not good for the low-income consumer who can't afford the telephone and has to use the pay phone. It's, also, not good for the business customer who, at the airport or railroad station relies on pay phones. Before you vote, I think you ought to know this. I understand this is going to pass no matter what the true facts are, but, I thought for the record, people ought to know the precedent that is being set here."

Speaker Satterthwaite: "Representative Deering."

Deering: "Madam Speaker, I move the previous question."

Speaker Satterthwaite: "The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the previous question is put. Representative Giorgi to close."

Giorgi: "Madam Speaker, this ends the subsidy. The refunds won't be delayed. It is not retroactive rate-making. The

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General Assembly is not setting rates. The Illinois Commerce Commission sets the rates and we need this because of the decision that came in the early part of June. I urge the concurrence of this House Bill 2417."

Speaker Satterthwaite: "The question is 'Shall the House adopt Conference Committee Report #1 to House Bill 2417?' This is final action. All in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Myron Olson."

Olson, M.: "Thank you, Madam Speaker. Just to say that my vote...my signature did not appear on the Conference Committee Report 'cause staff was unable to locate me. I support the measure."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 96 voting 'yes', 15 voting 'no', 4 voting 'present,' and the House does adopt Conference Committee Report #1 to House Bill 2417, and the Bill having received Constitutional Majority, is hereby declared passed. On Supplemental Calendar #6, there appears House Bill 1354, Representative Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen of the House. This is the concurrence Motion concerning the question of legislative reapportionments. I move that the House concur in Senate Amendment #1 to House Bill 1354. This Bill proposes a legislative redistricting plan for the State of Illinois. Senate Amendment #1 makes changes in the boundaries of ten representative districts located on the south side of Chicago and in south suburban Cook County. A map reflecting these boundary changes has been included in your legislative redistricting packets. In addition to boundary changes, representative districts in this area are paired differently than they were paired when this Bill passed the House. One effect of these changes is to create

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an additional House district in Chicago with significant minority voting strength. House District 25 has an African-American population of 55% and an Hispanic concentration of 28.4%. This district is in addition to the 65% African-American House district created by House Bill 1354 in south suburban Cook County when this legislation passed the House. As I stated in the House debate on Third Reading, I believe the redistricting proposal contained in House Bill 1354 fulfills our commitment to fair representation for minorities as required by the Federal Voting Rights Act, as amended. It presents a plan that complies with both the United States and Illinois Constitution. Urban areas in Illinois lost population, and that population loss was particularly apparent in areas with a high concentration of African-Americans. Despite the loss of concentrated African-American population, this redistricting proposal assures no loss in minority representation; in fact, this legislation increases the number of African-American super-majority seats in the House by two, one in south suburban Cook County and the other in East St. Louis. It increases the number of African-American super-majority seats in the Senate by one. In addition, as I stated earlier, this plan creates an additional Chicago House district with significant minority voting strength. Considering the population loss, as well as the acknowledged undercount, I believe this proposal clearly meets the standards of the Federal Voting Rights Act, as amended. The overall population for Hispanics increased in the City of Chicago by 42%. In recognition of this, the number of Hispanic super-majority districts in the House was increased by two, and the number of Hispanic super-majority districts in the Senate was increased by

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one. I might add that these proposals were made with the full input and participation of organizations representing the Latino community. In African-American and Hispanic communities, upstate and downstate, great care was taken to avoid fracturing minority populations, whether or not these communities had sufficient voting strength to create minority-influence or super-majority districts. In each case, in each case possible, this proposal gives African-American and Hispanic-concentrated populations the strongest voice available, no matter how large or small the population concentration. The one-person, one-vote standard guarantees equal representation for the citizens of Illinois. Based on United States Census Bureau's 1990 census, the ideal population for a legislative district is 193,740, and the ideal population for a representative district in Illinois is 96,870 people. This proposal implements the one-person, one-vote principle. The maximum deviation from the ideal population, under this proposal, for legislative districts is .27%. The total range of deviations for legislative districts is .49%. For representative districts the maximum deviation from the ideal population, under this proposal, is .27%. The total range of deviations for representative districts is .51%. This proposal makes every effort to make districts compact and contiguous, with the exception of districts which were drawn to comply with the Federal Voting Rights Act and the concept of maximization of minority voting strength. Finally, I believe that this proposal is politically fair. The population loss in certain areas of the state and the population gain in other areas of the state indicate that many districts will experience significant change. This proposal reflects that population shift with an increase of four suburban collar county districts and a loss of three

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Chicago districts. During the debate on this Bill on Third Reading, I stated that I would explain, at a later date, our methodology for determining that this map provides 22 swing, 43 Democratic and 53 Republican seats. For purpose of this analysis, the 1988 University of Illinois Trustee General Election results were utilized. A Democratic district is one where the Democratic candidate for University of Illinois trustee who finished second among the three Democratic candidates received at least 53% of the vote. A Republican district is one where that Democratic candidate for University of Illinois trustee received less than 47% of the vote. A swing district is one where the Democratic candidate who finished second among the three Democratic candidates for the University of Illinois trustee received anywhere from 47% to 53% of the vote. As I stated, applying this analysis to the legislative redistricting plan in House Bill 1354, there are 43 Democratic House districts, 53 Republican House districts, and 22 swing House districts. Moreover, in the 22 swing districts, the average vote for the Democratic candidate for University of Illinois trustee, who finished second among the three Democratic candidates, is 50%. In addition, this plan creates 21 Democratic Senate districts, 27 Republican Senate districts, and 11 swing Senate districts. The use of the University of Illinois trustee race to evaluate particular districts is certainly not unprecedented. The authors of the Almanac of Illinois Politics, 1990, state that the University of Illinois' averages are considered to be a barometer of actual party voting, and according to published reports in the media, the University of Illinois election data is utilized by the House Republicans in testing political fairness. In conclusion, the House of Representatives has made it clear

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from the outset, the guiding principles in reapportionment in 1991 would be the standards set by the Illinois and the United States Constitutions and the Voting Rights Act of 1965, as amended. The legislative redistricting proposal contained in House Bill 1354, complies with the Illinois and United States Constitutions and the Voting Rights Acts of 1965, as amended. This proposal provides fair representation of minorities and provides a map which is politically fair. I move that the House concur in Senate Amendment #1 to House Bill 1354."

Speaker McPike: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 1354, and on that question, Representative Churchill."

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

Speaker McPike: "Yes, he will."

Churchill: "Mr. Speaker, do you have an..."

Speaker McPike: "Mr. Churchill. Mr. Churchill. I wonder if we could have some quiet in the chamber? Proceed, Sir."

Churchill: "Thank you. Mr. Speaker, do you have an opinion as to the minimum percentage of Afro-Americans residing within a district to give the minority population a viable opportunity to elect a candidate of their choice?"

Madigan: "Mr. Churchill, in my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "The map proposed, as amended by the Senate, has five House districts with over 75% African-American population, three with African-American population over 84% and two with African-American population over 94%. Do you believe that African-American voters need a district with over 75% or 85% to elect a Representative of their choice?"

Madigan: "In my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Is it not possible to spread the African-American



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population out more fairly to give that community control of a greater number of districts?"

Madigan: "In my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Mr. Speaker, in all honesty, I thought you might have something more humorous to add to this, at this time but..."

Madigan: "Well, give me a chance now..."

Churchill: "Okay. The map proposed, as amended by the Senate, has nine districts with an Hispanic population of between 20% and 30%. Why did you not combine some of these geographically concentrated districts into one district with a majority of Hispanics to influence the outcome of the elections?"

Madigan: "In my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Then, I'll give you an example, and, perhaps, you can focus on this example: The amended map Districts 6, 7, and 12 are all contiguous and have Hispanic populations in the mid-to-high 20 percentages. Couldn't these have been combined in this heavily Hispanic area to create another majority Hispanic seat?"

Madigan: "Again, in my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Tell me about Districts 6, 7, and 12. Perhaps you know the percentage of the Hispanic population in those districts and you could help me with that."

Madigan: "Again, in my judgment, the map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "House District 25, as proposed in the amended map, contains a population which is 44% African-American. Did you or the drafters of this Amendment attempt to raise this percentage to 65%?"

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Madigan: "In my judgment, the map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Is it feasible to increase the number to 65%?"

Madigan: "As I said, I feel the map satisfies the requirement of the Federal Voting Rights Act."

Churchill: "If it were feasible to raise this amount to 65% while retaining the other proposed African-American and Hispanic districts, why do you not propose such a change?"

Madigan: "Again, in my judgment, the map satisfies the requirements of the Federal Voting Rights Act."

Churchill: "Do you know whether any input from outside minority groups was in any way utilized in the preparation of the Senate Amendment to this Bill?"

Madigan: "No, I do not."

Churchill: "Did you solicit any outside minority group information for input with regard to the Senate Amendment to this Bill?"

Madigan: "I did not participate in drafting the Senate Amendment."

Churchill: "Article IV, Section 3 of the Illinois Constitution requires that Senate and House districts be compact. Do you feel that the districts proposed in the Senate Amendment satisfy that constitutional requirement?"

Madigan: "Yes, I do."

Churchill: "There are numerous methods of calculating or comparing compactness. Do you know which, if any, methodology was used to...to determine the relative compactness of House District 78 in the Senate Amendment?"

Madigan: "Mr. Churchill, in my judgment, this map meets the requirements of compactness."

Churchill: "Was there any methodology used to determine your...belief that this meets the definition of compactness?"

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Madigan: "As I said, Mr. Churchill, in my judgment, the map meets the requirements of compactness."

Churchill: "I...I appreciate your judgment, Mr. Speaker, and...I know that you always base your judgment on facts. I know that you always base your judgment on the opinions of those that you trust around you; and so, I assume that you must have used some methodology to determine the answer to the compactness question about District 78. I'm just wondering if you would please tell us what that methodology was?"

Madigan: "Again, Mr. Churchill, in my judgment, the...districts in this map meet the requirements of compactness."

Churchill: "Do you have an opinion as to whether it is desirable in creating legislative districts to split units of local government, such as townships and counties?"

Madigan: "Mr. Churchill, in my judgment, this map meets the requirements of the Illinois Constitution."

Churchill: "Today, Senator Dudczyk suggested in the Senate Debate that local governmental units, such as school districts, be respected as communities of interest. Do you know whether attempts were made in drawing the legislative districts contained in this proposal to maintain the integrity of units of local government?"

Madigan: "Mr. Churchill, as I indicated during my remarks when this matter was on Third Reading in the House, the record of the House Reapportionment Committee, concerning the question of community of interest, is vague and presents a mixed picture. So, while there were certain witnesses before the committee who requested that what they considered to be a community not be divided, there were just as many who testified that what they viewed to be as a community ought to be divided because that would maximize the influence of the community before the Legislature and before the various agencies of state government."

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Churchill: "Do you know the number of counties that are split under the proposed map?"

Madigan: "As I indicated, Mr. Churchill, in my judgment, the map meets the requirements of the Illinois Constitution."

Churchill: "And would your response be the same if I told you that the current legislative map contains 33 split counties, and the map proposed in this Bill with the Senate Amendment contains 43 split counties?"

Madigan: "Again, Mr. Churchill, in my judgment, the map meets the requirements of the Illinois Constitution."

Churchill: "Do you know the number of townships that are split under this map?"

Madigan: "Mr. Churchill, in my judgment, the map meets the requirements of the Illinois Constitution."

Churchill: "And would your response be the same if I told you that under the original map there were 57 townships which were split, and under the current map, with the Senate Amendment, there are 80 townships which are split?"

Madigan: "Again, Mr. Churchill, the map meets the requirements of the Illinois Constitution."

Churchill: "Was any...county or unit of local government split for partisan political purposes?"

Madigan: "Mr. Churchill, the map meets the requirements of the Illinois Constitution."

Churchill: "Do you believe that a legislative redistricting proposal should be politically fair?"

Madigan: "Yes, I do."

Churchill: "Could you tell us what neutral criteria were applied in ensuring political fairness in this legislative proposal?"

Madigan: "Mr. Churchill, as I indicated earlier, in my judgment, this map is fair because it provides for 43 Democratic House districts, 53 Republican House districts, and 22

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swing House districts."

Churchill: "What is your assessment of the political fairness of the map now with the Senate Amendment, since it...changes the original map which you thought was fair?"

Madigan: "Mr. Churchill, again, I feel that the map is politically fair because of the statistics that I read into the record during my last answer."

Churchill: "On what statistical basis do you make the statement that the map is politically fair?"

Madigan: "On the statistical basis that it provides for 43 Democratic House districts, 53 Republican House districts, and 22 swing House districts."

Churchill: "When you analyze the map, based on Republican districts and Democratic districts, what basis do you use to determine what is a Republican district and what is a Democrat district?"

Madigan: "I've covered that in my initial remarks, Mr. Churchill, and I would reference you to those remarks."

Churchill: "I believe, you stated that you used the University of Illinois trustees' race. Is that not correct?"

Madigan: "That was my statement."

Churchill: "I believe that you, also, stated that you used the second Democratic candidate's vote total as the basis for applying your standards."

Madigan: "That's correct."

Churchill: "Do you also use the second Republican candidate's vote total for applying the standards?"

Madigan: "Yes."

Churchill: "So, you use both the second Republican and the second Democrat candidate's percentages. Do you average those percentages?"

Madigan: "Could you repeat your question?"

Churchill: "When you use the Republican candidate and the

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Democrat candidate University of Illinois second candidate numbers, do you average those two numbers?"

Madigan: "No."

Churchill: "So, then, you have statistics which would show you what the second University of Illinois Democrat candidate's percentages were and statistics which would show you what the second University of Illinois Republican candidate's statistics would be."

Madigan: "Yes."

Churchill: "And is there a difference between those numbers?"

Madigan: "There is no difference in the Republican districts, both are at 53."

Churchill: "Do you apply the Republican University of Illinois trustees' numbers to the Republican districts?"

Madigan: "We applied that to the districts in the map."

Churchill: "So, you've analyzed every district in the map by using the second University of Illinois trustee Republican numbers."

Madigan: "Yes."

Churchill: "And have you, also, analyzed every district in the map using the second University of Illinois Democratic candidate's numbers?"

Madigan: "Yes."

Churchill: "And are the numbers the same in every district?"

Madigan: "They are the same, in terms of the Republican districts."

Churchill: "And what about in the Democrat districts?"

Madigan: "There's a difference of one."

Churchill: "A difference of one what?"

Madigan: "One Democrat. So, under your Republican vote totals there would be 44...Democratic districts and under the Democratic vote totals there would be 43 Democratic districts."

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Churchill: "So, in the new District 78, what would be the second University of Illinois trustee Republican candidate's numbers in that district?"

Madigan: "58.8."

Churchill: "So, the Republican candidate got 58.8%. Is that correct?"

Madigan: "Yes."

Churchill: "And what would be the University of Illinois the second candidate under...under the Democratic side numbers?"

Madigan: "41.2."

Churchill: "Have you analyzed the first Democratic candidate under the University of Illinois trustee race?"

Madigan: "No."

Churchill: "Have you analyzed the third candidate under the University of Illinois Democratic...side?"

Madigan: "No."

Churchill: "Have you analyzed the first Republican candidate under the University of Illinois trustees' race?"

Madigan: "No."

Churchill: "Have you analyzed the third candidate under the University of Illinois Republican side?"

Madigan: "No."

Churchill: "Do you have any academic or other scientific support for the use of the second Democrat and second Republican candidates in the University of Illinois trustee race, in predicting whether a proposed district favors a Republican or a Democrat?"

Madigan: "Again, Mr. Churchill, I would reference you to my opening remarks where I indicated that the authors of the Almanac of Illinois Politics, 1990, state that the University of Illinois averages are considered to be a barometer of actual party voting, and even more important

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than that, Mr. Churchill, according to published reports in the media (which you can always believe), the University of Illinois election data is utilized by a group called the House Republicans in testing political fairness."

Churchill: "That sounds better all the time. In drawing district lines were attempts made to use neutral or politically motivated criteria?"

Madigan: "Mr. Churchill, in my judgment, the map complies with the requirements of the United States and Illinois Constitutions."

Churchill: "Could you please explain why in the current map Representatives Hoffman and Balthis are paired in the same district?"

Madigan: "Mr. Churchill, in my judgment, the map meets all of the applicable legal requirements."

Churchill: "Could you please explain why six Republican Senators are paired and no Democrat Senators are paired?"

Madigan: "Again, Mr. Churchill, in my judgment, the map meets all of the requirements of the United States and Illinois Constitutions."

Churchill: "Thank you, Mr. Speaker. To the Bill. Minority Party does not agree with the assessments made by the Majority Party of House Bill 1354 as amended by the Senate. There was testimony offered in committee that the map did not comply with the Voting Rights Act. The Senate Amendment does not change much on the voting rights issues. There was, also, testimony offered that more African-American districts could be drawn to meet constitutional and Voting Rights Act's standards. The new 55% African-American district created in the Senate Amendment could easily be redrawn to include 65% African-American constituency. There was testimony offered in committee that there were a number of examples where an improperly high percentage of



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blacks were packed into districts. There was testimony offered that more Hispanic districts could be drawn to meet constitutional and Voting Rights Act's standards. We believe that the Majority Party's methodology of identifying the political makeup of the proposal is flawed. We do not believe that the use of the second place Democrat or Republican University of Illinois candidate from the 1988 election is a reasonable indicator of whether a proposed district can be expected to elect a Republican or Democrat Legislator. The University of Illinois trustees results do not reflect incumbency advantages; they do not reflect historic support of any individual Legislator. This map does not respect communities of interest, as requested during committee hearings. It splits municipalities, townships, and other communities with common interests. This map does not reflect population explosions in certain parts of the state, particularly in DuPage County. There will actually be a lower number of representatives from DuPage County with this map. What has been said to date in the introduction of this map will be relative...relevant for legislative intent purposes. Unfortunately, the proposal which is currently before us does not meet constitutional and/or statutory prerequisites. I believe that the proper vote on House Bill 1354, as amended, is a 'no' vote. Thank you."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. The merits of this Bill are apparent. By creating an additional minority district it gives an opportunity to a group of people who will be impacted upon by the legislation that's being passed in this state. At a time when state governments are becoming much more conservative, at a time when state governments, including our own, is

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seemingly becoming more insensitive to the plight of the people, to the downtrodden, it's important that the people that are actually...are going to have to live by the laws that we pass be given an additional opportunity to have some say--so in the laws that we pass in this General Assembly. However, I question some of the moves that have been done, 'cause what is not as apparent to many (because it happens just to be in my district) is that, for some reason, the party that I represent over here has allowed some of the nefarious element to draw a line down the middle of my district, down the middle of my block, to draw me out of a district that I've represented the last three years, have lived in most of my life and in which my family has lived in for three generations, seemingly, for someone else's own aggrandizement. I question, I question if this map was drawn objectively. I will vote for it because we need more representation. If that's what's on the table, I will vote for it; however, I am un-at-ease in how this map was drawn. The other possible merits of this map is that a district was created which will possibly give a platform, possibly give a district to one of our hardest working Legislators here in our General Assembly, and, for those reasons, he, too, votes for our causes, I will vote for this map, but I have serious questions about it."

Speaker McPike: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. The Minority Party simply does not agree with the assessment of the Sponsor of this legislation that this is a fair map. It is very, very apparent that if we were in a court of law that a judge would have instructed the Sponsor of the Amendment to be responsive to the questions that were asked, but over a period of about 15 minutes simply canned answers were given, and, I believe, there's a very,

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very real purpose for that, because I think that the correct answers to those questions that were asked would have got to the heart of the matter; that is, that the map that was drawn actually was a gerrymandered map, whose sole purpose was to protect the interests of the Majority Party and, basically, to trample on the rights and interest of the Minority Party in the General Assembly. Under the Voting Rights Act of 1965, as it was amended in 1982, the purpose or one of the purposes to maximize minority participation in the process, and it's very apparent from the questions that were not answered that there was a very, very, very subtle attempt to circumvent the Voting Rights Act and, thus, violate the federal and Illinois Constitutions. We all saw what happened here the other day when we had bi-partisan consideration and involvement in the judicial map. That map sailed out of here and was praised and lauded by both sides of the aisle. But here we have a map that is dropped on our desk that...once again, was amended to accommodate one or two Representatives, which, once again, highlights the fact that we...once again were not involved in the process, and the reason for that again is readily apparent. This map was gerrymandered. It is not compact, and it is...it violates voting rights principles of the federal and Illinois Constitution. Just one example may suffice in my home County of Will. We have District 84, which stretches from the Cook County border approximately 25 miles to the Kendall County border and which goes from the southern portion of the city of Joliet 18 miles to DuPage County line. We could spend the next four hours relating other instances where the districts are not compact and, which, in fact, are packed to ensure that there will be a domination by the Majority Party. I urge all people who are fair-minded, all people who are

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interested in protecting the rights which are afforded to us under the federal and state Constitutions, to vote resounding 'no'. It's the right thing to do."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentlemen yield?"

Speaker McPike: "Speaker Madigan will yield."

Davis: "Thank you. As a Legislator who lost little, if any, of people in her district during the census, who was sent here with 41,000 votes...twice, I find it highly peculiar that the new district that is drawn is considered contiguous. Do you know, Mr. Speaker, that the Voting Rights Act does ask that district...districts be contiguous?"

Madigan: "Not to my knowledge. The requirement that districts be contiguous to...to my knowledge is contained in the Illinois Constitution, and the Federal Voting Rights Act is concerned with the maximizing of...minority participation in the electoral process."

Davis: "Mr. Speaker, in other words, you were complying with the State of Illinois Constitution, Article IV, Section 3, that provides that legislative districts should be compact, contiguous and substantially equal in population. That is not in conflict with the Voting Rights Act, do you think?"

Madigan: "To render an opinion in response to your question, it is my understanding that the requirements of compact and contiguous, as set out in the Illinois Constitution, becomes subservient to the requirements of the Federal Voting Rights Act, and that was the...the experience of...of the...consideration of reapportionment by the federal court ten years ago."

Davis: "Contiguousness is subservient to..."

Madigan: "The requirements of the Federal Voting Rights Act."

Davis: "The requirements of the Voting Rights Act. I would have

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to disagree with you on that. I would, also, like to ask if you think it important that one ward in the City of Chicago at 82nd and Ashland, then about four precincts from the 9th ward, about four precincts from the 8th ward, and then a 40-minute drive down I-94, to pick up Hegwisch and Lansing; do you believe that actually complies with the Voting Rights Act?"

Madigan: "In my judgment, the map complies with the Federal Voting Rights Act."

Davis: "Mr. Speaker, with all due respect, in 1980 a court suit was brought in reference to African-American participation in Illinois government. One result of that suit was a drawing, by the court, of the 18th Senatorial District. The seat was won, not in '82 when the court made the decision, not in '84; the suit was won for an African-American district, drawn by the court, in 1986, only five years ago, and today you are going to undo what the courts have done, you are going to divide that district?"

Madigan: "Representative, I think that...my answer would be that the configuration that you're referring to was not drawn by me. It was drawn as part of a Senate Amendment, and I did not participate in drawing that configuration. It was shown to me after it was put into Amendment form."

Davis: "I would take it, then, that you agree with me that it is suspect behavior for the General Assembly to undo in 1990 what the courts ruled and drew in 1980 to increase African-American representation in the General Assembly in the State of Illinois."

Madigan: "Representative, I would only say again that, in my judgment, this map satisfies the requirements of the Federal Voting Rights Act."

Davis: "I would hope we'd want to do a bit more. I would hope

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we'd want also want to comply with the rules of the Constitution of the State of Illinois. And I would like to address a comment that I've heard a number of times in this Body and that is that the African-Americans have lost population. That actually is not a fact. There is a shift in the African-American population from certain wards, not from the city necessarily, but from certain wards to other wards, and I think the courts and research and actual analysis will bear me out. The black people have not stopped multiplying and having children and nor have they, in great multiples, moved to the suburbs. They are still in the City of Chicago. They have moved to different locations. I ask this question, 'What will be the redistricting impact statement explaining how this redistricting legislation satisfies the requirements of the United States, of the Illinois Constitution and the Voting Rights Act?'

Madigan: "Representative, that...requirement has been met, and that is part of the packet that was distributed for the consideration of this Bill."

Davis: "Well, to the Bill, Mr. Speaker."

Speaker McPike: "Proceed."

Davis: "The map is racist in that it is drawn to protect whites who will each have or many be given a few African-American people in order that they can continue to get elected. It is politically divisive in that it divides communities of interest, and, may I add, when African-Americans were brought to this country they did not come on an airlift. They came in the hull of a ship being treated like less than an animal, and on one of these ships there was an African woman who was allowing herself to be dehumanized and mistreated, in order to protect a baby in her womb, with the hope that one day this baby would be free. Well,

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after 400 years of slavery, after plantation, Negroes on the plantation, after overseer authority given to some Negroes, the court still has much to debate about overseer authority. It is not what the court had in mind when it created the Voting Rights Act. Creating a district that is 55% African-American will certainly not elect an African-American, nor does it comply with either the Constitution of the State of Illinois or the Voting Rights Act. It's merely a ploy and a pretense that you want to increase minority representation in the State of Illinois. You want to continue to decrease the African-Americans who are supposed to be represented in this government. It is a map designed to decrease minority participation. It is a map that disrespects one of your leaders, Mr. Giglio, Representative Giglio. It let's me drive down an expressway 30 minutes from one ward to his district. My role as a Legislator is to represent my district, and it does not mean that I am here to help you to continue and keep African-American participation at a minimum, and I urge all of you who seek justice to look at the 18th Senatorial District that was created by the courts, and I urge you not to support a map that is designed to decrease or disturb or to abolish that Senate representation seat. I'm surprised, I'm appalled, and I'm deeply saddened that the pretense goes on. We're hoping, we're hoping that if this map, by some undue coercion, does come out of here that the courts will take a very good look at its lack of contiguity, at its lack of true attempts at increasing the number of African-American representation... Representatives in the State of Illinois, and I certainly urge a 'no' vote, and I will vote 'no'."

Speaker McPike: "Representative Kubik."

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

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House. We're all sent here to represent our legislative districts, and...I assume they're going to be a little bit different after we leave...leave this Legislature. But, in any event, I'm here to represent a district which I currently represent, which is the 43rd District. I, also, had the opportunity to serve on the House Reapportionment Committee and sat through numerous hearings on this issue. We've talked about, in those House hearings, the issue of communities of interest, and, while I recognize that the Majority Party believes that there is a mixed definition of what...what communities of interest are, let me tell you where the communities of interest in my area sit on this map, because I've happened to have heard from them. For example: I've heard from a community of interest which includes Cicero, which is currently a...a town which is divided into five Representative districts and four Senate districts under the current map, under this new configuration, it would appear that the map would include five Representative districts and five Senate districts. In addition, another community of interest, which is the City of Berwyn, which is in my legislative district, is currently divided into two legislative districts and two Senate districts. Under the current map it would appear that they will be in five House districts and four Senate districts, and, while I recognize that there are those who would come before us and testify that, perhaps, we can't have every community whole. We understand that. We understand that there are some limitations with regard to the way that we draw a map, not every community can be whole, but, Ladies and Gentlemen, I ask you, does a town which is roughly 45,000 people truly need to be chopped up into five House districts and four Senate districts? Or does a town which is 67,000 people deserve to be...cut up



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into five House districts and five Senate districts? I would believe not, and I would think that any logical definition of...of how we draw maps would indicate that that is not something that's appropriate, and it is for that reason that I would vote 'no' on this particular Bill."

Speaker McPike: "Speaker Madigan, to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen, this matter has been fully debated on two occasions now. Let me simply say once again, that, in my judgment, the map is compact, it is contiguous, it is politically fair, it meets the requirements of the one-person, one-vote rule, and it, also, meets the requirements of the Federal Voting Rights Act. I recommend an 'aye' vote."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1354?' All in favor vote 'aye', opposed vote 'no'. This is final passage. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 64 'ayes', 49 'nos' and 3 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1354, and this Bill having received the required Constitutional Majority, is hereby declared passed. Senate Bill 10, Representative Lang."

Lang: "Thank you, Mr. Speaker. I move for the adoption of Conference Committee Report #1 to Senate Bill #10. Senate Bill #10 comes as a response to the ruling of the Illinois Supreme Court regarding Chicago School Reform and it addresses the issues raised there. Let me, briefly, outline what the Bill does. I should indicate that this Bill comes as a result of meetings of all of the reform groups and is agreed by all parties. First, it indicates the election code does not apply to local school council

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elections. The Chicago Board of Education will conduct all LSC elections. Second, elected members of each LSC shall consist of the six parent members and two community resident members. Before November 1, 1991, the two teacher members shall be appointed by the board after a nonbinding advisory poll of the teachers. Three, before November 1, 1991, the one student member shall be appointed by the board after a nonbinding advisory poll of the students. Four, each eligible voter shall be entitled to cast one vote for a total of five candidates regardless of whether such candidates are parents or community members. No later than November 1, the members of each LSC, by majority vote of a full membership, shall appoint a representative to serve on the subdistrict council. This appointee shall serve for a two-year term. The board shall establish a voting district for each multi-area school. Finally, members of the school board nominating commission are appointed rather than elected. Mr. Speaker, I move for adoption of the report."

Speaker McPike: "There being no discussion, the question is 'Shall the House adopt the First Conference Committee Report to Senate Bill #10. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 110 'ayes' and 1 'no', and the House does Adopt Conference Committee Report #1 to Senate Bill #10, and this Bill having received the required Constitutional Majority, is hereby declared passed. Under concurrence there is House Bill 2334. Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in...wait a minute. We need to change the board, Mr. Clerk."

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Speaker McPike: "Representative Dunn. Mr. Clerk, we're on House Bill 2334."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments #1 and 2 to House Bill 2334. This Bill has been thoroughly debated before. It has passed this House previously, it was passed in the Senate with two Amendments which were put on the legislation at the request of those who stand in opposition, and I would ask for your favorable vote."

Speaker McPike: "And on the motion, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Those Amendments did not do anything to appeate the opposition's position. As we discussed yesterday, or the day before, when we voted on this, this is the Bill that allows the withdrawal of food and water in cases other than those concerning terminal illness. There are three qualifying conditions, only one of them relates to terminal illness. The withdrawal of food and water is unlike the withdrawal from a respirator. A respirator does not produce death by starvation and dehydration. A respirator helps one and is in that sense medical. We all need food and water and that...no, no nicety about it can change that fact. What this Bill allows one to do is to condemn a person to death by starvation or dehydration. There were not enough votes to pass this Bill a couple of days ago and there should not be enough to pass this Bill today. I rise in opposition."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Representative Dunn was correct. It was extensively debated in the past. This is not a pro-life issue. It is a right to die with dignity and peace. That's what this Bill is all about. It deserves a 'yes' vote. It's supported by the Catholic Conference of

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Illinois, the Illinois State Bar Association, the Illinois Hospital Association, and the Illinois State Medical Society. It deserves a 'yes' vote without more extensive debate. Let's get it out of here and pass it."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I, too, rise in support of this legislation. This Bill had 65 votes on it when we heard it the first time but we lost it because a few Members were inadvertently off the floor. It is supported by the Catholic Conference, it's not a right to life issue, I urge all of our colleagues to vote it so we can get done with it once and for all. It's a solid piece of legislation and it's an eminently fair compromise. I move the adoption of 2334."

Speaker McPike: - "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm kind of surprised that we're talking that it's a Bill that you can die with dignity. I mean, starvation and depriving one of basic elements of life is not something that I think this Body should be allowing to pass. I don't think that this is a solid piece of legislation and it is certainly not a 'right to life' kind of legislation. It's the kind of legislation that people will be watching on how you vote on this legislation, and I would ask that this Body not support this kind of legislation and that we respect the right of an individual to make the decisions for themselves. So, I would ask the Body to defeat this and move on with other Bills."

Speaker McPike: "Representative Wolf, moves the previous question. The question is 'Shall the previous question be put?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The previous question is put. The question is, 'Shall the House concur in Senate Amendments #1 and 2 to

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House Bill 2334?' All in favor vote 'aye', opposed vote 'no'. Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I'm only making this statement because I want to get it in the record. On yesterday morning, I received a call from a Father Place who represents Cardinal Berniden in theological matters, and he stated to me under no circumstances are there any abuses to theological approach relative to this House Bill 2334. That in no way does it bring about euthanasia but it does work very well as far as bringing the three parties involved. And for that reason, I'm going to vote 'aye'."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I rise in opposition to this Bill, not on theological basis but on moral issues. This withdraws food and water. Food and water are not medicines. Food and water are basic necessities of life, they're not a mechanical machine. This is a terrible Bill to withdraw and to cause death by starvation is precisely the wrong way of going. The moral issue, the underlying issue is, we should not be producing death by withholding people away from their food and water."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 69 'ayes', 42 'nos', and the House does concur with Senate Amendments #1 and 2 to House Bill 2334, and this Bill having received the Constitutional Majority, is declared passed. On Supplemental Calendar #5 appears House Bill 516, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to adopt the First Conference Committee Report on House Bill 516. This Bill, which is drafted with the approval and the support of the taxpayers federation,

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allows local governments...defines local governments abilities to keep excess balances, minimal, allowable reserve balances, in order to determine their...in order to react with bond ratings like the State of Illinois does so that their bond ratings and other credit ratings may be as high as possible, at the benefit of the taxpayers. The Taxpayers Federation says that this Bill is extremely 'taxpayer friendly' and upon that, Mr. Speaker, I move for the adoption of the report."

Speaker McPike: "And on that Motion, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker, will the Gentleman yield for question, please?"

Speaker McPike: "Yes."

Ryder: "Thank you. Representative, you make two definitions which are really a major part of the Bill. Excess balance, is that a new definition, or is this a modification of an old definition."

Steczo: "Representative Ryder, I believe it's a new definition, something that the Taxpayer's Federation and others have worked on for a while. In order to disallow the ability of local governments to amass large amounts of unreserved funds. So, this limits the amount of unreserved funds that they can have in their accounts."

Ryder: "Specifically, this applies to bond funds, is that right?"

Steczo: "This reverts to unreserved fund balances."

Ryder: "Is the minimum allowable unreserved balance, is that, also, a new term?"

Steczo: "Could you repeat your question, please?"

Ryder: "In Paragraph F, line 13, page 2 of the Conference Committee Report, discusses minimum allowable unreserved balance. Is that a new term?"

Steczo: "That's a new term and it's a term that's intended to provide the local government the same ability the state

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has, currently, to be able to set aside excess funds. As the Governor tells us every year, we need a \$200,000,000 reserve. This allows them to do the same thing. In return, it helps their bond rating."

Ryder: "Does this, it seems to me that it indicates that, in Paragraph E and F, that we are allowed to create these excess funds, or ending year balance, however you wish to describe it, and then when we come down to the Section 10.1, is this in essence a cap on real estate taxes? So, that once that minimum fund is created that they cannot, they shall not approve a levy in excess of the ending year balance, as applied here?"

Steczo: "They cannot approve a levy in excess of the allowable excess balance."

Ryder: "This came from the Taxpayer's Federation, is that right?"

Steczo: "That is correct."

Ryder: "And, does it affect all the counties of the state in all the taxing districts?"

Steczo: "Yes, it does."

Ryder: "It does not, specifically, apply to the County of Cook?"

Steczo: "It is supported by the County of Cook."

Ryder: "Former Representative Boweman?"

Steczo: "Yes."

Ryder: "Alright. So, that this would allow the County of Cook to expend more than, or excuse me, to raise more money than they actually need so that they can have this end of year balance?"

Steczo: "That is correct. Which local governments do not have the authority to do at the present time."

Ryder: "Alright. So, this allows local governments to raise more money than they need in a specific year."

Steczo: "Up to a certain level."

Ryder: "And, what is that level, Representative?"

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Steczo: "Ten per cent over. They can have a balance of 10% in the unreserved fund. Just as we, in the state, need a level of \$200,000,000 reserve every year."

Ryder: "I think I'm beginning to understand the concept. Is it cumulative?"

Steczo: "No."

Ryder: "Is the County of Cook, for example, able to levy 110 this year and, also, 110% next year?"

Steczo: "The important issue is the 10%. They're allowed to have a 10% balance, an overage in the balance, it is not cumulative, no, as we in the state need \$200,000,000. It is not cumulative year to year. The \$200,000,000 is the figure we strive for."

Ryder: "Okay. I've been informed by staff that it's a 3-year moving average. Is that correct?"

Steczo: "That's correct."

Ryder: "That is good staff work on our part. Thank you, Mr. Speaker. Thank you."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this particular Conference Committee Report. I think it is a well-crafted Conference Committee and what it does...the language is taken from the Illinois Federation of Taxpayers. As Representative Steczo has eluded to earlier, this will allow local government to set aside those funds, particularly in a situation where we want to make sure that the bond rating of local governments, whether they be counties or otherwise, be maintained. So, I think it's a good idea. It's a good concept. It's one that we have looked at for quite some time. It will help the County of Cook, and it will help a lot of other local governments throughout the state. I think it's a good reform and a move in the right direction



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and I certainly would urge all my colleagues to vote 'aye' on this particular Conference Committee Report."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 516?' All in favor vote 'aye', opposed vote 'no'. Representative Burzynski to explain his vote."

Burzynski: "Thank you, Mr. Speaker. I really had a question in regards to the Bill. My question was whether or not this, also, deals with the tort and liability levy. Whether or not there's a cap placed on that at that moving average, over a three year period?"

Speaker Giglio: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. I, also, had a question and you can just nod your head. They are not able to spend this excess money and just go wild with it, are they? They are not. Thank you."

Speaker Giglio: "Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. Again, a question should've been asked. 'This only affects general obligation bonds?' Would the Speaker nod his head? When you are allowing this to...only general obligation bonds?"

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I saw several lights on, on my side of the aisle. It's a complicated question, a complicated issue, nobody moved the previous question, and yet, the Speaker chose to ignore the speak lights from people who have...Representatives in this House, who had legitimate questions about this issue, and I'm sure that there are probably 80% of the Members of this House who do not understand this type of a complicated issue on a Conference Committee Report that was put on their desk an hour and 35 minutes ago together with several, other Conference Committee Reports. Now, here we go again,

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limiting the rights of Members of this House to legitimate questions and legitimate debate about an issue that's extremely complicated, and we object to it. Now, we have to go through this on every Conference Committee Report, I guess we're just gonna have to do it. But, I'm not gonna sit back and see the rights of Members of this House, on both sides of the aisle, trampled because the Speaker refuses to listen to and look at the speak lights and allow the Members of this House to participate in debate when, in fact, debate had not been cut off except by the Speaker's own switch. Now, that's wrong, and it's unfair. I don't know what this Bill's all about. I don't know what a unreserved fund is, and I don't understand it, and I don't think any Members of this House do, and I think they're entitled to understand it fully, before they're ask to vote on it. This could be a tax increase, for all I know. It could cause a property tax increase, for all I know. Members of this House have a right to know exactly what is is that's in these Conference Committee Reports, that they've never seen before, and little understand."

Speaker Giglio: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is unfortunate that some of us did not have the opportunity to ask some questions during the debate on this, because I think it is a significant Bill. We concentrated on municipal and county taxing power but this Bill applies to every taxing district in the State of Illinois. That includes school districts, community college districts, every taxing district. That's significant. What if a school district, as an example, and school districts in my area try to maintain excess balances in some funds, a school district here could maintain an excess balance of double of what it needs and could levy

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110% as long as it didn't exceed double what it needs for that year. Now, I'm not sure they absolutely need that power and I would have liked to have a further explanation, and because of that, I'm putting a 'no' vote up there."

Speaker Giglio: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker. I realize that we're drawing on and this is a complicated Bill. But, I have an area with growing school districts. Some of the districts have built up funds to build additions on schools that hasn't been from bond issues and in those funds they have an excess balance because they're going to do a capital improvement. From what I gather, and I can't understand the answer from the Sponsor, that this will prohibit any governmental unit from building up any fund for capital expenditure. But, they can go out and borrow the money and pay interest on it, that's fine, but if they want to do it over several years and save the interest, they can't do it according to this Bill. The municipalities in my area and the Conference is against it, so, I suggest a 'present' vote or a 'no' vote."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise with concern regarding a provision here in this legislation and, Mr. Speaker, can we have some order in the House?"

Speaker McPike: "Proceed."

Weller: "Ladies and Gentlemen, I rise with some concern regarding a provision that's in this Bill. I know many Members of this Body are concerned about rising property taxes. Look on page 2, line 26, Section 10.1. It says here, no taxing district shall approve a levy for a purpose or a fund that would result in an excess balance in that fund, but a taxing district 'may' approve a levy for a purpose or a

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fund that will result in at least a minimum, allowable unreserved balance in that fund. Now, the Sponsor may need to clarify this, but the way I would interpret that, that this language would allow a property tax increase without a referendum. Now, I think the Ladies and Gentlemen in this Body would be concerned about that, and I would, certainly, urge a 'present' or a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 72 'ayes' and 25 'nos', 19 voted 'present'. The House does adopt the First Conference Committee Report to House Bill 516, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1024, Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker, Members of the House. I would like to move that we adopt the Conference Committee Report #1 to 1024. We went back to the Conference Committee Report #1 that includes House Bill 2024 (sic-1024) as amended as it passed the Senate. This will allow a waiver of out-of-district tuition rates for an individual who is employed for at least 35 hours per week in the district the community college is located, or is enrolled in a course that is being provided under the terms of a contract for services between the employee entity and the college. What we added to this report further adds language that the Illinois Community College Board shall be the notifying agent for the Comptroller for individual community colleges that have persons with outstanding accounts. The colleges cannot do this for themselves because they're not defined as state agencies. Basically, what we're trying to do with this new amendment is go after the deadbeats that aren't paying their bills at the community colleges. The universities are able to do that now, we're just trying to

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get the same kind of power, or authority, for the community colleges. I would appreciate an 'aye' vote."

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

Black: "Yeah, thank you very much, Mr. Speaker. I certainly join the Gentleman in Senate Amendment #1, but, I'm thoroughly confused on the Conference Committee Report. If the Gentleman would yield, I would like to ask him some questions. Representative, on the section added, it appears to me that we're making the public community colleges a bill collecting agency through the Community College Board. Is that something that the Community College Board is in favor of?"

Obrzut: "They are in favor, as well as the Illinois College Trustee Association. They are in support of this."

Black: "Both of them? Both the Community College Board and the trustee association."

Obrzut: "...are in support of this legislation, as well as, the Community College President."

Black: "What is this aimed at? Is it aimed at student loans or vendors, or what? I don't understand what it's aimed at?"

Obrzut: "Any money...that's basically loans or tuition, outstanding tuition, and what it would be, it would go after a student that owed the college money and it would give the Community College Board the authority to contact the Comptroller to garnish these student's wages."

Black: "Alright, now, that's the part that has me a little concerned. If you notify the State Comptroller, under Section 10.05, are you, in fact, authorizing the State Comptroller, and/or the Treasurer to intercept income tax refunds, student aid checks or any other form, financial flow, that would otherwise go to that individual so named?"

Obrzut: "That is my impression. I would have to probably turn to Representative Hultgren on this, as well. He's the one who

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approached me on the concept. So, I don't know if he could speak to this, or speak to you, to help me clarify that."

Black: "Yeah, I would like that clarified, because, Representative, whenever we do something that allows an income tax refund or a student financial aid check, or any financial instrument that the state may issue, whenever we allow that to be intercepted the bureaucracy sometimes makes mistakes and I'll guarantee you, that constituent's going to be in your office madder than you-know-what, if his income tax check is refund attached to satisfy a tuition deficiency or, maybe even an overdue library book claim, and how're we going to prove that? I mean, are these colleges keeping such good records that they're going to be able to tell us without equivocation, that, absolutely, John Doe didn't pay his tuition in 1975 and, therefore, we ask the state to attach his income tax refund? If you tell me they're both in favor of it, I would lean to favor it, but, I'm tellin' ya, I've had enough constituent claims on attachment articles, and this one really has me worried."

Obrzut: "The only thing I can say is that you're allowing the community college to do the same thing that universities are already allowed to do. So, if you've got a problem..."

Black: "I understand that, that's where I get about 25 constituent complaints every year. In fact, I just had one two months ago where they attached his income tax refund and after repeated calls and weeks of work, we found out that the college who applied for the intercept was wrong. He didn't owe the money."

Obrzut: "Well, I think that would be problem with your particular community college. I would not think that's with all...I have not had a complaint like that at all, Representative, in my district."

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Black: "Well, I appreciate you going on the record that the college board, the presidents, and the trustees support this, and, I certainly, as you well know, am a fan of the community colleges, but I would hope that subsequent debate from those people, and I'm sure there are others around the state who have had the same kind of constituent matters that I have, whenever we allow a financial intercept by the state, we open ourselves to some serious constituent problems, and I don't know, Representative, whether that's what you're doing in here, and I was hoping maybe you could have a staff, or somebody come over here, and make sure as to what we're allowing under that section, where the Comptroller's notified before we have to vote on this thing. I appreciate your candor and I appreciate your comments, and I just hope we can get it cleared up."

Speaker McPike: "You want to take this out of the record, or do you want to proceed. Mr. Obrzut, do you wish to proceed or take it out of the record? Your light is on, Sir. Just tell me, do you want to proceed or take it out of the record?"

Obrzut: "Representative Hultgren would like to speak, if we can allow him to speak at this time, I would appreciate it. That might clear up some of Representative Black's questions."

Speaker Giglio: "Thank you, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. At the outset, let me apologize to Representative Obrzut. He was kind enough to make this available for what, I think, is a good idea and one that we should all act favorably on and, unfortunately, when his Bill was called, I was not on the Floor to explain it so, I apologize for not being here and would now like to take just a moment to try and explain what's happening. We

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currently authorize the Comptroller of the State to offset income tax refunds against debts that are owed to any state agency and, in your offices, you may see this, from time to time, with regard to the Department of Public Aid and debts that are owed for child support and income tax refunds are offset for those debts. In addition to that procedure, the colleges and universities throughout the state use the same offset procedure as does the Illinois State Scholarship Commission. All of those are state agencies. However, community colleges have not had the advantage of being able to utilize this offset procedure in the Comptroller's Office because they are quasi local government agencies. It was pointed out to me by the President of the community college in the district that I represent, that in this very difficult budget year when I think we all know that we're not going to be able to appropriate money to the higher education, as well as all other agencies of government, in the amount that we would like to, that this is a change in the statute that could be made which would give community colleges throughout the state an ability to collect some of their uncollected debts and, therefore, add to their revenues without, at the same time, draining the General Fund here in Springfield. And so, in working with Representative Obrzut, we've come up with some language that would authorize the community colleges to access the same offset procedures that other state agencies currently use on a regular basis. Let me say, for...I think an answer to Representative Black's question, that this idea is supported by the Community College Trustees Association and both Representative Obrzut and I have talked with a representative from that association. Let me, also, say that this concept is supported by the Community College Board and that we work with the Legislative Liaison and the



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Chairman of the Community College Board and they are both on board with this idea. Finally, let me say, that we've worked with the Comptroller's Office, that I've personally spoken with the Comptroller, and that we've worked with the Legislative Liaison from the Comptroller's Office and they have seen this language and have approved and signed off on it. To my knowledge, Ladies and Gentlemen of the House, no one opposes this except perhaps a few deadbeat students who have chosen not to pay their bills to community colleges throughout the State of Illinois. If you want to vote for deadbeat students who don't pay their college bills, then the appropriate vote would be 'no', but, if you want to vote for your community colleges, if you want to give them a little extra money this year without having to dip into the General Fund, then, the appropriate vote would be 'yes'. Again, in closing, I would like to thank Representative Obrzut for being so gracious as to make his Bill available for what I think is a good idea and, I think, without putting words in his mouth, I can say that he thinks is a good idea and apologize to him for not being here earlier when the Bill was called. And I would simply close by saying, this is a good idea, it's a win-win idea where everyone is a winner and, we should have 118 green votes on the board when this Bill is called for a Roll Call. Thank you."

Speaker McPike: "Mr. Black would like to make a Point of Personal Privilege, here."

Black: "Well, thank you very much, Mr. Speaker. I rise to a Point of Personal Privilege. I would hope that my colleague, Representative Hultgren, was not looking at me when he referred to, 'the only people who would oppose this Bill are deadbeats!' I want you to know, my tuition is paid in full, (I think). I raised a legitimate question

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about financial intercepts that all of us deal with, and if he was referring to me as a deadbeat, I'll take it up with him later. But, I want the record to reflect, as the President once said, 'I am not a deadbeat!'"

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1024?' All in favor vote 'aye', opposed vote 'no'. Representative Ropp, to explain his vote."

Ropp: "Well, thank you, Mr. Speaker. I didn't want to explain my vote, I wanted a question, maybe you could nod, Representative, whether or not there is a priority in the intercept when, let's say for example, if child support was involved, which takes priority? I can see you're not listening."

Speaker McPike: "Representative, there's 109 votes now, Representative Ropp. Representative Cowlshaw. 113 votes, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Very briefly, I would just like to enter something for the record. When this idea was being discussed initially, I discussed it with Senator Forest Etheredge who is a former president of community college to determine whether if we were to enact this there would be some large amount of money that might possibility accrue to community colleges. He told me that, of course, any amount of money would be helpful, but that in fact this will not produce anything like a significant amount of revenue for community colleges and, therefore, I stand in strong support of this Bill, but I caution you all please. We ought not to use the passage of this Bill to claim the community colleges are of..."

Speaker McPike: "Bring your votes to a remark. Bring your...Representative Wennlund."

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

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House. Here we go again. Now, if you think Representative Black got a little excited yesterday and threw his rule book, we're going to have 46 rule books being thrown if this Chair is going to continue to ignore legitimate questions from Members of this Body. Now nobody cut off debate last time. Nobody moved the previous question last time. Members of this Body have legitimate questions to ask of the Sponsor, as a matter of fact, I talked to Representative McGuire. I said 'Jack how does this affect Joliet Junior College?' He said 'I don't know.' I said 'Well, you better ask some questions and find out, because I don't if it affects Joliet Junior College either.' I've got a daughter of who's a graduate of Joliet Junior College. My wife graduated from Joliet Junior College."

Speaker McPike: "Bring your remarks to a close, Sir."

Wennlund: "What I'm questioning the Chair about is cutting off the rights of Members of this Body to ask questions and have their concerns answered about a Conference Committee Report that has been on their desk for a little more than an hour. That's an important point and Representative Ropp who had some legitimate questions to ask was cut off from debate. He had his light on long before the Speaker called for the vote..."

Speaker McPike: "It's a 116 votes on this Bill. Have all voted? Have voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes' and no 'nays', and the House does adopt the First Conference Committee Report to House Bill 1024. This Bill having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #7 is being distributed, at 8:53. House Bill 2149, Representative McGann. Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I

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move for adoption of First Conference Committee Report on House Bill 2149. We've had this Bill in the House and the Senate..."

Speaker McPike: "Representative McGann, excuse me."

McGann: "State's..."

Speaker McPike: "Excuse me for just a minute. The Chair announced just a second ago that the House Calendar Supplemental #7 which includes the First Conference Committee Report to Senate Bill 1345 is being distributed at 8:53 p.m. Mr. McGann proceed."

McGann: "Thank you, Mr. Speaker. This relative to state mandate board of review, and I would ask for it's adoption. I'll answer any questions if possible."

Speaker McPike: "The Chair will once again announce that Supplemental Calendar #7 is being distributed, and the First Conference Committee Report to Senate Bill 1345 has also been distributed at 8:53 and on Representative McGann's Motion the Chair recognizes Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Now, this Act creates a state mandates board of review. Now are the members of this board going to be paid members?"

McGann: "The Members shall receive reimbursement for expenses, just for expenses. There's no salaries on this board of review."

Wennlund: "I'm sorry I can't hear you."

McGann: "Pardon me."

Wennlund: "I can't hear you."

McGann: "I'm sorry. If you'll look at line 21 on page 2 the members shall receive reimbursement for expenses. There are no salaries connected with this."

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Wennlund: "And the State Comptroller is going to appoint two members...two members and the Governor appoints three."

McGann: "Two members shall be appointed by the State Comptroller and three members shall be appointed by the Governor. All by and with the advice and consent of the Senate."

Wennlund: "Now, you stated that the members will receive a reimbursement for expenses. I assume that means traveling, lodging, meals that type of thing. Is that correct?"

McGann: "I would think that you'll find in any nonpaying boards or commissions that exist, their ordinary expenses such as travel and reimbursement if they had to be overnight or something is always been included and would be included in this Bill here, I'm sure."

Wennlund: "Well, where's the money going to come from to pay these expenses. Where's the money going to come from to reimburse these members as board for their expenses?"

McGann: "I would only answer, Representative, that it would be so minimal and maybe...probably some of the members of the board wouldn't even be asking for the reimbursement."

Wennlund: "Well, somebody's got to pay it though. Is this...is there money appropriated someplace in this Bill for these expenses?"

McGann: "There is...there's no company...appropriation for this now."

Wennlund: "Are they going to be paid out of the Comptroller's Office, budget?"

McGann: "I don't think that they're going to be involved with much expenses. I've stated before it will already be involved with the executive branch being the State Comptroller and also the Auditor General, and Legislative Audit Commission."

Wennlund: "I'm sorry, I didn't hear you. Then the expense ought to be reimbursed out of the Governor's budget? Governor's

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Office budget?"

McGann: "It states that the...shall direct the Comptroller...to disburse such funds subject to available appropriations."

Wennlund: "So, the General Assembly is gonna have to have a separate line item some place to...pay for...to pay for these expenses that are reimbursed, or will these people have to go to the court of claims to get their money?"

McGann: "I can't hear ya. Mr. Speaker can we get a little Order. I can't hear."

Wennlund: "My reason my question is we're talking about a year we got a billion and a half dollars over budget and here we're creating another commission that even can be reimbursed..."

McGann: "Oh, no..."

Wennlund: "...they don't know whether their being paid from."

McGann: "No...let's stick to the. Let's stick to the issue. This is not a commission. This is just a board of review. In order to be able to help with the local governments some of the mandates that have been put upon them by this General Assembly is not a commission. Please don't blurt it out that way because it is not a commission."

Wennlund: "Now, well how does...how does a Municipality for instance get readdress or reimbursed for a cost of these mandates then through this boards?"

McGann: "I can not answer that Representative."

Wennlund: "...But...How is going to benefit school districts and Municipalities?"

McGann: "Mr. Speaker. Mr. Speaker."

Speaker McPike: "Would someone.."

McGann: "Let us take this out of the record for a few moments rather than take the time of the House, and I'll get these answers for Representative."

Wennlund: "Thank you very much. We'd appreciate that."

Speaker McPike: "House Bill 2208. Representative Lang."

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Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we adopt the First Conference Committee Report to House Bill 2208. This Bill has two sections. The first section provides that a court may order service of process in any manner of consistent with due process if the court determines that the normal service is impractical. Second part of the Bill creates a two year statued limitations for asbestos cases. The two years beginning to run from the time that the injury is determined, and I move for the adoption of the report."

Speaker McPike: "Representative Levin."

Levin: "Will the Gentleman yield? What is the rational for imposing a two year statue of limitations on asbestos cases? It's a horrendous disease and we've heard of all kinds of tragic stories in terms of what has happened to people. Why are we cutting...apparently cutting off their rights under this legislation?"

Lang: "Well, Representative the Bill creates a two year limitation period from the time that the injured party determines they have the disease, so that if they don't determine...if the process takes five years for the person to determine they have the disease the two years begin to run from that time, so what it does it puts us in compliance with other personal injuries statue of limitations, but it gives them additional time because sometimes the affects of the asbestos is not available. We don't know the affects for many years, so the two years runs from that time."

Levin: "What is...how do you determine if they know that they have the disease being told by a physician in writing or what is the standard in terms of them having knowledge?"

Lang: "The Bill says that the time period begins to run when the person knows or reasonably should have known of the

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disease."

Levin: "Thank you."

Speaker McPike: "Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Pedersen: "Does this apply to people who work in and around asbestos all the time or is this anybody out there like a student in a school that had asbestos in the ceiling?"

Lang: "Did you ask me if it applies to employees that work with asbestos. I can't hardly...I can't really hear you."

Pedersen: "Yeah, I would like to know whether this applies to...employees...people that are around it and work with it. Is that who this applies to?"

Lang: "Presumably employees, Representative, would be covered under workers compensation. So, it does not apply to them. It applies to others. Those that are working are covered under worker's compensation."

Pedersen: "So this could apply to anybody...any citizen walking around breathing asbestos, whether it's floating around in the air outside, or whether it's in some building they had happened to pass through a few times every year. This is anybody right?"

Lang: "Representative, just like any other product if someone can prove they are injured by the product, that product's liability case is presented. The presentation of that, all this Bill says is that the two year statute of limitations just as any other personal injury case, begins the run from the period of time at the injured person knows or should have known that they have the disease created by the asbestos."

Pedersen: "Well, we know that asbestos flows freely in the atmosphere you know what we breathe everyday. Do we have to have somebody whose responsible for it that we sue, is



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that? Is that? Is that what we're shooting at here?"

Lang: "Representative we can't sue God, so when the asbestos is floating in the air. There's nobody to sue. The issue here relates to people in areas where it's clear and can be proven to a court where the disease received from the asbestos comes from, so when that can be proven all we're saying is that sometimes it takes many years for that disease to develop, and so we're saying that two year period that's already in the statute shouldn't begin until you know you had the disease or should have reasonably known you had the disease."

Pedersen: "So what you're saying is you really have to prove that it...that it happened in a particular period of time and a particular place, so that there is somebody you can sue."

Lang: "Just as any other products liability case."

Pedersen: "Alright. Thank you."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. A question of the Sponsor?"

Speaker McPike: "Yes."

Harris: "Representative, does this only apply to asbestos?"

Lang: "The statute is very clear. It defines...it defines the term harmful material as asbestos."

Harris: "That's it. Nothing else."

Lang: "That's correct."

Harris: "Thank you."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Representative Lang, what is the what is the current statute of limitations that would be applicable to this type of a case or products liability case like this..."

Lang: "Representative. Mr. Speaker. Mr. Speaker. May I yield to Mr. Homer to answer this question?"

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Speaker McPike: "Yes. Mr. Homer."

Homer: "Well, thank you, Mr. Speaker. I was the Sponsor of House Bill 1196 which passed the House, but did not pass the Senate and this portion of the Conference Report deals with the matters that were in House Bill 1196. It's my recollection that we were...the question was, what is the current statute of limitations where you have an exposure to asbestos liability suits. My understanding that you have 12 years from the date of exposure to file a suit. The medical experts indicate that the time within which it takes to discover whether you have suffered from asbestoses, which is the disease that occurs from the re...it is the result from exposure to asbestos takes up to twenty years and sometimes in excess that, so that the report would say that instead of having twelve years from the date of exposure, you have two years from the date of discovery of the disease. Obviously, if twelve years go by and there's absolutely no way that any doctor could certify whether you have developed asbestos then there would be no way for you to bring a lawsuit within the current statute of limitations or as is referred to in the statute of a statute as reposed, so the short answer is, it's my understanding current law is 12 years from date of exposure. This Bill would be two years of date of discovery of the disease."

Wennlund: "And that could be thirty or forty years after the incident occurred?"

Homer: "I have no opinion as to thirty or forty years 'cause it could certainly be in excess twelve, yes."

Wennlund: "Could...Could it in fact, could a person in fact...a plaintiff in fact sue forty years after the exposure?"

Homer: "Well, I would think as an evidentiary problem, you as a lawyer if someone walked into your office you recognize

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that you would have to establish by preponderance of evidence that that condition was caused by the exposure that you are complaining about, so yes I guess it's theoretically possible, but I would think it would present some insurmountable practical problems."

Wennlund: "Well, now let me ask this question. What type of products liability cases...and it says that a product's liability claim...that results from a latent disease. What type of product's liability claims are we talking about here?"

Homer: "We're talking about the disease of asbestos which has the...which would be a lawsuit against the manufacturer who manufactured the asbestos which...from which you...receive the harmful exposure, so it would be the manufacturer of the asbestos."

Wennlund: "And is statute of limitations expansion...is that only applicable to an injury that results in the disease of asbestos or is it applicable to other latent diseases?"

Homer: "Well, on reading the report and had not seen it earlier Representative Lang indicated that there is a definition. Yes, now I see it. On page 5 of the report it refers to harmful material, then the last...on line 7, 8, and 9 if you refer there, you'll see the term harmful material defined to mean any chemical substance commonly known as asbestos so, yes, the answer is yes the Bill is limited to exposure to asbestos."

Wennlund: "Well are there other chemicals substances that might be known as asbestos which are not asbestos? I don't understand the language."

Homer: "I'm not sure that I understood your question would you repeat that?"

Wennlund: "Yes. Are there other..."

Speaker McPike: "Representative Parke."

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Parke: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I hope you've listened to the debate on this legislation. I mean this is an ill advised Bill. Again, what it in essence says, that somebody has an illness that you can go back year after year and try and figure out even though it's been takin' care of that they reopen it. That means that all those records that may be lost or have been destroyed will have to be rebuilt. Do you know what's thats going to cost to the price of doing business in this state? Do you know the competitive disadvantage that it's going to make the businesses of this state when they have this kind of legislation on the books? This is going to allow the lawyers of this state to make tons of money at the expense of the business community of this state. Do you know that the lives of American insures Allstate and American Insurance Association, the AEI, the CNA, Caterpillar, Deer, the Life Insurance Council, the Illinois Manufacturers, the Illinois Chamber of Commerce, CAPRA, Motorola, the National Association of Independent of Insurers, and the...American ask you to either vote 'no' or 'present' on this ill advised Bill. It is time for us to remember that the business community generates the jobs and pays the taxes of this state, and we can not have this kind of legislation on the book. I respectfully ask that we defeat this ill advised Bill."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2208?' All in favor vote 'aye', opposed vote 'no'. Representative Weller to explain his vote."

Weller: "Thank you, Mr. Speaker. Should this Bill receive the necessary number of sixty votes or more, we would ask for a verification."

Speaker McPike: "Have all voted? Have all voted who wish? The

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Clerk will take the record. On this Motion, there are 36, 'ayes' and 63 'nos'. Mr. McGann votes 'aye'. Mr. DeLeo 'aye'. Mr. Balanoff 'aye'. Mr. Kirkland, 'aye'. Oh, I'm sorry, Mr. Kirkland, 'no'. Mr. Kirkland, 'no'. Anything else? Mr. Obrzut, 'aye'. Mr. Shaw, 'aye'. Mr. DeJaegher, 'aye'. Mr. Wolf, 'aye'. Mr. Lang."

Lang: "Thank you, Mr. Speaker. I'd ask that a Second Conference Committee be appointed."

Speaker McPike: "On this Motion, there are 43 'ayes', and 63 'nos', and the House does not adopt the First Conference Committee Report on House Bill 2208. Mr. Burke."

Burke: "Mr. Speaker, on that last issue, I would like to be recorded as 'no'."

Speaker McPike: "The Gentleman meant to vote no on this Bill. Representative Lang has asked for a Second Conference Committee. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker for turning my light back on. The shot clock was not on."

Speaker McPike: "Yes, it was. You are incorrect, Mr. Wennlund. It was on."

Wennlund: "I apologize."

Speaker McPike: "It was on for five minutes and you spoke for five minutes and the clock turned you off."

Wennlund: "Thank you, Mr. Speaker. I apologize. How many..."

Speaker McPike: "Mr. Parke. Mr. Parke."

Parke: "Thank you, Mr. Speaker. Does the...in relating to doing and taking this back for another Conference Committee, does he need a 47, he had only 43 or does that only relate to postpone consideration, Mr. Speaker?"

Speaker McPike: "It does not relate to this."

Parke: "Thank you, Mr. Speaker."

Speaker McPike: "House Bill 246...House Bill 2149. Representative McGann, are you ready to return to that

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Bill? Mr. McGann, 2149."

McGann: "Yes, Mr. Speaker. We had much discussion on this. I think we resolved hopefully, and I would like to move on with it now and adopt the First Conference Committee Report on House Bill 2149."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2149?' All those in favor vote 'aye', opposed vote 'no'. Representative Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I would have like to addressed the...I had some questions for the Gentleman on the issue, but I think overall it is a good Bill. I would like to...if you could perhaps shake his head yes or no on one item. If we here in the Legislature say that a piece of legislation is not subject to the State Mandate's Act, we as we often do, not subject to the State Mandate's Act the municipality goes before this board and says wait a minute it is subject and I want reimbursement. Can they get reimbursement? Well...Mr. Speaker...Thank you. It would have been appropriate to answer some questions, but thank you."

Speaker McPike: "Representative Doederlein to explain her vote."

Doederlein: "Thank you, Mr. Speaker. I really wanted to ask a question and that was if life safety school bonds are affected in this Mandate? Could he just answer...shake his head yes or no?"

Speaker McPike: "Mr. McGann would you respond to the Lady."

McGann: "I can't..."

Speaker McPike: "Representative McGann will explain his vote."

McGann: "Yes. Representative, I did not hear you Representative Doderlein."

Doederlein: "Are school life safety bonds affected in this mandate?"

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Speaker McPike: "Are school life safety bonds affected in this mandate?"

McGann: "I don't...this has to do with nothing but mandate's."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take a record. On this Motion, there are 113 'ayes', and no 'nays'. The House does adopt the First Conference Committee Report to House Bill 2149 and this Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 678. Representative Capparelli. Mr. Capparelli, your on. Your microphone is on. Mr. Kubik do you have this? Do you want this out of the record? Out of the record. Senate Bill 1451, Representative Curran. The Chair is wrong, that has been adopted. On House Supplemental #7, appears House Bill 1007. Representative Wennlund."

Wennlund: "Sorry, Mr. Speaker I had a mouthful of chicken."

Speaker McPike: "Mr. Black would you like to assist Representative Wennlund?"

Black: "I have an inquiry of the Chair, Mr. Speaker."

Speaker McPike: "Yes. Yes."

Black: "I...do we have an energy management system that is kicked in on a Sunday here?"

Speaker McPike: "We have requested the engineer to turn the air conditioning on full blast."

Black: "I was thinking. I'm aging and I was thinking perhaps it was just me. I have brought. I have a extra fan on the floor that I will rent to anyone who needs it for a very nominal sum, and I'd appreciate it if you'd have the engineer see what has happened to the air conditioning. Thank you very much."

Speaker McPike: "Thank you. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I move to adopt the First Conference Committee Report on House Bill 1007. What it

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does is several things. As a result of negotiations between several groups, this Conference Committee Report, and Members of the House should listen to this, because you may have to respond to some inquiries back in your districts. It increases the share of income and increases all the standards for child support. It increases...if you have one child, you will now pay 23%. If you have two children, you will pay 35%. If you have three people, you'll pay...three kids you'll pay 44% of your income, and if you have four you'll pay 49% of your income and each additional kid on top of that is 4% of the noncustodial parents income. There is a limit, however, that they can't take more than 60% of your income under any circumstances. There's also a provision in here that does not apply to the standard in those guidelines don't apply if you make more than \$110,000 a year. The overage of a \$110,000 doesn't apply, so the most you'll have to pay is about \$55,000 a year in child support. Now it also covers the situation where you have custody of children from a prior marriage and that will be taken into consideration determining and determining how much should child support obligation will be...and other than the previous Bill that was heard by this House income is not net income...income will be determined as net income after the deduction of federal and state taxes, social security, prior obligations of support and maintenance will clean some of those up and make some changes...and that's basically what it does. Be happy to answer any questions."

Speaker McPike: "And on the Motion, Representative Dunn."

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

Speaker McPike: "Yes."

Dunn: "I think at one time this concept included a provision that



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as...as a child becomes a emancipated...child support can not be prorated and a child dropped off so, if you have four children your paying whatever the percent is, you'll pay that percent under this legislation until the last child reaches majority is that the case in this legislation?"

Wennlund: "Representative Dunn, the first time I've seen it is about a hour ago, and I have not an opportunity, Representative Johnson did the negotiations on this matter, and I frankly don't know the answer to your question."

Dunn: "Well, let me ask another question. The...the standard for measuring income has been changed. It formerly was gross income now it is net income and is net income determined in the same manner and fashion as it currently is in the statutes?"

Wennlund: "What it appears to be is that income is defined as income minus the following exclusions: federal and state income tax, social security, FICA, prior obligations to support health and hospitalization insurance premiums for coverage, child support received by the noncustodial parent, and then the ordinary necessary expenses required to produce income is allowed by the internal revenue service with exception of ordinary necessary expenses, so basically it expands...is not...is not gross income it is net income in some of those catagories have been expanded so that it will in fact even though there is an increase from 20 to 23%, the bottom line will be that it frankly will not create an increase in child support, but it will provide a cap so that a person...it's only the first \$110,000 that's subject to the standards."

Dunn: "Actually it'll be \$110,000 of net income is that correct?"

Wennlund: "Um..."

Dunn: "Because income is defined as net income."

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Wennlund: "Well, income is not defined as net income, but it's, but income is in fact is designed within the provisions of the Conference Committee Report."

Dunn: "Well, I think income is defined if you'll look in that, I don't have it in front of me, but if you look you'll find that income is defined as gross less certain deductions, and so if you say that the cap is on the \$110,000 of income, I think that's a 110,000 after the deductions about what you're just spoke."

Wennlund: "That's correct. I believe that's correct."

Dunn: "Does this Conference Committee Report contain a provision of any kind which changes the current statute about the affect of a petition to modify child support. You know currently in the statute books it is provided that you can not modify child support until you have a petition on file. So, if someone is laid off from work, doesn't know they have to do that and they don't get around to it for 60 days and 60 days worth of child support is automatically a judgement and hangs over their heads. Is there anything done to ameliorate that situation?"

Wennlund: "Representative Dunn, if...the answer to the question is no. Representative Dunn, I did not do any of the negotiations, but Representative Johnson was on the floor...and he's much better able to answer the questions than I am."

Dunn: "I don't want to prolong this debate, but I would really like to know the answer to the question about what happens if your paying child support for say, three children and one of them reaches the age of majority, does the child support become prorated or is that prohibited by this Conference Committee Report? Maybe Representative Johnson can answer that."

Speaker Keane: "Rep...Representative Keane in the Chair."

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Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Will the Sponsor or either of the Sponsors yield for a question?"

Speaker Keane: "Indicates he will."

Parcels: "I think I have an understanding of this now, but what I would like to know is, this is all done at the time of dissolution of marriage, right? So, that if someone is divorced it does not in anyway at least I could not find in here, in anyway that one of the spouse's can go back in two or three years as an income is increased or as one of the spouses, let's say a child starts to school and/or a parent starts to work and needs this help that this does cover such as private school tuition or child care expenses and perhaps this isn't a factor at the time of the divorce, but maybe a factor in two or three years. Is there anyway this goes back to cover that?"

Wennlund: "I didn't hear the question? Representative Johnson will be happy to answer the question, because he negotiated this thing and I had no part of the negotiations..."

Speaker Keane: "Ladies and Gentleman."

Wennlund: "If the Speaker can call on him, I'd appreciate it."

Speaker Keane: "Representative Parcels would you repeat the question?"

Parcels: "Yes. If I can be more clear, at the time at the divorce perhaps they have two very small children ..."

Speaker Keane: "Representative, hold on for one minute. Ladies and Gentlemen. Ladies and Gentlemen. Would all the lobbyists and all of the staff if your not assisting Members on a Bill, please retire to the back of the chambers. All staff, all Conferences please retire to the rear of the chamber."

Parcels: "I think Representative Johnson may have understood my question. Did you? Did you understand the question at

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the time, or shall I repeat it?"

Speaker Keane: "Please repeat it one more time."

Parcells: "I was looking to see that if this covered...this covers only at the time of the dissolution of marriage if the children are very small and the factors of child...private school which may not even be considered at the time of the divorce. Is there a way that this Bill helps a spouse to cover that at a later date, the child support...the child care expenses or the private school tuition, is there anyway that this Bill helps to cover that at a later date or is this only applicable at the time of the dissolution of the marriage?"

Johnson: "Mr. Speaker, who's doing what here? If somebody wants me to answer it, I'll answer it... Two feet away, and I can't even hear the question. The answer to your question, as best as I can interpret it through all the noise, is that it addresses both issues. This issue specifically adds to the initial divorce or dissolution and by case law an extension of that to subsequent cases. So the answer to your question is 'yes'."

Parcells: "Thank you. And that would also include then an increase in the...an increase in the income of one of the spouses, so that if 35% of \$10,000 was this year, it'd be 35% of \$15,000 when that goes up..."

Johnson: "Existing case law would cover that."

Parcells: "Thank you."

Speaker Keane: "Representative Harris."

Harris: "Thank you, Mr. Speaker, a quick question of the Sponsor."

Speaker Keane: "He indicates he'll yield."

Harris: "Thank you. Does this recompute any existing child support orders?"

Johnson: "No."

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Harris: "Just from effective date. Thank you."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Is Representative Johnson now answering the questions?"

Speaker Keane: "It seems to be the program."

Black: "Okay. Representative, I have a constituent case. I'll lay this out for you. As you know, I'm not an attorney. A Gentleman and his wife divorced, they have two children. She got custody of the children, remarried. I believe her second husband also had two children, but a substantial income. My constituent also remarried, his second wife had two or three children, they subsequently had another child. Every time this Gentleman gets a raise in salary, his former wife goes to court modifies the child support order, and takes more money, and my constituent has said, he cannot get the judge to even consider his second family's expense. His mortgage, the kids that he's now raising, on and on and on. Does this do anything to eliminate what my constituent has told me for some months, is a situation that is very unfair to the father who's paying these child support, even though his wife's salary combined is a much greater income than he now has, he continually is being asked to pay more money, and cannot get the judge to consider any of his second family's expenses."

Johnson: "One of...I'm not sure I understand your question, Bill, but one of the positive parts of this legislation is that it brings into statutory law the consideration of both parents situation, so that I think at least indirectly it would address that situation."

Black: "Thank you very much."

Speaker Keane: "Representative Wait."

Wait: "Mr. Speaker, yes, to Mr. Johnson. In case of post education, post secondary education, would the noncustodial

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parent then be responsible for paying the case of one child 23% of that support for that child as long as he is in post secondary education?"

Johnson: "No. The reference to the education situation is this. You have an initial marriage and divorce where one party obtains custody, and they have custody. Then, there's a second marriage and one or more children, and we're dealing then with the second marriage. What this says is, that you get a credit against your income of not only the number of children you have custody of, but those who are enrolled in a four-year education system to create parity as between the two families."

Wait: "Okay. Thank you."

Speaker Keane: "Representative Regan."

Regan: "Thank you, Mr. Speaker, and Members of the House. Will the Sponsor yield for a question?"

Speaker Keane: "He indicates he will."

Regan: "Representative, in regards to the health insurance, is it true then that the father or the other spouse has to pay for health...the father has to pay for health insurance, is that correct?"

Johnson: "Well, the current law provides that a court can make an order respecting health insurance. It doesn't say that either party has to pay it, just that that's one of the matters that's disposed of by court order. This Bill really doesn't address that issue."

Regan: "It doesn't deal with health insurance. Thank you."

Speaker Keane: "Representative Pedersen."

Pedersen, B.: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Pedersen, B.: "Could you tell me, what groups are supporting or opposing this legislation? I mean, we must have lawyer groups involved, church groups..."

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Johnson: "...this Bill is the product of extensive negotiations among a variety of parties, one of which is myself, who has traditionally opposed these efforts to try to unreasonably gouge people for payments that they can't afford, because of a variety of concessions, and because of a variety of ways of creatively addressing a variety of issues, I now support this Bill. The Chicago Bar, I believe, the Illinois State Bar, the Illinois Task Force on Child Support, and most if not all women's organizations support this legislation, because it's the product of a lot of compromise and negotiation on a lot of issues. This Bill, as it originally came down was something that was with good reason opposed by people who had traditionally taken the position that I have, that a long, long, history of negotiations for the last month and a half have produced a product that I think is fair to everybody."

Pedersen, B.: "Thank you."

Speaker Keane: "Representative Martinez."

Martinez: "Mr. Speaker, I move the previous question."

Speaker Keane: "Alright. We only have one more seeking recognition, we'll finish off with Representative Lang."

Lang: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Well, first, will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Lang: "Who's handling this, now? Tim, are you handling this now?"

Johnson: "Yes, I am. Representative Currie and I are handling it, believe it or not. This is going to be the first of two epic making Currie, Johnson Bills before the night is over."

Lang: "Mr. Speaker, could we have a little order in here?"

Speaker Keane: "Ladies and Gentlemen, Ladies and Gentlemen, all lobbyists please remove yourself from the floor. All

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staff...all staff, if you're not working on a Bill with a Member, retire to the back of the gallery. Would the group behind Representative Black...would the staff behind Representative Black please take their caucus to the back of the room. Representative Lang."

Lang: "Thank you, Mr. Speaker. Representative, would this Bill...forget the question. Mr. Speaker and Ladies and Gentlemen of the House, I rise in reluctant opposition to this Bill. I greatly support the efforts to raise payments to single mothers who are trying to raise children on few dollars, and it's not the dollar amount in this Bill that bothers me. It's not the dollar amount, but there are two provisions in this Bill which I ask the proponents to help with that they refuse to help with, and I'll tell you what they are, and let me tell you why they make the Bill bad. The first is relative to the fact that once these percentages are in law, there is nothing in the Bill that grandfathers in divorce decrees that have been the result of agreements between ex-spouses. Lawyers and litigants in domestic matters spend a lot of time negotiating these figures, they spend a lot of time negotiating what the support should be, and those support orders are based on the percentages that are then in place to go back to those divorce decrees to say to previous litigants and to say to lawyers check your files, go back to these people, reopen these cases, raise these amounts it's unfair to litigants who have agreed to these figures. I asked the proponents to grandfather in cases where litigants have agreed to dollar amounts, not situations where the courts is imposed a dollar amount, but where litigants have agreed to the dollar amounts, they wouldn't do it, and because they wouldn't do it, we now have a situation where any lawyer that handles a domestic relations case particularly



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representing the woman, is now going to be obliged to open his or her file cabinet, and look at every single domestic relations case they have, and counsel the woman to take the ex-husband to court and reopen a case where they've already agreed to a support figure. That's wrong. The second problem with this Bill relates to the issue of the credit. I'm pleased to see the credit in here, I'm pleased to see that if you have your own children, the amounts expended can be credited, but there are many situations that are not covered here. The case of a stepfather, the case of a stepfather that's living with stepchildren, who doesn't have a legal obligation to support those children to be sure, but in many cases the biological father of those children is not working, the biological father of those children is not paying support, so even though that stepfather has no legal obligation to pay for those children, he pays for those children. He pays for those children because they must eat. He pays for those children because they must be clothed. He pays for those children because they must have a roof over their heads. He pays for those children because they must go to college, and if that stepfather is entitled to a credit under those circumstances, there's something seriously deficient in this Bill. If we can correct these two parts of the Bill, I will vote for it. I will vote to raise these figures. I will vote for any strong measures to create more money for support, because it's a terrible crisis in our society, and we must do something about it, but this is not the right way. Please vote 'no'."

Speaker Keane: "Representative Johnson, are you or Representative Currie going to close?"

Johnson: "Well, I just wanted to address.."

Speaker Keane: "No. He didn't ask...it was not a question."

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Which one of you will close? Representative Currie to close."

Currie: "Thank you, Mr. Speaker, and Members of the House. In closing let me point out that the previous speaker was wrong when he suggested that the passage of these guidelines would permit a spouse to go to court and ask for a renegotiation of the rate. Our current law does not permit the reopening of a child support situation unless there is a showing of substantial change in circumstance. The courts would never hold that the passage of new guidelines counts as a substantial change in circumstances. In fact, our courts have ruled that substantial increases in the costs of living do not count as substantial change in circumstances. He complained about the credit in this Bill, credit given for other children that are in the family, let me point out that our current guidelines provide for no credit whatsoever. Mr. Speaker and Members of the House, this Conference Committee report on House Bill 1007 is a very mild, very responsible solution to the problem that Illinois ranks 44th among the states in terms of child support actually awarded to our children. This has been much modified from the original proposal that we saw in May, this measure does not deal with gross income but with net. This proposal has been substantially reworked and modified. It has the strongest support of the Chicago Bar Association, as well as the Illinois State Bar Association. We've worked on this measure with the Department of Public Aid, and of course the measure is supported by the Illinois Task Force on Child Support. We aren't doing well enough with our current guidelines for our children, Mr. Speaker and Members of the House. We won't move to the head of the pack if we adopt this Conference Committee Report tonight, but we will improve

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things, marginally, slowly, one step at a time. We all talk for children, now it's time to vote for children, our children. I urge a 'yes' vote on this Conference Committee Report."

Speaker Keane: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1007?' Those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative McGann, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this...Representative Wennlund, you have one minute to explain your vote."

Wennlund: "Yes, Mr. Speaker, now it says...the Sponsorship of this Bill has been changed, and it's been changed because I'm...as you can see by the board, I'm in strong opposition to this vote, what everybody in this House should know, and you're going to hear from your constituents is that if you have four kids, that child support will not be reduced until the last of those four kids reaches age 18, and everybody ought to know that, because your constituents are going to come screaming at you when they find out that that's in this Bill. I just found it out after conferring with Representative Dunn, you all ought to know it, and you better take a careful look at it, before you put all those green votes up there."

Speaker Keane: "Representative Weller one minute to explain your vote."

Weller: "Mr. Speaker, I'd like to change my vote to 'no'."

Speaker Keane: "Change Representative Weller to 'no'. Representative Regan, one minute to explain your vote."

Regan: "Thank you, Mr. Speaker, change my vote to 'no'. That's unbelievable that they would slip that through that way. Every child has a right to support, but one child doesn't have the same right as four children, as they hit their age

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of 18 the child support should be adjusted, and if this Bill doesn't do it, I oppose it."

Speaker Keane: "Representative Parke."

Parke: "Yes. I...Mr. Speaker, I understand that the level of support is going up from 25% for two to 35% for two under this legislation, and though there is some after tax adjustments, I know that many people who are currently paying child support, are going to be outraged on that part of it also, so please change me to 'no'."

Speaker Keane: "Change Representative Balthis...let's do it...if you want to change your vote, just change it. Representative Balthis wants to vote 'no'. Representative William Peterson votes 'no'. Representative Robert Olson votes 'no'. Representative Manny Hoffman votes 'no'. Representative Hensel votes 'no'. Representative Persico, 'no'. Representative Burzynski...Tony, I'm sorry. If I miss you...okay, Representative Burzynski votes 'no'. Yes. Is there leave to dump this Roll Call and take a fresh one? Okay. Dump the Roll Call. All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Representative Currie. Representative Currie."

Currie: "If I might, Mr. Speaker, explaining my vote. I believe the previous speaker was wrong. He suggested that a 49% guideline requirement for a family of four children would be in place until the youngest child reaches the age of 18. That is not accurate, that is not my reading of the Bill, it certainly is not the reading of the Bill of any of the groups that stand in support of the measure, so I think that those of you who changed your vote, were under a misapprehension under some misinformation, and I think that your original 'yes' votes were in fact the right votes."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, at the risk of having another

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rule book thrown in the air, and as long as that board is showing me as the Chief Sponsor, I want to take the Bill out of the record."

Speaker Keane: "The Gentleman asks for the Bill to be taken out of the record. We're in the middle of a Roll Call, Mr. Wennlund, we're in the middle of a Roll Call. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 41 voting 'aye', 42 voting 'no'. The House does not adopt Conference Committee Report #1 to Senate Bill...or House Bill 1007. Representative Ryder."

Ryder: "Thank you, Mr. Speaker, we would request an immediate Republican Caucus, room 118."

Speaker Keane: "The Conference Committee Report #1 to House Bill 1007 is hereby declared lost. Representative Ryder, did I hear you correctly? Did you ask for 20 minutes? Ladies and Gentlemen, we're going to have to have quiet for the remaining period of two hours, or else we will clear everyone except Members off the floor, so if you don't keep it down, we will clear the floor. Now, Representative Ryder...I'm sorry. I didn't hear your request...your time request."

Ryder: "Mr. Speaker, in order to help you, I'm...on the noise level, we are immediately requesting...requesting an immediate Republican Caucus."

Speaker Keane: "Do you have any idea...how long are you going to need? Twenty minutes?"

Ryder: "We'll be back as quick as we can."

Speaker Keane: "Okay..."

Ryder: "We'll be back as quick as we can. We wanted to give the Democrats the opportunity to see the fireworks outside, rather than fireworks inside. Room 118."

Speaker Keane: "The House will stand...Representative Tim Johnson."

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Johnson: "Just so we can address the issue that Representative Wennlund raised we would request a Second Conference Committee on this, so we can get any details...any problems ironed out."

Speaker Keane: "Alright. Gentleman requests a Second Conference Committee be appointed. There will be...we will come back in Session at 10:15. 10:15 we'll be in Session. Representative Parke."

Parke: "Yes, Mr. Speaker, did you declare that Bill lost?"

Speaker Keane: "I did. They asked for a Second Conference Committee report, which is within their rights."

Parke: "So, even if we declared it lost, you can take it and put it in another Conference Committee Report?"

Speaker Keane: "You can get it...we'll go over the Conference Committee rules with you if you wish."

Parke: "Thank you, Mr. Speaker."

Speaker McPike: "The House will come to order. The House will come to order. We will start on Bills in approximately five minutes. Agreed Resolutions."

Clerk O'Brien: "House Resolution 845, offered by Representative Daniels; 865, Davis; 877, Schoenberg; 878, McPike."

Speaker McPike: "Representative Lang. Representative Lang on the Agreed Resolutions. Mr. Lang."

Lang: "Thank you, Mr. Speaker, move we adopt the Agreed Resolutions."

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

Clerk O'Brien: "House Resolution 861, offered by Representative Martinez; 873, Wyvetter Younge; and 876, Pullen."

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

Clerk O'Brien: "House Resolution 879, offered by Representative

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Trotter. With respect to the memory of Alfred T. Bolden."

Speaker McPike: "Representative Lang moves for the adoption of the Death Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it, Death Resolution is adopted. Which Member has House Plate 10? Who? Representative Jane Barnes. Wonder if someone on the Republican side could inform Representative Jane Barnes that the burglar alarm in her car has gone off. Appears like the Republicans have returned to the House floor, a half hour late. House Bill 1128, Representative Trotter. Mr. Trotter."

Trotter: "Thank you very much, Mr. Speaker, and Members of the House. In the Senate, 1128 did not receive the requisite votes to pass, and at this time, I would like an opportunity to get a Second Conference Committee Report."

Speaker McPike: "Alright. The Gentleman has asked for a Second Conference Committee Report to House Bill 1128, and it will be appointed. Senate Bill 325, Representative Levin. Mr. Levin."

Levin: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would move that we do adopt Conference Committee Report #1 on Senate Bill 325. This legislation was developed by the Illinois Land Surveyors Association, and you may recall I made a commitment to Representative Black that it would come back only with the issue relating to land surveyors, which is what it does. We worked out the differences between the land surveyors and the title companies, and at this point I know of no opposition to this legislation, and ask for your favorable vote."

Speaker Madigan: "Speaker Madigan in the Chair. What's your Motion, Mr. Levin? The Gentleman moves to adopt the First Conference Committee Report. Those in favor, signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? The Clerk shall take the record. On this question, there are 111 'ayes', none voting 'no', and the House does adopt Conference Committee Report #1 to Senate Bill 325, and this Bill having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #8, there appears House Bill 175, Mr. McPike."

McPike: "Thank you, Mr. Speaker, I move for the adoption of the First Conference Committee Report to House Bill 175. It is with regret that I bring this Bill to the House floor. Since 1983, the Speaker of this House has enforced an Agreed Bill process on Worker's Compensation, but it is impossible to have an Agreed Bill process if those people that come to the table do not come in good faith. Those things on the table this year were miniscule. It's embarrassing to read the things that were on the table from organized labor. To increase the burial benefits from \$1750 to \$4200. We rank 45th in the country in burial benefits. Who can bury someone for \$1700? We wanted to establish a \$50,000 minimum for a death benefit. Only for those people who have no dependents, we wanted to grant immunity to UAW stewards because the employer and the insurance company already have the same civil liability immunity, and listen to this. We wanted to provide written notification from an insurance company when someone's total temporary benefits are stopped. These are the kinds of issues that were on the table, but could we get an agreement? No. No. The Chamber of Commerce doesn't have to agree to anything. They can just walk in and stiff us, because we have an Agreed Bill process. Well, tonight, we're going to try to send a message. We have picked two issues, we have picked two issues, and I dare say, it's going to be a little embarrassing for someone to get up and speak against these two issues. The first issue raises the



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burial benefits from \$1750 to \$4200. This is a burial benefit. This means you got killed on the job. You're dead, and your family is going to bury you for \$4200. Now, let someone stand up and talk against that. The Manufacturer's Association are not going to, the Chamber of Commerce won't, retail merchants won't, if they're asked, they'll say 'no comment, I'm going home'. And the second issue, we have a third panel at the Industrial Commission because it takes five years, it takes five years to get a settlement in Worker's Comp, so we have a third panel to reduce the backlog. If we don't extend the panel, the backlog will be 1800 cases...four and a half year wait, so we're going to extend the panel for nine more months, now get up and talk against that. Tell me how just it is to wait five years to get paid for an injury. Now, who can be against these two? The Chamber of Commerce, that's who. No one will agree to this. So, tonight, we're going to send one message. The message is, the Agreed Bill process will stay in place if you come to the table and negotiate in good faith. If you don't, it's over. It's finished. It's ended. The next time the Democratic Party wants to do something for organized labor, and working men and women, we're going to do it, and we're not going to be stiffed by the Chamber of Commerce. I move for the adoption of this."

Speaker Madigan: "The Gentleman moves for the adoption of the Report. Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair. When was this Conference Committee Report placed on the Members' desks?"

Speaker Madigan: "Mr. Clerk. The Clerk informs me that this was put on the desks at 10:08."

Black: "In that case, Mr. Speaker, I would ask that you invoke rule 79, Conference Committee Reports, June 28, to

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adjournment of the Spring Session, must be on Member's desks for one hour. This has not been on our desks for one hour."

Speaker Madigan: "Mr. McPike...The Chair recognizes Mr. McPike."

McPike: "Mr. Speaker."

Speaker Madigan: "Mr. McPike."

McPike: "Mr. Speaker, it appears like, it won't be necessary to embarrass any one on the other side of the aisle by this vote. It failed in the Senate, so I'd ask for a Second Conference Committee."

Speaker Madigan: "The Gentleman requests for a Second Conference Committee. The request is granted. Mr. McPike, House Bill 373, Supplemental #8. House Bill 373, Mr. McPike."

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

Speaker Madigan: "Chair recognizes Mr. Black. This was put on the desk at 9:55. Mr. McPike."

McPike: "Thank you. Thank you, Mr. Speaker. This...it's apparent to everyone that we will not reach a budget agreement tonight, and perhaps for many, many days to come. It is not our intent to shut down those critical agencies of government, nor is our intent to allow AFDC recipients the aged, the blind and disabled, the emergency assistance people to go without checks, so this Supplemental provides for a one-month funding for the Department of Public Aid, a one-month funding for the Department of Corrections, a one-month funding for the Department of Veteran Affairs, a one-month funding for the Department of State Police, a one-month funding for the Department of Children and Family Services, a one-month funding for the Department of Mental Health, and a one-month funding for the Department of Rehab Services. I move for the adoption of the Conference Committee."

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Speaker Madigan: "The hour of 10:55 having arrived, Calendar requirements are met...Mr. Clerk...Mr. Clerk, what time was this put on the desk? Announce to the Body, Mr. Clerk."

Clerk O'Brien: "9:55."

Speaker Madigan: "The Gentleman has presented the Conference Report. On that Conference Report, Mr. Black."

Black: "Well I...Mr. Speaker, how in the world could our staff get something at 10:20, and the Clerk have it marked at 9:55? Now if that's the case, then I would ask the Clerk and the Speaker to address that someone was either dilatory or hiding this from our staff. This is clearly marked 10:20 p.m."

Speaker Madigan: "Mr. Black, your Chief Page is the Gentleman that you should be speaking to."

Black: "Well I will. Thank you."

Speaker Madigan: "Mr. Ryder. Mr. Ryder. Mr. Ryder. Mr. Ryder."

Ryder: "Thank you, Mr. Speaker, let me address the Sponsor of this if I may. Would he yield to questions? Would the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Ryder: "Thank you. Representative McPike, did we not spend approximately six hours yesterday talking about the budgets?"

McPike: "Yes."

Ryder: "And Mr. McPike, did not the House Republicans, in agreement with you, move all of the Bills into Conference Committee as we said that we would?"

McPike: "Yes."

Ryder: "And Mr. McPike, have we not throughout this entire negotiation process, maintained open lines of communication."

McPike: "Yes."

Ryder: "Then tell me why, Sir, tell me why if you will, at this

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late time, at this late hour, that you have proceeded without any notice to us whatsoever to slam dunk this Bill on our desks?"

McPike: "For two reasons. Number one, the Senate Republicans moved the DOT's Bill today to the Governor's desk against the agreement that we had reached, and number two, we don't intend to sit by and watch blind people go without checks."

Ryder: "Mr. Speaker."

Speaker Madigan: "Mr. Ryder. Mr. Ryder."

Ryder: "Mr. Speaker, if I may. I'm not...I believe, Mr. McPike, I'm informed by staff that was a Reappropriation Bill, not an Operations Bill, is that correct? Is that correct?"

McPike: "Well, they moved one against the agreement to the Governor's desk, they called the second one against the agreement and it failed."

Ryder: "Thank you. Mr. Speaker, we have attempted, over the last three months, to be cooperative, to maintain open lines of communication, and to work diligently on a budget. I would challenge the Sponsor of this Bill to indicate in any way that I, on behalf of the appropriations process for the House Republicans, have done anything to cause this kind of treatment at this late hour. We stand ready even now, at 10:59, to do our best to cooperate on the entire budget. We stand ready at this point to sit down and have meaningful conversations, and Representative McPike knows that. He knows that, and yet, he chooses to slam dunk a partial budget, his budget, at this time. Well, we're not going to fall for that kind of tactics. It is a deliberative Body, we are here to cooperate, we are not here, Mr. Speaker, Ladies and Gentlemen of the House...we are not here to use political one-upsmanship or partisanship to run the State of Illinois. Now, if you want to deal meaningfully with the budget, I'm ready to do

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that. If you want to talk about cuts, I'm ready to do that too. Representative McPike knows that. If you want to talk about trying to get together on a budget, we're ready. We have been, and we have cooperated to do just that, but at this point, within less than an hour to go, we now get a rehash, a revamping of a Bill that the Governor's already vetoed, concerning an attempt to piecemeal the budget. It's not going to work. We're in too serious financial shape to run this budget by some kind of piecemeal continuing resolution. Don't you understand what you're doing here? Don't you see the comparison? This is what Congress does. This is how they get into the mess that they're in, because they do it piecemeal. A little bit here, a little bit there, we'll take care of these folks here today and we'll take care of you tomorrow, but what they do is never meaningfully addressed the budget mess that they've created, the State of Illinois is better for that, the State of Illinois is better served than dealing with a budget in this kind of fashion. Is it going to be tough to vote 'present' or 'no' on this Bill? You betcha. Especially for those folks like myself who suggest that we understand some of those social services that are provided, and we appreciate them and we support them, and for the Sponsor of this Bill to suggest that for some way my opposition to this Bill is opposition for checks for blind folks...he knows better than that. He knows better. This is not the way to run the State of Illinois, Ladies and Gentlemen. This is not the way to deal with a budget that's \$1,800,000,000 out of whack. This is not the way to do it. A slam-dunk at 11:10 on June 30th? Might work for Michael Jordan. He can stay in the air a lot longer than we can. We can't manage the State of Illinois by behaving in such a fashion. You want to deal on the budget, let's

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roll up our sleeves, let's get down to work, and let's do that job, but if you want to use partisanship, if you want to use your majority, you go right ahead, but we'll be back tomorrow, we'll be here, and I'll stand just as ready tomorrow to deal with that budget problem as I stood today, yesterday and every day there before. This is not the way we deal with the budget."

Speaker Madigan: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker To the Bill, process of budgeting for state government cannot be treated one item at a time. That's the reason we're in the mess we're in now, with more that \$1,500,000,000 of red ink. This Bill accounts for the single largest budget in the entire state budget. The single largest problem. This is why we're in the shape we're in now. It's because of the way that we've treated budgets in the past, and this budget in particular, that has put us into the position we are currently in. Dealing with the budget piecemeal, when you all know that the Governor has said, we're going to consider one budget, the entire budget for the State of Illinois, or we're not going to consider individual budgets. We're going to consider all of the budgets together, and until we have an opportunity to sit down and reach a reasonable agreement, and provide for the cuts that are necessary for the State of Illinois to get back on a sound financial footing, we're simply not going to treat one budget at a time, we're not going to sign one budget at a time, we're going to deal with the entire problem of the State of Illinois. \$1,500,000,000 to go, and it's only begun. I congratulate the Speaker for his assistance in reducing the budget by \$387,000,000. That's responsible government. Putting this Bill out tonight at the eleventh hour, literally, will not accomplish the solution to the problem...the financial

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problems of the State of Illinois. It's incumbent on all of us to take a look at the entire budget process, to sit down at the negotiating table and figure out where it is we can sit down and cut, and everyone of us knows that we can cut this budget and pare it back to solve the financial problems. One year to bite the bullet, one year to reduce the budgets that need to be reduced, and I'm told by Representative Ryder that if there's agreement, if there's agreement to deal with this budget, it could be accomplished in 48 hours, and we could be out of here and be home for the fourth of July, but the journey of a thousand miles begins with the first step, dealing with the big picture in Illinois, with \$1,500,000,000. You can't single source the problem, but this budget, my friends, is the single largest budget in the State of Illinois. This budget is a big part of the problem of why we are here on the eve of financial disaster for the State of Illinois, and if we don't solve it now, what we're going to do is push the problem onto the backs of all taxpayers in Illinois, because revenues fortunately under the Constitution must meet the expenditures. Pushing this budget out leaves no room for cutting here or anywhere else in any of these budgets, and what it will do, is if you send this budget out now, it will deadlock the entire General Assembly, because there's a budget out there that couldn't be cut. And fortunately, to prevent that from happening, Governor Edgar should veto...if this budget...you've got the votes to get it out, and they have the votes in the Senate to get it out...the only recourse is a veto by the Governor so we can consider all of the problems of Illinois and consider cuts in all the budgets in Illinois, and take a hard look at the budget the Governor has presented in March of this year. That's the

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only way we're going to treat with responsibility the financial crisis facing the State of Illinois. You can't ignore any one budget. You can't ignore any one portion of any budget."

Speaker Madigan: "Representative Wennlund, please bring your remarks to a close."

Wennlund: "Thank you, Mr. Speaker. Responsible government in this General Assembly deals with the entire budget picture. All of the dollars of this \$26,000,000,000 we spend here in Illinois...I urge you to consider all of the budget at once, and do not send this budget out prematurely. Thank you."

Speaker Madigan: "Mr. Weaver."

Weaver: "Thank you very much, Mr. Speaker, I think it might behoove a lot of us if you haven't already, take a look at House Bill 373. The First Conference Committee Report. We've been led to believe that this is primarily to provide checks for blind people, and I'm not disputing that there aren't some programs in here that we probably ought to take care of, but let me tell you what else is in here. There's money for purchase of police cars, there's money for printing costs at various correctional centers, there's money for travel. There's money for capital improvements. We're going to build buildings. We're going to build buildings with this. It's an emergency, we've got to build buildings with this. We got to buy police cars, and there's another part of this process, something that we had thought that we had agreed upon. We spent a great deal of time in meetings, and we had said in those meetings under an agreement that we would work on the smaller agencies budget, and hold them until we had a full agreement on the whole budget. Now, the Sponsor of this Bill is indicating that he was mad on a previous Bill because the Agreed



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process seemed to fall apart, well I can understand why the Agreed process seems to fall apart, because of the other side of the aisle apparently doesn't hold it too high in esteem. If you're going to have an Agreed process, it doesn't mean that you only agree until it doesn't...no longer fits your own purposes. If it doesn't fit your purposes, then you feel comfortable in saying the agreement is no longer in effect. We had an agreement, to hold these Bills, to wait until we had a full and complete hearing on the budget in total, so we know what we have coming in revenue, and we know what we have going out, in expenses. I think it's premature, we've still got a lot of time...we've got a couple of days we can fashion something that the people of Illinois can work with. I think we need to wait a little bit, and take a good hard look at the whole budget."

Speaker Madigan: "Robert Olson."

Olson, B.: "Thank you, Mr. Speaker. I have been in this General Assembly now, working on my sixth year, this is my first year on Appropriations. I have great respect, not only in the area of appropriations, but in the area of this General Assembly in its operations in its entirety for the Sponsor of this Amendment. I have great respect. I've found him to be a tough cookie, a tough man to fight, but he's a fair man. He's intervened a couple of times when I've been present when the rules were bending a little bit, and he straightened them out kind of behind the scenes. I respect him so much. I want to tell you a little bit about yesterday's Appropriations meeting in Room 205 between Spokesmen and Chairs of the various Appropriations Committees. We met. Prior to that meeting the Republican Chairs and Spokesmen kind of agreed that we would not participate in a review of Appropriation Bills if there

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wasn't a revenue source and Act in place first. We went in, there really was no Chair, but it was a friendly and open meeting. We were told...the conversation was that we would go through some of the smaller agencies and see if we couldn't work out some additional cuts. The Republican response was, we'd rather wait and see how the revenue comes out of this Session. But, we are the Minority, and we recognized that we had more to gain by staying than by leaving that meeting. We did go through. It took almost seven hours. We went through each and every appropriation Bill, whether it came from the Senate or from the House. We reviewed them. When we come to some of the smaller agencies, we talked about cuts. We talked about what level we should leave that agency. When we come to some of the major agencies and the Constitutional Officers, and I've got the book here in front of me that I had with me, I wrote 'hold' on those pages. We held them. We held them because we knew that we really couldn't come to a final figure until we knew what the revenues of this state and this government were going to be for this appropriation process. That has not been done yet. It's on the Calendar, to come up once here tonight, and if that Bill were in its proper form, I'm talking about Senate Bill 1345...if it were amended in its proper form, it would probably pass out of here, it's probably going to pass out of here anyway, but I don't think it's going to be received well in the other House, and maybe on the Governor's desk. There was an agreement. Let me tell you, between honorable men and women sitting around a table, there was an agreement that we would hold the major Bills until we had an appropriation process following a revenue source, a level of revenue. Now, I...as I alluded to earlier, I haven't been here that long, and it's my first year in

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appropriations, but one thing I have found in this General Assembly, we play tough games, but honor usually rules. To be bringing this particular Bill, Amendment to House Bill 373 in here at this hour, and say we're going to do some partial funding of Public Aid, Children and Family Services, Corrections, Mental Health, State Police, and Rehab Services, those were all appropriations Bills that got a hold put on them yesterday until we determine what the revenue was. Now, I don't see the logic of doing this before we know what the revenue sources. You can't do it in your own home. You don't go buy a new car. You don't go buy a new wardrobe until you know your revenue. You don't even buy that home until you know your revenue. Let's put some practical application in this process."

Speaker Madigan: "Mr. Olson, would you bring your remarks to a close?"

Olson, B.: "Thank you, Mr. Speaker. I feel that a trust has been broken, and I know that the Sponsor said it was broken in the Senate. I'm disappointed in that. I think maybe there was some technicalities in there that were a little different than what we had an agreement for yesterday. Regardless of how this comes out, I will say to the Sponsor, you will always have my respect. I only hope to become someday as much respected and knowledgeable person about this process as you are, but we're doing wrong at this hour, it is wrong all the way around, I urge a 'no' vote on this First Conference Report on House Bill 373. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, and Ladies and Gentlemen of the House. A couple of comments about this proposed Bill. First of all, you don't need to be reminded, but it needs to be said again about our Constitutional responsibility to have a

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balanced budget. You can't do it in a piecemeal fashion. Second, the Sponsor of this Bill has said he didn't want people who were blind to go without services. Well I would ask then, why the CMS budget is not in here, so that people who are sick, and depend on the state insurance program can have their medical bills paid. I would ask why public health is not in this budget, in taking care of those important people, and then, Mr. Speaker, why the aging budget is not in here. Those important people need our help. Finally, let me say that the most important thing about this budget is, while aging is important, public health is important, CMS, those are small budgets. The one major part of the budget that's not here is education. Mr. Speaker, I assume then that you would balance the budget of the State of Illinois on the school children of Illinois, and you would propose to take all of the money that we have to cut the budget from education. I think that is certainly a disservice to our priorities, a disservice to the school children of Illinois, and certainly it belies your good intentions as set forth by the Sponsor of this Bill. I think we need to defeat this Conference Committee Report, and get back to the table to negotiate an honorable solution to the budget problem in Illinois."

Speaker Madigan: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to call to your attention something. Because of the title that is being given to this Conference Committee Report on the board. It says, this is an appropriation for the Board of Higher Education. Now, I'm only on page 85, having had less than an hour in which to read this rather lengthy report, but at least up until page 85 I cannot find any money for education, elementary, secondary, or higher education, and

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if the Sponsor of this Bill purports that this is in fact an indication of the priorities of this state, then I would certainly stand in opposition to that theory, because I believe that education is our number one priority, and there is no money for education in this Conference Committee Report despite the title on the board."

Speaker Madigan: "Mr. Sieben."

Sieben: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I just rise on a point here of technicality in the drafting of this Bill, apparently in the rush to get this on our desks, Article 8 was left out of the Bill. I find on page 77 of the document, that we begin the budget for the Department of Mental Health and Developmental Disabilities under Article 7. I then go through the Bill page by page, and I come to page 99, and I find the budget for the Department of Rehabilitative Services under the title of Article #9, so there is no Article 8, nothing titled Article 8, so I just wonder what was left out in this Bill under Article 8, as others have raised the questions, I think we should vote 'no' on this, just because of the rush in which it was drafted. We have a technical flaw in the Bill. There is no Article 8 listed in this Bill. We skipped from Article 7 on page 77 to Article 9 on page 99."

Speaker Madigan: "Mr. McPike to close."

McPike: "I don't want to be here in July. I don't want to be here in August, but there's something else I don't want to happen. There are a lot of poor people in this state, that need a check tomorrow. That's AFDC recipients, the aged, blind, and disabled. Their checks go out, tomorrow, Monday, and Tuesday, and Wednesday, and Friday, and the following week, and while we're here fighting over this budget, which we're going to do for a week or two weeks or

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a month, until we restore those priorities of the Democratic Party, but without this Bill, those checks won't go out. None of those checks will go out on Monday, Tuesday, the week of July, the first week of August, no. Now the Governor wants to play politics with poor people. He wants to use poor people to pressure us into a budget compromise. But we're not going to allow mental health hospitals to close down. We're not going to allow corrections to close down. We're not going to allow the state police to be pulled off of our highways. We're not going to allow our Veteran's Homes to be closed down, and we're not going to let blind people go without checks. Now that's what this Bill is about. Now let's vote for it."

Speaker Madigan: "Those in favor of the adoption of the report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wojcik to explain her vote."

Wojcik: "Yes, Mr. Speaker, I would like to explain my vote. I certainly would like to point out that when we're doing this, we are not going to help the people with renal disease, we are not going to help hemophiliacs, we're not helping nursing home investigators, we're not processing the WIC vouchers which is for the pregnant women and the infant mortality, so you have...there are problems with this piece of legislation, we are not helping all of those who need help."

Speaker Madigan: "Mr. Black to explain his vote."

Black: "Well, thank you very much, Mr. Speaker. I'm always impressed as to the depths and the heights that we can take partisanship, but I would ask an inquiry of the Chair, Mr. Speaker, if we're going to do something here, let's try, as I've said all day, to do it in accordance with the rules.

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I point out to you rule 79, Conference Committee Reports. I quote: 'Conference Committee Reports must include the names of the Members of the Conference Committee typed below the signature lines. This subsection may be suspended only if on an affirmative vote of 71 Members. Mr. Speaker, this was so hastily put together, and is drafted incorrectly, and I would submit to you that there are no signature lines typed on this paper, a clear violation of rule 79. I ask that the Chair to so rule, let's at least play by the rules. The partisanship...oh, if we want to do that we can be here all year playing politics, but let's at least try to do it with..."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question, there are 70 'ayes', 2 'nos', 44 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 373, and the Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 179 on Supplemental #8. Mr. McPike."

McPike: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 179, provides for an apprenticeship training advisory council. It provides that the prevailing wage law shall apply under TIFF districts and under Enterprise Zones and provides that any person who attempts in any manner whatsoever would induce an individual to give up any part of the compensation to which is entitled, shall be guilty of a business offense punishable by a fine of \$5000. I move for the adoption of the Conference Committee..."

Speaker Madigan: "The Gentleman moves for the adoption of the Conference Committee Report. On that question, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 'ayes', 35 'nos'. The House does adopt Conference Committee Report #1 to House Bill 179, and the Bill, having received the required Constitutional Majority, is hereby declared passed."

Speaker McPike: "Representative Johnson."

Johnson: "Is this on? Mr. Speaker, I appreciate that, and I just wonder also...I realize the hour is late, but there is just such a mass of people all over the House floor, that it's impossible to hear or function."

Speaker McPike: "I agree, Representative Johnson. Let's move the staff to the rear of the chamber. They're all on this side of the aisle, now the Democratic side has been cleared, now let the Republican staff go back to the rear, and let's clear the center aisles. The Pages can sit down. Mr. electrician? Would you check, Representative Blacks..microphone...speaking switch. Appears like he broke it."

Speaker McPike: "Representative Doederlein for what reason do you rise?"

Doederlein: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise very seldom because..."

Speaker McPike: "For what reason do you rise?"

Doederlein: "I'm a very quiet person, but the thing...and I believe in law and order, and the things that were pointed out, that were wrong with this Bill..."

Speaker McPike: "Representative Doederlein, you weren't recognized for that purpose?"

Doederlein: "...certainly are wrong. There are no signatures..."

Speaker McPike: "Mr. Speaker...Senate Bill 1345. Let's have some quiet please. The Chair recognizes Speaker Madigan."

Speaker Madigan: "Mr. Speaker and Ladies and Gentlemen, this



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report would provide for a two-year extension of the surcharge upon the Illinois Income Tax, it would provide for a continuation of the single property tax deduction now provided under Illinois law, it would provide that...in terms of the money apportioned under the surcharge for local governments, that local governments would lose 25% of what they had received under the surcharge during the last two years. That money, the money that local governments would lose, would be apportioned to the General Revenue Fund for the use of the State of Illinois in the normal appropriations process. I move for the adoption of the report."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report...Senate Bill 1345?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 64 'ayes', 38 'nos', and the House does adopt the First Conference Committee Report to Senate Bill 1345 and this Bill, having received a Constitutional Majority is hereby declared passed. Representative Anthony Young. Representative Anthony Young. The Gentleman have some quiet, please. Representative...Representative Anthony Young moves that the House stands Adjourned until tomorrow at the hour of 11 a.m. All in favor of the Gentleman's Motion say 'aye', opposed 'no'. The 'ayes' have it. The House stands Adjourned."

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