

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

100th Legislative Day

November 6, 1991

Speaker McPike: "House will come to order. The House will come to order. The Chaplain for today is the Reverend Jerry Comstock of United Church of Practical Christianity in Springfield. Reverend Comstock is the guest of Representative Karen Hasara. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Comstock: "Just as we prepare for prayer, let us become still and bring ourselves completely and totally here. Let us be aware that we are now in the presence of God. Our God and Creator, we give thanks for this day, for all that it holds for us. We pray at this moment for divine wisdom that may come through our minds, work through our intelligence, that our deliberations and decisions may be of the highest caliber. We pray a blessing of divine love that will blend and temper that wisdom that all that we do may be compassionate, may be fair and just. For the blessing of divine wisdom and divine love working together in and through us, we're grateful. And we give thanks for all the ways these divine qualities work and express through us, for we see our responsibility as something sacred. Thank you, God. Amen, And Amen."

Speaker McPike: "We'll be led in the pledge of allegiance by Representative Kurt Granberg."

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

Speaker McPike: "Roll call for attendance. Representative Matijevich."

Matijevich: "No excused absences on this side of the aisle, Mr. Speaker."

Speaker McPike: "Thank you. Mr. Kubik."

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Kubik: "We're all here, Mr. Speaker."

Speaker McPike: "Thank you. 118 Members and Senator Emil Jones answering a roll call, a quorum is present. Committee Reports."

Clerk O'Brien: "On November 6th, 1991, the Committee on Rules met and pursuant to Rule 46.1 makes the following report on Bills amendatorily vetoed by the Governor. In compliance with Rule 46.1(b) Senate Bills 175, 789, 1030 and 1086. In noncompliance with Rule 46.1(b) Senate Bill 42, 1006, 1172 and 1283. Signed, John Matijevich, Chairman. The Committee on Rules has met and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on November 6th, 1991. House Bills #185, 406, 801, 822, 969, 1911, 2589 and 2643. Senate Bills #62, 257, 326, 511, 630, 703, 744, 923, 934, 980, 1231 and 1410. Signed, John Matijevich, Chairman. The Committee on Rules has met and pursuant to Rule 14(b), the following Bills have been ruled exempt on November 6th, 1991. The following Resolutions have been ruled exempt: Senate Joint Resolution 46, 81 and 96. Signed, John Matijevich, Chairman."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1163, offered by Representative White; 1164, Weller; 1165, Ropp; 1166, Cowlshaw; 1168, Barnes; 1169, McCracken; 1170, McCracken; 1171, Novak; 1172, Matijevich; 1175, Schoenberg; 1176, W. Peterson; 1178, Matijevich; 1179, Matijevich; 1181, Munizzi; 1182, Laurino; 1183, Barnes; 1184, Homer; 1185, Stern and 1186, Matijevich."

Speaker McPike: "Representative Matijevich. Turn on Mr. Matijevich, please."

Matijevich: "Mr. Speaker, these are the Agreed Resolutions. They've been cleared on both sides of the aisle. I move the adoption of the Agreed Resolutions."

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Speaker McPike: "The Gentleman's moved the adoption of the Agreed Resolutions. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, the Motion carries. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1162, offered by Representative Morrow with respect to the memory of Minnie Craft Thames. House Resolution 1167, offered by Representative Shaw, with respect to the memory of Maxie Marie Duniver. House Resolution 1173, offered by Representative Morrow, with respect to the memory of Richard A. Williams. House Resolution 1174, offered by Representative Morrow, with respect to the memory of Eva K. Irvy. House Resolution 1177, offered by Representative Matijevec, in respect to the memory of Dr. David J. Quadar. House Resolution 1180, offered by Representative Morrow, with respect to the memory of Henry 'Crip' Herd."

Speaker McPike: "Representative Matijevec moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Death Resolutions are adopted. Give the...please give the Chair a little attention. Representative Hasara."

Hasara: "Thank you, Mr. Speaker. On a point of personal privilege, I have with me today, the new President of Sangamon State University. Standing beside me, Doctor Naomi Lynn, and Doctor Lynn is very anxious to come around and meet many of the Members of the House, and I will be bringing her around or invite you to come down and meet her. As most of you know, she is just the second woman President to ever serve a state university, so we in Springfield are extremely proud of her and I know that you will all welcome her and hope you take the opportunity to chat with her while she's here. Thank you."

Speaker McPike: "On page 3 of the Calendar appears Total Veto

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Motions. The first one is by Representative Novak. Page 4 of the Calendar, Representative Currie. Senate Bill 789 on a Amendatory Veto Motion. Mr. Black, for what reason do you rise?"

Black: "Just a question of the Chair. Oh, I see it. The Clerk was a little slow. I thought we were on 407."

Speaker McPike: "Mr. O'Brien stepped away, so...Ms. Currie."

Currie: "I move the House do accept the Governor's Amendatory Veto on Senate Bill 789. The Bill, as it went to the Governor, required the Department of Children and Family Services to provide written information about supervised visits in child custody arenas. The Bill also required automatic contempt of court requirements if the department failed in that responsibility. The Governor rightly pointed out that there was no need and in fact possibly some due process problems with a requirement of an automatic finding of contempt of court, so he has stricken that language from the Bill. I think he was right and I hope that you will join me in supporting this Motion as you joined in support of the Bill when it passed this House this spring."

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

Black: "Yes, thank you very much, Mr. Speaker. It's a little difficult to hear in here. I assume the Motion is to accept the Governor's Amendatory Veto?"

Speaker McPike: "That's correct."

Black: "...as printed on the board? Thank you very much."

Speaker McPike: "The question is...The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 789?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 114 'ayes' and no 'nays' and this Motion, as received

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the required Constitutional Majority, and the Motion is adopted and the House accepts the Governor's specific recommendations for change and Senate Bill 789 is hereby declared passed. Senate Bill 1006, Representative Giorgi. Mr. Giorgi."

Giorgi: "Mr. Speaker, I move to accept the Governor's Amendatory Veto to Senate Bill 1006. It's the least I can do."

Speaker McPike: "Alright, out of the record. Take this Bill out of the record. Take it out of the record. Representative Brunsvold. On page 5 of the Calendar under Motions. Under Motions appears a Motion on House Bill 1911, by Representative Capparelli. The Gentleman moves to take House Bill 1911 from the table, suspend Rule 79(e) and place on the order of Conference Committee Reports. Is there any discussion on this? There being no discussion, the Attendance Roll Call will be used and the Motion carries. Mr. Brunsvold. Mr. Novak, are you ready for your Motion? Alright, Representative Novak has agreed to take his Bill out of the record at this time, so that Representative Brunsvold can hear his Bill. Senate Bill 1086."

Brunsvold: "Thank you, Mr. Speaker. The Governor amendatorily vetoed this Bill by taking out the venue issue with regard to where the disputes would be held in court. We accept that Amendatory Veto and he made a few technical changes and I would move to accept the Governor's Amendatory Veto."

Speaker McPike: "And on Representative Brunsvold's Motion, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I'd like to ask a question or two."

Speaker McPike: "Proceed."

Pullen: "This Bill had several provisions in it that the Governor's Amendatory Veto does not address. Would you

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please explain to us what we are voting to pass by voting to accept this Motion regardless of what the Amendatory Veto is. What's left in the Bill that we would be voting to pass along with that amendatory language?"

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Representative, do you want me to go through every item that was in the original Bill, which should be before you in the analysis?"

Pullen: "Every item that is still in the Bill as you are asking us to pass it with the Amendatory Veto."

Brunsvold: "Well, the only part the Governor eliminated was the venue issue, which was something he didn't agree with from the start. The rest of the Bill we debated at length on this floor. On the rest of the issues dealing with workers qualifications, things like that. There's a lot of issues...egress, when you can go on a boat, when you can leave a boat and when you can gamble when you first get on a boat. Things like that were addressed in the original Bill."

Pullen: "What are the provisions with respect to the treatment in the Criminal Code of these gambling devices for use in training?"

Brunsvold: "Representative, there has to be a contract between the owner of the boat and an individual to train the people. Train the workers. Community colleges are out."

Pullen: "Does this Bill legalize the possession and display of gambling equipment for purposes of training?"

Brunsvold: "Yes."

Pullen: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I think it's important to realize that in voting to accept an Amendatory Veto, a legislative body is voting also for final passage of the full legislative proposal. The Governor made a change in this Bill dealing with venue.

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A change that probably makes a bad Bill a little less horrible, but one that I do not recall as having been a major issue of debate last spring when the Bill passed the House. It might be worthy to note that the Roll Call on which this Bill passed the House last spring was 72 to 38 to 3 and the provisions that were objected to and debated last spring when this Bill passed by such a controversial, probably partisan Roll Call, are still in the Bill and are part of the Amendatory Veto Motion that the Gentleman makes in asking us to pass this Bill again accepting the Governor's changes. I urge Members to recognize that they are voting on the entire piece of legislation and not simply the Governor's changes, as worthy as those might have been. Thank you."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me remind everybody that the provisions in this Bill, of which I am a Cosponsor...The reason it's a Brunsvold-Wennlund-McPike Bill is because its provisions were agreed upon by the Minority Leader himself and were negotiated between myself, Representative McPike, Representative Brunsvold and the Senate. All of the provisions of this clean up Bill, in fact, were signed off on and agreed to by the Minority Leader. It's an agreed process Bill. We worked on it together and the Minority Leader has signed off on the provisions of this Bill and it's a clean up matter. The Governor's Amendatory Veto only deals with a jurisdictional issue which is a minor issue. I rise in support of the Gentleman's issue and ask for a 'yes' vote."

Speaker McPike: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. Ladies and Gentlemen, last spring we worked at length with the Governor's office on

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this Bill to try to make the Riverboat Gambling Act better. We worked with the gaming board and Mort Friedman to try to make this riverboat work a little more smoothly than we had originally put together in the first Bill. The Governor has agreed on the issues in here. We had a conflict with the venue. We agreed to accept that change and I'm now asking for your support in accepting the Amendatory Veto of the Governor."

Speaker McPike: "The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1086?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Mr. Burke, did you wish to vote...? Vote Mr. Burke 'aye'. Mr. Phelan, 'aye'. Mr. Rice, 'aye'. On this Motion there are 76 'ayes' and 33 'nos' and this Motion has received the required Three-Fifths Constitutional Majority. The Motion is adopted and the House accepts the Governor's specific recommendations for change and Senate Bill 1086 is hereby declared passed. Representative Kubik. Mr. Kubik on page 7 has a Motion on SJR 46. Mr. Clerk, SJR 46. The Motion is to discharge Executive and advance to the Speaker's Table. Is there any discussion on the Motion? Being none, the Attendance Roll Call is used and the Motion carries. Mr. Kubik on the Resolution."

Kubik: "Thank you, Mr. Speaker. Mr. Speaker, I believe there is an Amendment to this particular Resolution. Amendment #1."

Speaker McPike: "Yes. The Motion prevailed, the Resolution is before us. Mr. Clerk, are there any Amendments?"

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

Kubik: "Thank you, Mr. Speaker. Floor Amendment #1 just simply changes the report date from January 1, 1992, to April 1, 1992 to give us more time to fulfill the requirements of

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this Resolution. I'd ask for its adoption."

Speaker McPike: "The Gentleman has moved the adoption of Amendment #1. Is there any discussion? The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Now Mr. Kubik on the Resolution."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We had passed this Resolution a year ago, but unfortunately we were unable to meet the reporting date. What it does is, it creates an advisory panel within the Illinois Local Government Law Enforcement Officers Training Board to look at issues regarding the use and role of auxiliary and part time police and I'd move for the adoption of the Resolution."

Speaker McPike: "Is there any discussion? The Gentleman has moved for the adoption of Senate Joint Resolution 46. There being no discussion, the Attendance Roll Call will be used on the Motion and the Motion carries. Senate Joint Resolution 81. Mr. Keane."

Keane: "Thank you, Mr. Speaker. I have an Amendment. It's been introduced and distributed and I would move the adoption of Amendment #1."

Speaker McPike: "First we have to take the Motion. The Motion is to bypass Committee and place on the Speaker's Table for immediate consideration. Is there any discussion on that? Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "What's the effect of this Amendment?"

Speaker McPike: "The Motion is before us right now. The Motion to bypass Committee. We have to adopt the Motion first, Mr. Wennlund, and then the Amendment."

Wennlund: "We object to the Motion, Mr. Speaker."

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Speaker McPike: "They objects to the Motion. Mr. Keane, he objects to the Motion."

Keane: "Mr. Speaker, are we going to..."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. We had a...it's so hard to hear in here we can't even communicate three feet apart. We have no objection."

Speaker McPike: "Alright. Mr. Wennlund, Mr. Black has requested that you hold it down. He can't hear you. Alright, there being no objections to the Motion. No objections to the Motion, the Attendance Roll Call will be used and the Motion carries. And now, Mr. Keane on the Amendment to SJR 81."

Keane: "Thank you, Mr. Speaker. All the Amendment does is change the wording 'Joint Committee' to read 'Advisory Board to the Board of Higher Education' each time it appears. I move the adoption of the Amendment."

Speaker McPike: "The Gentlemen moves the adoption of the Amendment. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Keane on the Resolution."

Keane: "Thank you, Mr. Speaker. This Resolution sets up a...advisory board to the Board of Higher Education that will report to the General Assembly by January of 1992, regarding tuition on the...in the state...various state institutions of higher education, including the appropriate percentage of costs to be borne by the students and the need for undergraduate tuition parity. Other than that it...that's the basic purpose of it. I think it's a bipartisan effort and I would move its adoption."

Speaker McPike: "On the adoption Motion, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. I think it's very difficult to hear, I wanted to raise a question with the Sponsor."

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Speaker McPike: "Proceed."

Ropp: "Representative Keane, didn't we have a Resolution not more than a year ago and a study dealing with college tuitions? Where is that particular report?"

Keane: "I am not aware of any existing study that's been done..."

Ropp: "There was some four, at least three to four different hearings in various institutions throughout the state discussing college tuition and I guess I'm raising the question, what is this new Senate Joint Resolution doing that we didn't do before?"

Keane: "Well, I'm told...I've just been told that they did not meet. They were not able to complete their work in a timely fashion and this, in effect, is an extension of time for them."

Ropp: "So we want to do another study to do exactly what we did before, only come up with a final report that some can agree to."

Keane: "My understanding is, it's a continuation of what's going on now. That just ran out."

Ropp: "Okay, so we're extending that particular Resolution and it's not a brand new one."

Keane: "That's right."

Ropp: "The same people are still on it?"

Keane: "Yes."

Ropp: "The same Committee members? Okay, thank you."

Speaker McPike: "Mr. Keane."

Keane: "Move the adoption of the Resolution."

Speaker McPike: "Alright. There being no opposition. Does anyone oppose this Resolution? There being none, the Attendance Roll Call will be used and the Motion carries. The Resolution is adopted. Representative Matijevich."

Matijevich: "Mr. Speaker, I'm going to move to waive the posting notice and also the rule whereby the Committee cannot meet

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while the House is in session for the purpose of hearing the following Bills in the Rules Committee immediately in the conference room. The Bills are Senate Bill 424, Senate Bill 778, Senate Bill 998 and Senate Bill 1033 and I would ask for your support."

Speaker McPike: "On the Motion, Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. What is the applicable rule that the Gentleman is asking to be waived?"

Matijevich: "The posting notice. Waiver of the posting notice and also where a Committee cannot meet while the House is in session, so that the Rules Committee can meet on these Bills."

Black: "Inquiry of the Chair. Thank you very much, Representative. An inquiry of the Chair. How many votes does it take to suspend that rule that the Gentleman asked to be suspended?"

Speaker McPike: "It takes 71 votes, Mr. Black, to suspend the posting requirements. 71 to suspend the posting requirements. Do you rise in opposition to the Gentleman's Motion?"

Black: "Yes, I do."

Speaker McPike: "Mr. Matijevich, do you wish to take this Motion out of the record? Do you wish to proceed?"

Matijevich: "No. Out of the record."

Speaker McPike: "Out of the record. Alright, on page 3 of the Calendar under Total Veto Motions...under Total Veto Motions we have...Mr. Novak. Mr. Phelps. David Phelps, do you wish to call your Total Veto Motion? Senate Bill 435, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 435 passed with an agreement from both the Dental Society and the Department of Nuclear Energy and we had felt that the Governor's staff at that time had even

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signed off on it about extending the years that the fees that are charged to x-ray machines in dental and medical offices. We know that the Nuclear Safety utilizes these revenues for different functions in the programs within the department and that there is a need to extend the inspection years from 3 to 5 years and we didn't think there was any problem and now the Governor's message seems to think this is premature and I feel like we have handled this very delicately through the process and there wasn't a problem in the end and now we see there is, so the messages are mixed here, but I think it would be good for all of us to go ahead and make this law and deal with this in future years if we need to rearrange the fees or modify some arrangements of how fees are collected or assigned to the dental and medical offices for x-ray machines. So I appreciate your support of the override of the Total Veto on Senate Bill 435."

Speaker McPike: "On the Motion, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding that this Bill is really a revenue neutral Bill and that in fact it is not going to cost the taxpayers of this state and that in fact it's a compromise that was worked out, and quite frankly I think that we have an obligation as a Body that when an agreement is made that in fact we fulfill that agreement, so I also would rise to support this override."

Speaker McPike: "Mr. Black. Mr. Tenhouse."

Tenhouse: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of this Motion. That compromise was reached in Human Services and I think there's agreement on both sides and I would certainly encourage the Members on this side of the aisle to vote to override the veto."

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Speaker McPike: "Alright, the question is, 'Shall Senate Bill 435 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 113 'ayes' and 1 'no'. This Motion having received the required Three-Fifths Majority is adopted and this Bill is hereby declared passed, the veto of the Governor notwithstanding. Senate Bill 644, Mr. Harris. Mr. Clerk, 644."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to override the veto of the Governor on Senate Bill 644. Ladies and Gentlemen of the House, Senate Bill 644 prohibits a university in the State of Illinois...a public university in the State of Illinois from banning the Reserve Officer Training Corp, or ROTC on its campus. Now, by way of explanation, you might ask, why do we need a law like this? ROTC has been around a long time. Who's trying to ban ROTC? Well, unfortunately, one of the universities in the state, Northern Illinois University is indeed taking that step. They are banning the Reserve Officer Training Corp, or ROTC from its campus. Now what Senate Bill 644 does...says...it says that if ROTC simply adheres to the policies of the federal government it cannot be banned from campus. The policies that it's adhering to deal with the Department of Defense's regulations regarding homosexuals in the military. So what Northern Illinois University did was say, 'Okay, if you're not going to do things, if you're not going to let homosexuals into ROTC, we're going to ban you from campus.' Well, think about that for a second, my friend. Think about the minorities. Think about the women. Think about the average student that fund their college education through ROTC at Northern Illinois University and other

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campuses if this occurs at other campuses. They will not have that opportunity. Think about General of the Army Colin Powell who started his military career in ROTC. Is another Colin Powell not going to be able to have that opportunity because of what the universities in this state might be doing? So Senate Bill 644 says if ROTC is simply adhering to the policies of the federal government, and those policies might be incorrect and we might ought to change them in Washington, D.C. But if it's simply adhering to the policies of the federal government, it cannot be banned from campuses on the State of Illinois. Now I want you to know that this Bill passed 106 to 2 when it was initially proposed. I think the Governor got some bad advice in vetoing this Bill. It is not an unreasonable Bill. If ROTC is banned, it works a greater hardship on that average student who takes advantage of the ROTC scholarship and wants to participate in the military. It works a hardship on him or her who is financing their education that way. Twenty-five percent of ROTC scholarships go to minorities and women. Twenty-five percent. If we let a policy like what's occurring at Northern Illinois University stand, those are the people that are going to be hurt more than anyone else. I ask for your support of my override Motion."

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

Satterthwaite: "Mr. Speaker and Members of the House, unfortunately, this proposed law is much broader than dealing with ROTC. In fact, it is attempting to usurp the powers that higher education boards and administrators currently have and I think that even though the focus has been on ROTC that we may find this Bill to be so broad that we would see it doing a number of negative things. To my

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knowledge we have not banned ROTC on any campus. Therefore, this is not really going to have any effect immediately. All it is doing is painting with a very broad brush and limiting the authority of the boards and the administration of higher education. I believe that it's a step in the wrong direction and I would urge Members not to support the Motion to override the veto of this Bill."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the override veto. I think this Bill was soundly written and I think the Governor inadvertently made a mistake by vetoing this. I think it's imperative that we keep a strong ROTC system in all of our campuses that provide military training opportunity for people that wish to be in the service and I think it's sound public policy and I would urge my colleagues to join the Sponsor in overriding the veto."

Speaker McPike: "Representative Burzynski."

Burzynski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Having Northern Illinois University in my district, I've had the opportunity to speak with many students, many faculty members, as well as the administration at Northern and the word that I received from them is they're supportive of the override of this Bill. I would encourage my colleagues to vote 'yes' on this override. Thank you."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you. It's important to note that this Bill amends an Act which, in relevant part, concerns application and provision of armed forces training in Illinois public universities. This deals with an ROTC exclusion based upon a political agenda. It's as simple as that. Now those who profess to support academic freedom should not speak out of both sides of their mouths. Academic freedom means to do

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what is currently unpopular as well as what is currently popular. All this Bill does is require that that political agenda not threaten academic freedom. It's as simple as that. And if you believe in academic freedom you will support this override."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think it's important that everybody stop and take a quick look at this and see why the Governor vetoed it because what we're doing, and I think Representative Satterthwaite made the point, is we're telling the state universities and their governing boards on what they can and cannot do with extra-curricular activities. That's the reason the Governor vetoed it. Because the General Assembly is telling the governing boards of our state universities what they can and cannot do as far as extra-curricular activities are concerned. If the General Assembly's going to interfere with the governing of all our universities and dictate what curriculum is going to take place, then we don't need governing boards. That's exactly why the Governor vetoed it and that's exactly why his veto should be upheld."

Speaker McPike: "Mr. Harris to close."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen, to touch on some of the points of the previous speaker. Indeed, Northern Illinois University has taken action to ban ROTC. Now it's not effective yet, but they have taken action to ban ROTC and it's based on the Department of Defense policy regarding homosexuals. The Governor vetoed this Bill and he talked about extra-curricular activities. ROTC is not just an extra-curricular activity, it is indeed a curricular activity for which you get credit. And I might add that homosexuals can participate in all aspects of ROTC

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except for the part relating to combat, which is what the Department of Defense policy is. So for the curricular portion of ROTC, there is no exclusion. We're talking about the military related portion. If we ban ROTC at our universities, I come back and tell you this much. Your parents, or the parents of kids in your district, will be denied an opportunity to fund their college education through an ROTC program. And by not allowing them to do that we are indeed saying 'Well, we have to do it because of this small other class that wants to forward some sort of a political agenda'. My friends, that is unfair. You know for every action there is an equal and opposite reaction. If we take this action, we are harming those people who want to participate in ROTC and who indeed have done so for years and years and years and it may be their only way of financing a college education. I come back and leave you with...with the example I used initially. The Chairman of the Joint Chiefs of Staff, a minority, General Colin Powell started his military career through ROTC. Is there going to be another military...minority military member like a Colin Powell who might not have that opportunity because we're going to kick ROTC off our campuses? We shouldn't let it happen. The Governor got some bad advice when he vetoed this Bill. We ought to override it. I ask your support in overriding his veto."

Speaker McPike: "The question is, 'Shall Senate Bill 644 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 90 'ayes' and 16 'nos' and this Motion having received the required Three-Fifths Majority is adopted and Senate Bill 644 is hereby declared passed, the veto of the Governor

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notwithstanding. Senate Bill 407, Representative Novak. Let the record reflect that Representative White would've voted 'no' on Senate Bill 644. Representative Martinez would've voted 'aye' on Senate Bill 644 and now Senate Bill 407. Mr. Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move for...to pursue the Motion to override the Governor's Total Veto of Senate Bill 407. Senate Bill 407 amends the Barber, Cosmetology and Esthetics Act to include the nail technicians. This Bill passed the Senate and the House and it provides for the education, regulation and registration of nail technicians throughout the State of Illinois similar to the barbers, hairdressers, cosmetologists and estheticians. Would like to point out that health care...the health care is a growing industry in the State of Illinois. Billions of dollars is spent on health care for people, personal products and the nail industry is just as important as the other industries that are now regulated. There's a major safety concern with chemicals and environmental concerns that these technicians use. I would like to point out for the record, and if I could have everyone's attention, that there was an advised fiscal note submitted by the Illinois Department of Professional Regulation that increased its licensure numbers from 900 to 2,700. Hence, that would increase the revenues by \$35,000 to cover the start up cost and any concerns that the department and the Governor's office had about trying to find money to get this program started. According to the letter we have here, we have a net balance of around seven or eight thousand dollars after all these fees are collected for the first year of the licensure and I'd ask for your support to override the Governor's veto. Thank you."

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

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

Speaker McPike: "Yes."

Hartke: "Basically, are you saying we're creating another license fee here? Another licensure Act?"

Novak: "Basically, you're correct, Representative Hartke. And basically, the revenues that are generated will be more than enough to sustain the administrative costs for the start up."

Hartke: "Thank you very much. I support this measure."

Speaker McPike: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I would simply rise to ask that my remarks of a week ago be revised and extended in the journal, but let me just refresh your memory. These revisory and regulatory Acts, you did not appropriate money to start them. Now, Ladies and Gentlemen of the House, in all due respect to the Sponsor, this isn't a bad idea. It's not a bad Bill. You go back home and you talk to your constituents all the time about prioritizing how you spend their money. We're not funding the pension system. We're not funding education. We're not funding all the senior programs, but you get up here and tell me you're going to fund a nail technician regulatory Bill out of General Revenue Fund dollars. Now I ask you, is that your priority? This Bill can wait. It is not necessary to pass it today. As someone said, in all due respect, Representative, this isn't a nail biter. It can wait. We can revisit this Bill when we put our fiscal house in order. But until you put that fiscal house in order, you can't spend money you haven't appropriated. We've laid off 20 people. Twenty people have been laid off in the Department of Professional Regulation. This is a phony promise. If you override this Bill, the staff isn't there

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to set it up, the money won't be there to set it up, and where are your priorities? Education? Pensions? Or nail technicians? I suggest a 'no' vote and revisit this Bill when we put our fiscal house back in order."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the previous speaker has some very valid points, but let me point out to you that under the revised fiscal note it is stated that the start up costs in this Bill are going to be \$29,000, and in fact in the first year that this Bill is going to bring in \$40,000 in fees, so to say that there isn't some money available that's going to come from this licensure may be not necessarily correct. I think that, in fact, that there will be money to cover the cost of this legislation. And might I point out also that there is a safety factor that's involved in this. You know, these people who are doing the nails work with a lot of chemicals that can be dangerous. In addition, I might point out to you that the people...these nail technicians deal with the nails and the treatment of nails and sometimes they bleed. And when they bleed, you are exposed to certain diseases and I may point out to you one of those diseases that is most prevalent today that concerns all of us is the AIDS virus. We need these people to be trained to make sure that they're following the proper health care procedures so that they are dealing in a safe manner. So I think this Bill does have merit and warrants a serious consideration."

Speaker McPike: "Representative Matijevich."

Matijevich: "Well, Mr. Speaker, I only rise...I had no intent of rising, but you know, I was overcome by Bill Black's tirade and his little speech on fiscal integrity. But correct me if I'm wrong or right, Representative Black. Isn't this the same agency where I read that the Governor made a

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position available for a guy who wasn't even an attorney, a licensed attorney, to supervise about 40 other attorneys? In other words, you're the one talking about fiscal integrity. The Governor evidently seems to find monies for his friends, usually his college buddies and what-not. This type of pin stripe patronage, that's alright, but when you try to do a little bit just to oversee some ordinary nail clippers, then you got to give us this baloney about fiscal integrity. If you're going to be...If you're going to talk about fiscal integrity, let's be consistent about it. Let's have it for everybody."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I, too, am in opposition to this Bill. You may not be aware, Ladies and Gentlemen, that in the past we have regulated and licensed certain fields with the promise that it would bring in all these people. One of them was the estheticians. That was going to bring in hundreds and hundreds of people and then all this money would flow into the department. Well, it didn't. Seven people signed up. We are now up to 26 people. So the talk that this will be 2,000 or 4,000 people probably is not true. Cosmetologists are exempt from it and the young ladies who now find a job...they can go out and get their first job in life, is to paint somebody's nails, they're going to be out of business, 'cause they're going to have to go to school and get this...pass this exam. We don't have the money to do this this year. It certainly isn't anything that is strategic to the health, safety and welfare of the residents of our state. Stick with the Governor on this one and vote 'no'."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. In the event that this Bill reaches the constitutional vote requirement, I request a

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verification."

Speaker McPike: "Alright. Further discussion? Representative Novak to close."

Novak: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen, I just want to emphasize again for everyone's edification that this fiscal note was revised to include 2,700 nail technicians throughout the State of Illinois which will generate \$35,000 more dollars than the department had initially estimated. So there's more than enough money to cover the cost. I simply ask my colleagues to help in overriding the Total Veto from the Governor. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 407 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all who wish? Have all voted who wish? Mr. Novak to explain his vote."

Novak: "Yes, Mr. Speaker. I realize that licensing Bills have some initial cost. The Illinois Cosmetology Association and their affiliates have worked very hard on this Bill with the original Sponsor, Senator Jones in the Senate. They worked very hard and tirelessly with the Illinois Department of Regulation, they've met with the Governor's office. They have assured the administration that they will be able to license all these people that come up... over 2700 people that will generate enough funds to get this program off the ground and get it started and I'd appreciate if we could have a few more votes here so we can enable this Bill to become law."

Speaker McPike: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 70 'ayes' and 39 'nos' and Representative Wennlund has asked for a poll of those not

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voting. Mr. McGann would like to change from 'present' to 'aye'. On this Motion there are 71 'ayes' and 39 'nos'. Representative Wennlund has asked for a verification of the Motion. The Gentleman asks for a poll of those not voting. Mr. Clerk."

Clerk O'Brien: "All Members are recorded as voting."

Speaker McPike: "Wait. Just a second. Mr. Wennlund, Mr. DeLeo, Mr. Ronan, Mr. Farley, Mr. Obrzut...you got those? Mr. Lang and Mr. Stange. Mr. Clerk, proceed with the verification of the...proceed with the poll of those not voting."

Clerk O'Brien: "All Members are recorded as voting."

Speaker McPike: "Alright, thank you. Proceed with a poll of those voting in the affirmative."

Clerk O'Brien: "Balanoff. Barnes. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. DeJaegher. DeLeo. Flinn. Flowers. Giglio. Granberg. Hannig. Harris. Hartke. Hicks. Hoffman. Homer. Lou Jones. Shiley. Jones. Keane. Kulas. Lang. Laurino. LeFlore. Marinaro. Martinez. Matijevich. Mautino. McAfee. McCracken. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Parke. Phelan. Phelps. Preston. Rice. Richmond. Rotello. Saltsman. Santiago. Schakowsky. SchoenbSchoenberg. Shaw. Stange. Steczko. Stepan. Stern. Walsh. White. Wolf. Woolard. Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Representative Steczko would like to be verified. He's right here. Steczko. Okay. Questions of the affirmative?"

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

Speaker McPike: "Representative who?"

Wennlund: "Morrow. Morrow. Charles Morrow?"

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

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here? Mr. Morrow? The Gentleman is not here. Remove him from the Roll Call."

Wennlund: "Representative Williams. Paul Williams?"

Speaker McPike: "Mr. Williams. Paul Williams is here. He's right here in the center."

Wennlund: "Representative Shaw?"

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

Wennlund: "Representative Keane?"

Speaker McPike: "Keane is here."

Wennlund: "Representative Farley?"

Speaker McPike: "He was verified."

Wennlund: "Representative Anthony Young?"

Speaker McPike: "Tony Young. Tony Young. Mr. Young is voting 'no'. Is the Gentleman here? Mr. Young. I know, he's voting 'no' but Mr. Black wants to know if he's here. I mean Mr. Wennlund wanted to know if he's here. Mr. Young. Mr. Wennlund, I can't find Mr. Young, but he..."

Wennlund: "Thank you. Representative Jessie White?"

Speaker McPike: "He's here."

Wennlund: "Representative Dunn? John Dunn."

Speaker McPike: "Mr. Dunn is here but he's also voting 'no'. Mr. Wennlund..."

Wennlund: "Mr. Turner?"

Speaker McPike: "Mr. Turner is voting 'no', but he's here."

Wennlund: "Thank you."

Speaker McPike: "Mr....would like to change from 'no' to 'aye' and Mr. Trotter was verified, he's right here. Alright, change Trotter from 'no' to 'aye' and..."

Wennlund: "Representative Phelan?"

Speaker McPike: "What was that last one?"

Wennlund: "Phelan? Representative Phelan?"

Speaker McPike: "Mr. Phelan. Phelan. Is Mr. Phelan here? The Gentleman is not here, remove him from the roll call."

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Wennlund: "Representative Giorgi?"

Speaker McPike: "Mr. Giorgi's here and Mr. Granberg would like to be verified, he's up front. Mr. Granberg."

Wennlund: "Yes. Thank you. Representative DeJaegher?"

Speaker McPike: "He's here."

Wennlund: "Representative McGuire?"

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

Wennlund: "Nothing further. Was Representative Shaw given leave to be verified, Mr. Speaker?"

Speaker McPike: "Mr. McCracken. Mr. McCracken would like to change from 'aye' to 'no'. Mr. Wennlund has no more questions, please turn him off."

Wennlund: "Correct."

Speaker McPike: "Representative Deering. Mr. Deering. Did you wish to change your vote, Sir? Change him from 'no' to 'aye'. Mr. Deering votes 'aye'. Mr. Dunn would like to change from 'no' to 'aye'. On this Motion there are 71 'ayes', 37 'nos', this Motion having received the required Three-Fifths Majority is adopted and this Bill is hereby declared passed. Senate Bill 407 is hereby declared passed, the veto of the Governor notwithstanding. Representative Hannig. Senate Bill 973 on a Motion to override."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill would simply prohibit local school boards from requiring teacher and other non administrative personnel to dispense medication to students. Presently, teachers and other non administrators are being required to perform medical procedures from handing out pills to students taking potent medication and taking care of trach tubes. Now we tried to work with all the different groups as we went through the process with this Bill, and let me say that we got some help as we went along from Representative

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Levin and Tenhouse in Committee who had some suggestions to clarify procedure and we have in there now that nothing in this Section shall prohibit a school district from adopting guidelines for the self administration of medication by students. So people who have inhalers for asthma have no problem with this. Representative Cowlshaw and Walsh and Hartke wanted a clarification that said nothing in this shall prohibit a school employee from providing emergency assistance, and of course we adopted that because it certainly makes sense. We tried to work with the different groups and we put together a Bill which passed out of here in July with 76 'yes' votes, after some discussion. And I think if you really think about it, it only makes sense that we shouldn't be requiring teachers to pass out potent medication to the students of the State of Illinois. The City of Chicago has recognized this and with their teachers, they already have an understanding where teachers are not required to do this. And I'm simply asking that we do this for our downstate schools. It has no fiscal impact on our schools. This is not a budget breaker like the Republicans have argued about some of the Bills. In fact, it has no impact on our state budget. We have Committees that have started in some schools to talk about the issue of medication, this would give them some guidance. In other schools, they simply haven't even begun the process of starting those Committees. So, we would have some guidance as well for them. The Bill makes a lot of common sense to me. It seems to me that we should not require teachers to be passing out medication, to be cleaning trach tubes or perhaps even being asked to give injections, when they weren't trained for that purpose. It makes a lot of common sense. I think the Governor was simply misinformed on this Bill as he was on a few others and I'd ask for your

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'yes' vote."

Speaker McPike: "And on the Motion, Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker. Will the speaker yield?"

Speaker McPike: "Yes, he will."

Olson, R.: "Representative Hannig, I'm confused on this Bill.

It's very simple, I understand that you're saying that teachers shall not be required to pass out medications.

Who can pass out medications?"

Hannig: "Well Representative, we do leave that up to the school

board to determine how they want to handle it. We simply say that teachers and...the teachers shall not be required.

Now, I suppose there would be some possibilities that a teacher would feel in some cases that a drug with a simple enough procedure that they would do that but we would certainly want to give them the right, I think, to say 'no' if they feel they're not qualified."

Olson, R.: "So, you're not..."

Hannig: "We're not saying who has to, we're simply saying the teacher would not be required to."

Olson, R.: "But who else on the premise could do it, then?"

Hannig: "Well, a certified school nurse would be one, for example, that could do it."

Olson, R.: "Alright."

Hannig: "We also encourage in the Bill that we try to stress to the parents and to the doctors that, if possible, that we not require medication to be given out during the school day, and in some cases I'm sure they can do that by giving the medication before school and after school. Obviously, in some cases they can't always do that and will still have to address the problem."

Olson, R.: "I think you make a good point on the parents, but I'm concerned about your statement and it's been in my mind that, what we're really saying that if there is a volume of

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this type of medical dispensing activity, we're requiring a school nurse to be on the premises. I see this as a reverse mandate. We're saying these schools, you cannot put this medication on the teachers desk and say, give it to a student, it has to be done by a school nurse. We're mandating, in a reverse manner here, that a school shall have a nurse on the premises to dispense this medicine. And now in the larger schools that is not a problem, but if you get into the smaller downstate high schools, they simply do not have a nurse on the premises and do not have the money to do so. I think this is a mandate in reverse and I do not concur with the Motion to override."

Speaker McPike: "Representative Satterthwaite."

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

Speaker McPike: "Yes, Representative Hannig will yield."

Satterthwaite: "Representative, currently there is law on the books that has directed the school districts to have a committee composed of teachers and parents and others from the school staff to work out a system by which medication will be provided to students where that is necessary. In the case where school districts have already complied with that requirement and have designated, for instance, a secretary in the central office who might be currently provided with the authority to dispense the medication. Your legislation as I understand it, would overturn that directive that we gave to local school districts for compliance by this past fall's term. Is that not correct?"

Hannig: "Well, first of all, Representative, part of the problem I have in my district is a number of the schools simply have ignored our request that they deal with this problem. And since there's really no penalty for the most part, a number of them have said simply, we're not going to do it. We're not going to have the Committees and we're not going

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to do it."

Satterthwaite: "The only schools I have heard of who have not complied, did not comply because this particular Bill was already part way through the legislative Session and they felt that they were going to have to go back and redo all their work, should this Bill become law. But many districts did go ahead and comply with that earlier directive, have put a policy in place where it is approved by the various segments of the school staff and the parents in the district. In many cases this is going to make those districts that did comply, go back to the drawing board and make some other arrangement if it doesn't already comply with this. I have had special education teachers tell me that in many cases they are the people who are best acquainted with the needs of the student and best able to give medication that isn't scheduled for a particular hour of the day but depends instead on the behavior of the student. Where the school district has already set a policy that permits that teacher who wants to give that medication to do it, they would presumably have to go back to the drawing board. In the case of secretarial staff who now are giving the medication in many school districts, they would have to go back to the drawing board. I think that we are imposing on school districts a penalty if they have already complied with the previous requirement. And I think that it is not appropriate for us to tell them, either they have to have a certified nurse on staff who will give out the medication, or that the responsibility then goes to an administrator. Under the Education Reform Act that we passed in 1985, we told school superintendents and school principals that we wanted them to focus on things that would improve the quality of education within their school district. We wanted them to put aside things

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like transportation schedules and other things in order to give their attention to the quality of education. For us now to put this into the laps of the administrator who would be the only person qualified under this Bill to give the medication would certainly be a step away from that mandate and one that would be counter productive to the quality of education in our districts. I would urge Members not to support the Override Motion on this Veto."

Speaker McPike: "And on the Motion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, what about a student with an attention deficit disorder, taking something like Riffelin? That really...I don't think would meet the guideline of...absolutely necessary for the critical health and well being of the student. Would that student then...would a teacher be prohibited from giving a student his medication...or her medication for an attention deficit disorder?"

Hannig: "Representative, I think there is a little misconception in that no teacher would be prohibited. A teacher would simply have the option to say 'no'. So in other words, if the teacher felt that he or she was qualified and was willing to do this, they would still be able to do it under this Bill."

Black: "In other words, the instructor could voluntarily administer medication, is that the intent of your Bill?"

Hannig: "Yes. We're not taking away that right for anyone who feels that they can do it and is willing to do that. It's only for those teachers who object."

Black: "Alright. Then let me follow up on that. If an instructor voluntarily says, 'I will administer this medication', is that instructor still covered under basic tort immunity as far as you know?"

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Hannig: "Yes, they would still have, obviously, the same coverage under the law that they would have now."

Black: "Alright, thank you."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion and I do so because I know there's a certain amount of confusion that has been generated, that has been made obvious by the questions generated to this legislation. What the Gentleman is proposing is that teachers not be forced to give medication to students. I cannot imagine anything more simple than that. This does not say that the Special Ed Teacher, who feels that she is best qualified, or that she knows the particular circumstances on an individual child, cannot if she chooses, or he chooses, to give that special attention. All this legislation says is that that one teacher in my district who now has 30 bottles of pills on her desk and is forced to give 30 different medications to different children, that that shall not be forced upon that teacher who is not qualified. This allows for that teacher who feels that he or she is qualified in those specific circumstances of that child's illness or needs. It allows for that child...that teacher to give administration to that child. Give medication to that child. It simply does not force that teacher who does not know the particular circumstances or who does not feel able to appropriately give that medication to that child. I think this is an obviously good idea. We ought to override this Veto. We ought to do it for the health and safety of children and we ought to do it for our respect for teachers who know better than we know, whether they are able to provide that medication to those students."

Speaker McPike: "Mr. Hannig to close."

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Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I think Representative Curran did an outstanding job of making the point that this is voluntary. We would not say that a teacher could not do this, we simply would say that a teacher had the opportunity to evaluate the situation and decide if he or she was qualified. And if they felt that they were not, they could simply say 'no', and they would not have to do it. Consider for a moment what would happen if a teacher walked into a wing of a hospital, went up to the head nurse and said that he or she would like to dispense all the medication to all the patients on that hospital wing. I'm sure there would be great objections and the chief nurse would certainly say, what qualifications do you have as a teacher to think that you can administer medication here in my hospital. And quite frankly, the answer is, that a teacher has no qualifications for this. They are not trained in this area and they should not be required to do it. Ladies and Gentlemen of the House, too often we...we react to catastrophes in our districts. We have a fire that kills some kids and we pass a law then for safety regulations. We find abuses in nursing homes and so we pass new laws to safeguard our citizens in nursing homes. This is a situation, Ladies and Gentlemen, where we can prevent a catastrophe from happening. Do we have to have a child in this state die, or do we have to have a child in this state become permanently disabled, perhaps a vegetable and have the people in our district say, my goodness, you Representatives allow teachers to give out this potent medicine in schools? No, Ladies and Gentlemen, this is the time that we can do the right thing and head off a catastrophe in the State of Illinois by passing this legislation and allowing teachers to say, 'no', to passing

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out medication when they're not qualified. It deserves your support and I'd ask for a 'yes' vote."

Speaker McPike: "The question is, 'Shall Senate Bill 973 pass the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Brunsvold to explain his vote. No. Representative Satterthwaite, for what reason do you rise, you spoke in debate?"

Satterthwaite: "I would request a verification if this has more than the requisite number."

Speaker McPike: "Alright. Thank you. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 88 'ayes' and 20 'nos'. Representative Satterthwaite, do you persist? The Lady does not. On this Motion there are 88 'ayes' and 20 'nos'. And this Motion having received the required Three-Fifths Majority is adopted and Senate Bill 973 is hereby declared passed, the Veto of the Governor notwithstanding. Representative Jessie White. Senate Bill 1058."

White: "Out of the record."

Speaker McPike: "Mr. Turner. Art Turner. Senate Bill 1353, a Motion to override. Mr. White. Mr. White has returned. Mr. White would like to call his Bill. Senate Bill 1058, Mr. White. Mr. Turner, you're next. You're next. Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I move to override the Governor's veto of Senate Bill 1058. It's a simple Bill. All it does is that it provides that if a small employer decide that he is going to provide rehabilitative services for his employers that the institution that is to be used must not be required to have a surgical unit. That is the Bill. That is the gist of

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it. I move for its adoption."

Speaker McPike: "Alright, on the Gentleman's Motion, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must reluctantly rise in opposition to overriding the Governor's veto. As you're aware, I am the Sponsor of the Small Group Limited Mandate Health Insurance Plan that was passed last year in this General Assembly which the majority of you sponsored. Let me tell you that the content of this Bill is really not the issue. The issue is perception. Now we're not going to find too many small health insurance buyers going out in the marketplace and buying this program that is being presented by a number of insurance companies in the state, when we're going to turn around in every Session, whether it's the Veto Session or in the spring or the fall of next year, and start adding these mandates back. They're going to say, 'well, what's the sense of buying it?' This is not a limited mandate. It's just a progression of not passing these kinds of mandates on to the small businessmen and women. That's why the majority of you voted on this. You know, this Bill is not broken. This is a good concept. Claims are not being denied, and I would point out to you that claims are not being denied on this, and that this should be given time to work. I would ask reluctantly, but firmly, to sustain the Governor's Veto on this Bill. There is no problem. It is not broken. Let's not monkey around with this. Let's let it do its job. Let's see that it works, and give it some time. I would ask that you sustain the Governor's Veto on Senate Bill 1058."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I think that there are some, including the Governor, who are confused about what this

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Bill did. We certainly have debated at length in the past whether or not group health insurance plans should include certain kinds of medical care treatment, such as mamographys and the like. There have been those who have argued yes it should; if they're going to have a plan it should have these elements in it. There are those who have argued that we should not mandate that coverage. This has nothing to do with that issue, but I think somehow it's being cloaked in the terminology which leads people to believe that it is. What this has to do with, is where an employer elects to offer insurance coverage for rehabilitation and psychiatric treatment, where they have elected to do that, that they may not...they may not require that those seeking treatment seek it at a facility that has a surgical suite. There's no rational basis for discriminating among those fine institutions in Illinois which provide very, very high standards of rehabilitation for physical and psychiatric therapy, which just don't happen to have a surgical suite. In fact, there's very little relationship between a surgical suite and the need for one and these kind of rehabilitation services. So, all this Bill says is if an employer elects to provide this coverage that they may not discriminate among the fine facilities that provide those services. If this Veto stands, and this Bill does not pass, then such fine, outstanding institutions as the Rehabilitation Institute of Chicago, the Marion Joy Rehabilitation Center in Wheaton, the Schwab Rehabilitation Center in Chicago, and the Institute of Physical Medicine in Peoria will be arbitrarily and capriciously discriminated against when, in fact, the evidence is that these institutions provide every bit the level of care, and in fact, in many cases superior care to those hospitals that just happen to also have a

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surgical suite. So, the proper vote on this Motion is a 'yes' vote to override this ill-advised Veto of the Governor."

Speaker McPike: "Fine, and Mr. Lang on the Motion."

Lang: "Thank you, Mr. Speaker. I rise in support of the Motion to override, and I couldn't agree more with the last speaker. The issue here is not whether a mandate has been created by the Bill. Clearly, a mandate has not been created by the Bill. The issue is, who should be reimbursed. An employer choosing to have an insurance policy that covers for these services has already made that choice. He's not mandated to cover for these services. The issue is a blatant effort of discrimination to remove those that do not have surgical suites from this. You know, some years ago the podiatrists came down here with a problem, and their problem was, when a medical doctor took care of your feet in a certain way, he could be reimbursed by insurance, but when we did it, we could not be reimbursed by insurance. It's the same thing here. There's no difference. The issue here is who shall be reimbursed. The issue is not creating a new mandate. No new mandate is being created. But let's make sure that quality institutions, providing quality services are across the board reimbursed once the employer determines to include such type of coverage in their insurance policy. This will not create any new requirements for employers, but merely says that once the employer chooses to have this coverage, that all of these institutions that provide these services should be reimbursed through the insurance policy. So, I urge your vote to override on this Bill."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Marion Joy Rehabilitation Center is in my part

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of the state and offers to the people who really need physical therapy some of the finest services available. The things they do at the Marion Joy Rehabilitation Center are the next thing to miraculous. And to think that because they can provide those services so well and at a very reasonable cost, that somehow, they should be denied having insurance coverage for those services, simply because they do not have a surgical suite, and therefore, does not fall within the legal definition of a hospital, it just seems to me is very unfair if not in fact absurd. And, consequently, although I have the greatest respect for this Governor and will be very hesitant ever to arise and affirm a position to override one of his Vetoes, in this case, because of the extraordinary situation that is involved with the Marion Joy Rehabilitation Center, I do rise in support of this override Motion."

Speaker McPike: "Representative White to close."

White: "Mr. Speaker, Ladies and Gentlemen of the House. This is not a mandate. This does not require the employer to do anything. It does not cost him anything, because he's already committed himself to providing the insurance that is necessary. And based on that, all we're saying is that, allow the employee to select the facility of his choice and yet not be penalized, because the facility that he chooses does not have a surgical wing. And that's all we're talking about. A surgical wing, as opposed to a non-surgical wing, and for that explanation, I move for the adoption of the override of the Governor's Veto."

Speaker McPike: "The question is, 'Shall Senate Bill 1058 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 81 'ayes'

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and 34 'nos'. Mr. Levin, turn off your speak light, please. On this Motion, there are 81 'ayes' and 34 'nos', and Senate Bill 1058 having received the required Three-Fifths Majority is adopted, and Senate Bill 1058 is hereby declared passed, the Veto of the Governor notwithstanding. Mr. Levin, for what reason do you rise?"

Levin: "Mr. Speaker, I just wanted the record to reflect that I was inadvertently voted 'yes' on Senate Bill 644. I intended to vote 'no' on that Bill."

Speaker McPike: "Alright, the record will so reflect. Mr. Ropp."

Ropp: "Thank you Mr. Speaker. I was out of the chamber visiting with a constituent, and would the record kindly show that I would have voted 'no' on 1058 please?"

Speaker McPike: "Yes. The record will so reflect. Senate Bill 1353, Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I move that we override the Governor's Veto on Senate Bill 1353. And what this Bill does, is provide a 50% tuition waiver to children of employees of state supported universities and colleges and to provide for eligibility requirements for children seeking such waivers. It covers both academic and non-academic staff. This Bill passed the House by 94 to 17 votes. It was overridden in the Senate by 39 to 17 votes. The reasons why we need this Bill are...well, many of you know that there's...we have a hard time here in the state in terms of maintaining good university personnel here in the state, and we think this is an added incentive to keep that personnel operating in our state supported universities. In addition to that, it also helps provide for those faculty members both non-academic and academic who are underpaid. It helps provide some incentive for them to stay, because it helps relieve the burden in terms of trying to pay their tuition

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of their kids in various state universities. It's, actually, it's no cost to the state. In fact, there's...we have reason to believe what it will do is bring additional funds to the university, because there are open seats in those universities currently. Seats that are occupied by no students, and if you bring in the personnel...the students of personnel and the 50% tuition that they would pay, it would then bring additional funds to the university community, and so, I move for the override of the Veto on Senate Bill 1353."

Speaker McPike: "Alright, and on the Gentleman's Motion, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is one of the few opportunities we're going to have this year to give some benefits to people who are underpaid and who will not get an increase. They are 15% below the national average in salary. We don't have the money to give them an increase, so what we're doing here is giving them something that they can take home as some form of benefit so they can stay at our public universities in Illinois. What we have here is, a cost that is nominal at best, because it is being absorbed by each university if there are vacant seats in the classroom. They can take it, they can use it as...in terms of a personal benefit. It's going to help us hang on to the good faculty and good staff we need. Please help override this Veto."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I rise to attest the remarks of the previous speaker, relative to this override. Throughout, our appropriations, the Educations Appropriations Committee that was...we saw there was going to be great need...possible increases for the

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faculty, but the dollars were not there. This gives us a splendid opportunity to help. This has been before us over and over. We're now against the wall with these faculty members, their families, and I think we should do the right thing. This is not going to cost the dollars as projected by other parties in helping the Governor to decide to Veto this. This will be...absorbed by other income funds that they have available by accordingly to their own...compliment of admissions into their universities. I would ask for support of Senate Bill 1353 and this Motion to override."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, I...I really can't fault you for this Bill. I really can't zero in on any specific negatives that the Bill has. But I guess I would like to ask you a question. Given the fiscal problems that the state faces, would it not be possible for any state university if they wanted to do this, go to their governing body, be it the Board of Governors, the Board of Regents, or the Board of Trustees and offer this benefit to their professional staff or their employes as a bargainable issue?"

Turner: "Representative, I'm not going to say it's not possible. It certainly is possible, but we thought if we do it here in one fast sweep, we can eliminate each university trying to go through those steps and explain it. In some cases, this enlightened Body has a responsibility to do the right thing, and I think that we'd be doing the right thing for those university employees, and we, in fact, would be aiding the universities by doing...by the passage...by overriding this Veto."

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Black: "Have any of the governing bodies or any of the university chancellors or presidents asked you to pass this legislation?"

Turner: "I have not spoke to any of the university presidents or chancellors on this particular piece of legislation. In fact, it's actually university employees that have asked me to support this legislation. It's the janitor, it's the little guy, the little teacher, the professor that has asked me to support it, but not the presidents themselves. In fact, the presidents have talked about a much bigger issue, and that is that they need more monies period, and they've asked for an income tax increase to help support that cause."

Black: "Well, I can appreciate where you're coming from on the Bill, but do you stand by the statement you made earlier, that there is no cost, and will be no cost and no cost will accrue to the taxpayer through state funds if this Bill is enacted over the Governor's Veto."

Turner: "I do stand by my earlier statement that there will be no additional general fund expended in order for this Bill to be implemented."

Black: "Thank you Representative."

Speaker McPike: "And...Representative Munizzi."

Munizzi: "Thank you...no comment leader. Sorry, it's a mistake...take it off."

Speaker McPike: "Ms. Munizzi, are you finished?"

Munizzi: "Yes, thank you."

Speaker McPike: "Representative Hartke."

Hartke: "Will the Sponsor yield? Representative Turner, this tuition waiver is just to employees. Did I understand you, this would not apply to professors and teachers?"

Turner: "No, it would apply to both academic and non-academic personnel."

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Hartke: "Pardon?"

Turner: "Academic and non-academic personnel."

Hartke: "Okay. So, it would apply to all personnel at the various state universities."

Turner: "Right. Right."

Hartke: "Okay. I don't recall, but maybe it was mentioned sometime in debate when the Bill passed. How many children are we talking about that could possibly expect to receive this tuition waiver for their four years of college?"

Turner: "Could you repeat the question?"

Hartke: "Yes. How many children would this then apply to, have you got some idea on how many employees children would take advantage of this program to get the tuition waiver?"

Turner: "Representative, that's a hard question for me to answer because first of all, the ages of the university employees vary and there's really no set figure in terms of average number of children and then how many of them would go on to a state school."

Hartke: "Could you give me a wild guess?"

Turner: "No, I wouldn't care to venture..."

Hartke: "How many of these employees do we have?"

Turner: "Let me say this, that all of the state universities do in fact support this particular Bill. The University of Illinois would have a problem without this legislation because they have a set number of waivers that they have right now, and that there are more employees than there are waivers that they're able to give away. And this legislation would allow them the ability to do so. But in terms of the number of state employees, you know, I really can't tell you how many of them are in the higher education community, because we're only talking about those involved in the university and college community. I just don't know."

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Hartke: "In effect, what we're doing is then, if any employee of a say, university, has say three children, at some point in time probably two of the three will go to a state university. And what we're giving is a...I don't know, what is the tuition at the University of Chicago?"

Turner: "University of Illinois, you mean?"

Hartke: "Yes."

Turner: "Uh, I don't know. About 2,000...2,300 a year, let's say 2,300."

Hartke: "2,300 a year..."

Turner: "2,000 a semester, so 4,000 a year."

Hartke: "Well even at 2,000 a year...4 years, that's an \$8,000 bonus we're giving for that employee at some point in time during his 20 years, 30 years as an employee of the university. Is that not correct?"

Turner: "Well, first of all, it only applies to employees that have worked in the university system for seven years."

Hartke: "For seven years?"

Turner: "For seven years. So, everybody is not eligible right away. So, it's for those employees who have at least had seven years. So, that cuts the numbers considerably in terms of the number of people that would qualify."

Hartke: "Well, I...you know, I don't know if I have a problem with this or not. I know that that would be a wonderful plus or bonus to the state employees, but I disagree with you saying that it's not costing the State of Illinois anything. Simply because the University of Illinois, many students have problems paying the tuition, so then we're taking up that space in that classroom by someone who we're giving this tuition away to as opposed to someone who may be paying the tuition."

Turner: "But that's...you're rational would be right if the universities were full. There are empty seats in the

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classrooms right now. They don't have...it's not like the classrooms are running over. So, by you bringing in those additional students, if the tuition...if it's \$2,000 a year that we're giving say for an example, to an employee, or a child of an employee, we're now bringing in \$2,000 to the university that they would not have been getting in the past because that empty seat would not be occupied by anyone. So, we are now bringing additional monies to the university. But if you were...if the universities were full, you're premise would be right. But there are a lot of empty seats. The universities are not full."

Hartke: "The \$2,000 you're talking about, is that the 50% of the tuition waiver? Is the tuition 4,000 or is it 2,000 and the waiver would be then half of that which would be \$1,000?"

Turner: "Well, he's saying a thousand each semester. Right, it's 50% of the tuition."

Hartke: "Regardless of what the tuition would be...whether it be..."

Turner: "Right."

Hartke: "Does this apply to the medical schools as well?"

Turner: "Medical schools?"

Hartke: "Yes, the University of Illinois Medical School."

Turner: "Undergraduate schools only."

Hartke: "Undergraduate schools only."

Turner: "And the tuition is much cheaper for undergrad schools."

Hartke: "Okay. Thank you very much, Representative."

Turner: "And Representative, I want to remind you that you in fact did support us on this Bill the first time around...and we're looking forward to that again."

Speaker McPike: "Representative Ropp. Mr. Ropp, you're on."

Ropp: "Thank you, Mr. Speaker, Members of the House. I can see a few years ago, I was not in support of this when in fact,

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from time to time, we were giving higher education additional dollars. But, because I really felt that what we needed to do was to provide funds for all the employees across the board in some kind of merit fashion. But what we have done in the last couple of years, is to really not have additional dollars for across the board salary increases for people in higher education. And even though some groups, like the Board of Regents, have a policy that will allow a certain percentage, not all even, but a certain percentage of people to take advantage of this program. To me, if it's a program that's worth while, it ought to be made available to everybody that would qualify, that meets the standards. And I think what we're attempting to do here, is to say that for these couple of years when we've been tight on funds, this is a way that we can give some faculty member an attempt give them some appreciation for their teaching, by allowing their sons or daughters, after they have been on the faculty or in the workforce for at least seven years. It seemed to me a fair approach, one that I don't think is going to cost the state very much money, if any additional general revenue dollars, and one that I think is a good faith gesture, even though it does not apply to everybody. And so, I think there is a certain group of people that will only be able to take advantage of this, I think that's good for them, but not necessarily good for all of them. But at least it's helping a few who do deserve some modest increase, and that's why I'm voting to override at this particular time."

Speaker McPike: "Mr. Turner to close."

Turner: "Thank you, Mr. Speaker. I think this issue has been debated. I just want to clarify again that if you keep in mind that average tuition at the state universities is about \$2,000 a year. We're talking about a reimbursement

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or 50% break to those parents which means that they would be paying \$1,000. The universities are not running over at the seams in terms of student population. There is a number of vacant seats in those universities. It my contention that this will not cost, or will not take any additional funds from the general fund so that this is actually a revenue neutral Bill. It will be an enhancement to keep university employees and university personnel in this state, and I ask the support of the entire Body in overriding the Governor's Veto on Senate Bill 1353."

Speaker McPike: "The question is 'Shall Senate Bill 1353 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. In the event this reaches the statutory required minimum vote, I request a verification."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 72 'ayes' and 41 'nos'. Representative Wennlund has asked for a verification. Mr. Clerk, a Poll of those not voting. Representative Matijevich would like to be verified Mr. Wennlund. Proceed Mr. Clerk."

Clerk O'Brien: "A Poll of those not voting. Brunsvold. Capparelli and Giglio. No further."

Speaker McPike: "Proceed with a Poll of the Affirmative Mr. Clerk. Representative Young, Representative Lang, Representative Kulas would like to be verified Alright, proceed."

Clerk O'Brien: "Balanoff. Burke. Conkling. Curran. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giorgi. Granberg. Hannig. Hartke. Hasara. J. Hoffman. Homer. Johnson. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore.

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Levin. Marinaro. Martinez. Matijevich. Mautino.
McAfee. McGann. McGuire. McNamara. McPike. Morrow.
Munizzi. Nolan. Novak. Obrzut. Phelan. Phelps.
Preston. Rice. Richmond. Ronan. Ropp. Rotello.
Saltsman. Santiago. Satterthwaite. Schakowsky.
Schoenberg. Shaw. Steczo. Steppan."

Speaker McPike: "Mr. McGuire would like to be verified. Proceed.
And Mr. Hartke. Mr. Hartke, alright. Proceed."

Clerk O'Brien: "Steczko. Stepan. Stern. Trotter. Turner.
Walsh. Weaver. White. Williams. Wolf. Woolard.
Anthony Young. Wyvetter Younge, and Mr. Speaker."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Representative Santiago?"

Speaker McPike: "Mr. Santiago. Mr. Santiago here? Mr. Santiago
is not here. Remove him from the Roll. Representative
Balanoff would like to be verified Mr. Wennlund.
Balan...alright, proceed. Any more?"

Wennlund: "Yes. Representative McAfee?"

Speaker McPike: "McAfee. Mr. McAfee. Where is...he's here.
He's here."

Wennlund: "Representative Flowers?"

Speaker McPike: "Representative Flowers is here. Representative
Bugielski changes from 'present' to 'aye'."

Wennlund: "Representative Hicks?"

Speaker McPike: "Mr. Bugielski from 'present' to 'aye'. Mr.
Hicks is voting 'no'."

Wennlund: "Representative Phelan?"

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

Wennlund: "Representative Burke?"

Speaker McPike: "Mr. Burke. Mr. Burke. There he is. He's
here."

Wennlund: "Representative Ronan?"

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Speaker McPike: "Mr. Ronan is here."

Wennlund: "Representative Keane?"

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

Wennlund: "Representative Lou Jones?"

Speaker McPike: "She's here."

Wennlund: "Representative J. Hoffman?"

Speaker McPike: "J. Hoffman. Mr. Hoffman. He's here. Mr. Keane has returned. Mr. Keane has returned. Return him as an 'aye' vote."

Wennlund: "Nothing further."

Speaker McPike: "Mr. Giglio, you're not voted. How did you wish to vote? Mr. Giglio votes 'aye'. Mr. Wennlund, was that it? On this Motion, there are 72 'ayes' and 41 'nos'. Santiago votes 'aye'. On this Motion, there are 73 'ayes' and 41 'nos', and this Motion having received the required Three-Fifths Majority is adopted. Senate Bill 1353 is hereby declared passed, the Veto of the Governor notwithstanding. Giglio in the Chair."

Speaker Giglio: "On the Order of Motions, page 5 of the Calendar appears House Bill 104, Representative Homer. Is Representative Homer in the chamber? Out of the record Mr. Clerk. House Bill 406, Representative Williams. Representative Paul Williams, House Bill 406...Motion, page 5 of the Calendar."

Williams: "I'd like to move to suspend the rules and take..."

Speaker Giglio: "The Gentleman moves to purse to Rule 74(a) and move to take from the table, suspend 79(c) and place on the order of Conference Committee Report. Is that the Motion? Does the Gentleman have leave? Representative Black."

Black: "Well, thank you very much, Mr. Speaker. The Gentleman might have leave if he just would enlighten me as to what plans he might have for his momentous piece of legislation

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at this late hour."

Speaker Giglio: "Representative Williams, did you hear Representative Black's request?"

Williams: "Representative Black, I am finding that out right at this minute. Could we take this out of the record for a moment while I do a little investigation?"

Black: "I certainly will second that idea. Thank you."

Speaker Giglio: "Take the Bill out of the record Mr. Clerk. Alright, we'll back up to House Bill 104, Representative Homer."

Homer: "Thank you, Mr. Speaker. I...pursuant to Rule 74(a), I move to take from the table and suspend Rule 79(e) and place on the Order of Conference Committee Reports. I've cleared this through Representative Black when we were here a week ago, and I would at this time make the Motion."

Speaker Giglio: "Representative Black."

Black: "Yes, Mr. Speaker. Again, I would object to the Gentleman's Motion until we can have some indication, our staff could have some indication of what the Bill...what the Sponsor intends to do with the Bill. It begins to look as if this might become a Christmas tree, and all we'd like to know is how many lights and how many ornaments and so forth and so on. And if we could just check back and forth and communicate with each other, I mean I don't want to get up and object to every one of these Bills, and don't intend to. But, but this is one we have no idea where the Sponsor would like to go with this Bill. So, we would object at this point."

Homer: "Mr. Speaker, with all due respect, Representative Black, I'm sure he's forgotten that we had that conversation last week. We just didn't get to it last week, and he agreed to allow us to make this Motion. We spoke about the Bill at that time."

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Speaker Giglio: "Representative Homer."

Homer: "I would again renew my Motion. I've spoken with Representative Black and the Republican staff, and it's my understanding that they have no opposition to the Motion."

Speaker Giglio: "Hearing the Gentleman's Motion, does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. On the next order appears House Bill 513, Representative Caparelli. Representative Ralph Capparelli, House Bill 513. Do you want to move this? Out of the record. Representative McAfee, House Bill 822."

McAfee: "Mr. Speaker, pursuant to Rule 74(a), I'd like to move to take from the table House Bill 822, and place it on Interim Study before the Housing Committee."

Speaker Giglio: "Alright, the Gentleman asked leave to take this Bill and put it in the Housing Committee. Is that correct Representative McAfee? In Interim Study. Any discussion? Hearing none, leave is granted by the Attendance Roll Call. Representative Preston on House Bill 1545."

Preston: "I move to do whatever on this one...whatever you're supposed to do."

Speaker Giglio: "Representative Preston moves pursuant to rule 74(a)...he moves to take from the table and suspend Rule 79(e), and place on the Order of Conference Committee Reports. Does the Gentleman have leave? Representative Black."

Black: "Thank you very much, Mr. Speaker. Just again, if the Sponsor could tell us what he intends. He had a very interesting Bill a week ago. It involved some major changes to tort immunity, which I thought was just a brilliant Bill that he later took from the record. I just wanted to make sure I knew what his plans are with 1545."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker. The plans with 1545...there is

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a Conference Committee Report that apparently there's been an agreement on this Bill, and there's a Conference Committee Report that is in the process of being circulated or will be as soon as this Motion passes. And my understanding that there's an agreement by all the disparate parties on the issue."

Black: "Will the Department be a party to that negotiation?"

Preston: "I'm sorry..."

Black: "Will the Department...have they been a party to these on going negotiations?"

Preston: "I couldn't answer that for you. I don't know. Linda Lancaster is standing there, as she always is, on your side of the aisle and a fine addition, I might add, to your side of the aisle. But I honestly don't know, but I know that negotiations with most of the parties are going on. That's all I can tell you. So, there's a Conference Committee Report that, my understanding is, has been agreed to regarding the licensing care for HIV infected individuals."

Black: "What are we negotiating on? What's the..."

Preston: "I don't know that DCFS is so intimately involved in this to start with. I don't know this is an issue they care much about. I won't even go on to it. Anyway, this has to do with the licensing of facilities that provide care to AIDS and HIV positive individuals that right now are under the licensing provisions of the Nursing Home Care Act, and this changes...there's, as far as I know, there's no known opposition to this Bill. It's supported by the Catholic Conference, by Bonaventure House, by Chicago House, by Jewish Federation, by the AIDS Foundation of Chicago, and the Department of Public Health signed off on this. DCFS, I can't answer for. This has nothing to do with DCFS..."

Black: "I was going to say, you might ask your staffer there, is

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the AIDS Nursing Home question that we've been talking about?"

Preston: "Yes. This applies to Chicago only. Yes."

Black: "Alright. Okay. Fine."

Speaker Giglio: "Representative Preston. You heard the Gentleman's Motion. Any further discussion? Hearing none, does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Morrow, House Bill 2666. Is the Gentleman in the chamber? Out of the record Mr. Clerk. On page six of the Calendar under Motions, appears Senate Bill 86, Representative Currie. The Lady from Cook, Representative Currie, Senate Bill 86."

Currie: "Thank you, Mr. Speaker, Members of the House. I move to suspend Rule 79(c) and put Senate Bill 86 on the Order of Conference Committee Reports. The point of the Bill is to try to use it in the event that there is general agreement on changes in the requirements for filing economic disclosure reports."

Speaker Giglio: "Any discussion? Representative Black. Hearing none, the question is, 'Shall the Lady's Motion prevail?' Hearing none, by the Attendance Roll Call, the Lady's Motion prevails. Representative Morrow, are you ready? House Bill 2666, Mr. Clerk. Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Pursuant to Rule 77(a), I move to discharge executive from further consideration and advance to the Order of Second Reading."

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

Black: "Thank you very much, Mr. Speaker. I would rise in objection unless the Gentleman can clarify his intent, and what he intends to do with this piece of legislation."

Speaker Giglio: "Representative Morrow."

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Morrow: "I...Representative Black, can you hold up we'll I find out what my intent is?"

Black: "I'm sorry."

Morrow: "Representative Black, I have been told that what we are trying to accomplish here is to allow the state the authority to spend general revenue funds for energy assistance, and that's the sole intent."

Black: "I appreciate your answer and your honesty Representative. To the Motion, Mr. Speaker."

Speaker Giglio: "Proceed. Proceed."

Black: "I don't know that there are any general revenue funds for anything. I wish there were, and since the word general revenue funds was indicated, no matter how good the cause at this point, when we're looking at a \$500 million short fall in the budget, I object to the Gentleman's Motion."

Speaker Giglio: "Representative Levin."

Levin: "Mr. Speaker, I rise in support of the Gentleman's Motion. This does not obligate the state to spend \$1 without an appropriation. It simply puts back into the statute the authority to use general revenue funds if we pass an appropriation. In the last few days, we have seen six people who have died in the cold in the City of Chicago. We have seen people downstate die in the cold in the other parts of this state. This legislation provides the humane response. At least, puts us in a position where if we get some money, we can appropriate it. Without this legislation, we cannot, don't even have the authority to appropriate general revenue funds to prevent further deaths. And we're going to see a lot of deaths this winter because of the cuts in this program. I urge an 'aye' vote on the Gentleman's Motion."

Speaker Giglio: "Representative Morrow to close."

Morrow: "Thank you, Mr. Speaker. Representative Black, I think

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the words of Representative Levin puts this issue right on the head. All that we're doing here is we're trying to authorize or allow if there is money there that we can utilize that money to make sure that people are warm this winter and have light and gas. Thank you very much."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker, I...this was under consideration in the Senate and just recently failed. An inquiry of the Chair, I believe the Gentleman's Motion only requires 60 votes correct?"

Speaker Giglio: "That's correct."

Black: "Well, I can't quarrel with the Gentleman's intent, what he's trying to do. I'll reserve some comments until he brings it back with the dollars in place, because he certainly has the votes to discharge. I rise and object...to object, and I would ask Members on my side of the aisle to vote 'no' or 'present'."

Speaker Giglio: "Alright, you heard the Gentleman's Motion. All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This issue takes 60 votes. This is a Motion to discharge. 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 70 voting 'yes', 40 voting 'no', and 3 voting 'present', and the Motion prevails. Representative Preston on Senate Bill 250. Out of the record. Representative Preston. Alright, Representative Preston on Senate Bill 250."

Preston: "Mr. Speaker, I move to take Senate Bill 250 from the table to suspend the appropriate rules and to take Senate Bill 250 from the table Mr. Speaker."

Speaker Giglio: "The Gentleman wants to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Does the Gentleman have leave? Representative Black."

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Black: "No. Mr. Speaker, I rise to object. I believe this Motion takes 71 votes. It has something to do with Cook County Judges, and I don't know where the money is going to come from. We haven't talked about it. I object."

Preston: "Mr. Speaker, this Bill...my understanding is this Motion takes 60 votes not 71 votes."

Speaker Giglio: "The Parliamentarian informs the Chair, Representative Black, that the Motion takes 60."

Black: "If the Parliamentarian would be kind enough to enlighten me, on page 37 of the rules book, Rule 79(e) only takes 60 votes, as always, I will defer to his seniority, his experience, his expertise, his intelligence, but in this case, I'm not sure that this only takes 60 votes."

Speaker Giglio: "The Parliamentarian informs the Chair, Representative Black, that the...this is a Senate Bill, and Senate Bills take 60 votes. They're not tabled."

Black: "His Motion is not to take from the table...and suspend. It's only to suspend 79(e)?"

Speaker Giglio: "That's correct."

Black: "Well again, I defer. I should know better than to get into an argument with a man of the expertise of our Parliamentarian, and I certainly, as always, defer to his judgement."

Speaker Giglio: "Oh, I thought you were talking about me, the plumber."

Black: "Well, I...you know the respect I have for plumbers Mr. Speaker. I'm on record as saying that."

Speaker Giglio: "Alright, the Gentleman objects. All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is a Motion to suspend Rule 79(e) on Senate Bill 250. 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 70 voting 'yes' and 45

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voting 'no', and the Gentleman's Motion prevails. Representative Kubik, do you want to move on Senate Bill 257 to suspend Rule 79(e) and place on the Order of Conference Committee Reports? Representative Kubik moves to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Any discussion? Hearing none, by the Attendance Roll Call, the Gentleman's Motion carries. Senate Bill 264, Representative Hoffman."

Hoffman: "I move to suspend Rule 79(e) and place on the Order of Conference Committee Reports for Senate Bill 264."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative this has a provision in it dealing with ski ball. Is it your intent that we...is this going to be Lake Michigan's ski ball or riverboat ski ball or just winter ski ball? I...where are you headed with ski ball here?"

Hoffman: "It's my understanding that people probably wouldn't want to...it would make ski ball not a gambling machine, and I don't think we want to arrest my four year old when she goes to Showbiz Pizza and gets redemption tickets to turn them in for Chuckie Cheese Buttons."

Black: "You mean, you mean there's no revenue from ski ball that will accrue to the state?"

Hoffman: "We haven't found a way to do that yet."

Black: "...Surely you can bail out common school fund or something, but it's your intent then just to clear up some confusion on the definition of ski ball?"

Hoffman: "Yes, as well as other things that we discussed."

Black: "Other things that we have discussed. Okay, fine. Thank you."

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Speaker Giglio: "Any further discussion? Alright, the question is 'Shall...Representative Motion to suspend Rule 79(e) and place on the Order of Conference Committee Report?' And on that, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. Sixty votes are required. Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question, there are 97 voting 'yes' and 7 voting 'no', and the Gentleman's Motion carries. Representative Hicks. Representative Hicks, Senate Bill 326. Page six of the Calendar, Motion to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Any discussion? All those in favor...Representative Black."

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

Speaker Giglio: "Proceed."

Black: "Representative is this going to be used JCAR?"

Hicks: "Absolutely."

Black: "In that case, I rise to support you in this fine piece of work."

Speaker Giglio: "Further discussion? Hearing none...hearing none, the Attendance Roll Call shall be used. The Gentleman's Motion prevails. Senate Bill 511, Representative Giorgi. Senate Bill 511. Out of the record. Representative Currie. Barbara Currie, Senate Bill 630. The Lady moves to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Thank you. Representative, is it your intent to use this Bill as a vehicle for a local income tax option."

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Currie: "Representative Black, I don't know what plans there are for this Bill, it turned up on this list in a conversation with Senator Rigney this morning and other people involved in revenue work in both the House and the Senate. I...it seems that there are some revenue things that are going on with...between Senator Luft and others, and so I really cannot answer your question at this time."

Black: "And I appreciate that, and I thank you for your time and your patience. Mr. Speaker, to the Bill, it's late...in a matter of two days, a day and a half, for all practical purposes, the Veto Session is over. I'm not sure that the majority of you in this chamber want an income tax vehicle out there, without benefit of hearing, without benefit of some input from back home. I object to the Motion. I don't think the Bill is necessary or needed at this point in time. I would object and ask the appropriate Roll Call be taken."

Speaker Giglio: "You heard the Gentleman's Motion...or the Lady's Motion. All 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 53 voting 'yes' and 53 voting 'no', and the Lady's Motion fails. Representative Rice, Senate Bill 703. Out of the record. Representative Currie on Senate Bill 744."

Currie: "Thank you, Mr. Speaker. I move to suspend, if I can find the Bill. Rule 74(e). I move to take this Bill from the table and move to advance the Bill to Second Reading without reference to committee and place it on the order of Second Reading, second legislative day. For Mr. Black, this Bill in fact is not mine, but somehow the Motion turned up under my name. It's my understanding that this is intended to be used for some clean up language requested

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by the Governor with respect to pension legislation that is currently on his desk."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I...an inquiry of the Chair, there are more rule changes in this thing than I can keep track of, but 74(a), 33(b), 37(g), 79(e)...an inquiry of the Chair, somewhere in here it takes 71 votes, I believe, to move this under this extremely complicated Motion."

Currie: "Yes. Yes."

Speaker Giglio: "That's correct, 71 votes."

Black: "Alright, thank you. To the Lady's Motion, if the Governor has asked for this Bill to be moved for some language, we're not aware of that. Now, if that's a case of failure of communication, I will apologize to the Sponsor and she can move it tomorrow or whatever. But, in the absence of any correspondence or communication that I have, that the Governor indeed wants this, I object to the Motion, and would ask that I be joined by my colleagues on this side of the aisle. This is not an issue that you want floating around at the last hours of the Session, unless it is agreed to. And if it is, my apologize, but I simply don't have that information or that communication from the Governor. So, I object to the Lady's Motion."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker. I feel a little sorry for you Representative Black. I'm sure it isn't your fault. I was trying to do the Governor a favor, but obviously he didn't make it clear to you that he wanted this favor done. So, while I was prepared to what I could, the fact is, you're not able to do what he might have wanted you to do. And so, at this time Mr. Speaker, I would ask leave to withdraw this Motion."

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Speaker Giglio: "The Lady withdraws the Motion. Representative Matijeovich."

Matijeovich: "Mr. Speaker, I would move that the rule...posting rule for the following Bills be waived, and the rule whereby a committee cannot meet while we're in Session be waived, so that these Bills may be heard in Rules Committee meeting immediately in the the conference room...the Speaker's conference room. Senate Bill 424, Senate Bill 778, Senate Bill 998, Senate Bill 1033, and I'm sure Representative Black is totally supportive of this, as he says..."

Speaker Giglio: "Representative Black."

Black: "Mr. Speaker, if the Gentleman would be so kind as to bear with me, I think we'd like to divide the question on this, if we could. There are two of these Bills, I think, that are definitely agreed to and two currently under heated discussion about three feet behind me."

Matijeovich: "Which two are you for?"

Black: "Well, 998 is an outstanding piece of legislation, and let me check on the other one, my memory isn't what it used to be. 998 and 778."

Matijeovich: "Alright. Then we'll go with Senate Bill 424 first, cause I know the votes are here and I don't want to waste too much time. So, we'll divide the question, and I move the issue on Senate Bill 424, and they're opposed. So, I would ask for your favorable vote on this side of the aisle, cause I hear we have 71 votes. How's that Bill?"

Speaker Giglio: "Representative Black."

Black: "I...you know I wake up in the middle of the night in a cold sweat fearing some day that I'm going to have to be across the negotiating table with Representative Matijeovich, I'll tell ya. The Gentleman drives a hard bargain. I think we agree on two. We'll just agree to

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disagree on the other two, and I'll ask my Members to vote 'no' or 'present' on his two, and maybe he'll be kind enough to accept our 'aye' votes on the other two. I don't know. We'll see what happens."

Matijevich: "Alright. Appreciate an 'aye' vote. Appreciate an 'aye' vote, Mr. Speaker. This one's on 424."

Speaker Giglio: "424, the Gentleman moves pursuant to Rule 74 to take from the table and suspend Rule 20, 37(g), 79(e) and place on the Order of Third Reading. Senate Bill 424. All those in favor signify by voting 'aye', opposed 'no'. The voting is open. Have all voted...Representative McNamara."

McNamara: "Yes, Mr. Speaker. Just in case I missed the explanation as to what Senate Bill 424 was, if somebody could explain their vote and let us know a little bit about this Bill, I'd appreciate it."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, these Bills...there aren't many Senate Bills around and there are some possibilities in the next day or two that Bills may have to be amended with regards to education and state government. So, these are vehicles. So, this isn't a final vote. This is just so we can exempt these Bills in a Rules Committee and exempting...waiving the rule so that we can meet. That's all. Trust me...you know, that's all I...trust me. You know, if there's something that's a problem later, you know, these are vehicles."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Rice."

Rice: "703 is in there?"

Speaker Giglio: "Matijevich."

Matijevich: "Mr. Speaker, this is totally against the rules, and I never like to do this. But I understand that Bill Black in his negotiating spirit has said if he had five minutes,

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we very well could agree on everything. So, with leave of the House, could we take this out of the record and give Black five minutes, and then I think we'll come back and agree to the whole thing. Thank you, Bill."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? Hearing none, leave is granted. Take the Bill out of the record Mr. Clerk. Senate Bill 744, Representative Currie."

Currie: "Thank you, Mr. Speaker. I'm prepared to renew the complex Motion that I made a short time ago. It does require 71 votes, and I believe the channels of communication have been opened between the second floor and the third on both the Republican and Democratic sides of the aisle."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. As I said in earlier debate, I do apologize to the Sponsor. She is correct. Even the best telecommunication system sometimes has a slight break down or pause. This is some language that the Governor's staff is very interested in. They are working on it as we speak. I rise to support the Sponsor's Motion."

Speaker Giglio: "The Lady's Motion is pursuant to rule 74(a). She moves to take from the table pursuant to Rule 33(b) and move to advance the Bill to Second Reading without reference to committee and suspend Rule 37(g) and 79(e) and place on the Order of Second Reading, Second Legislative Day. Representative Mulcahey."

Mulcahey: "Question of the Sponsor Mr. Speaker. Representative Currie, what are the contents of the Motion? I know the contents of the Motion, what's the contents of Senate Bill 744?"

Currie: "I haven't seen the specific changes recommended or

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requested by the Governor."

Mulcahey: "So, nobody's seen 744 with the recommendations as suggested by the Governor, and we're just going to go ahead and run with it even though nobody knows what it's all about."

Currie: "Right. It was our effort...apparently there were some technical problems in the Bill that is on his desk, and he is going to request of us some technical changes using this Bill as the vehicle. There will be plenty of opportunity for all us to look at those specific proposals when we see them. As I understand it, the language is not yet down pat."

Mulcahey: "Okay. So, we got a vehicle Bill here."

Speaker Giglio: "Further discussion? Hearing none, Representative Black."

Black: "Thank you very much, Mr. Speaker. It's my understanding that the underlying Bill, and I think Representative...asked a very good question...will be used for some on going pension discussion, if that might shed some light on it. So, it's something that our side of the aisle has been asked to support, and I do apologize for having delayed the Lady. That obviously was a sound Motion to begin with."

Speaker Giglio: "Representative McNamara."

McNamara: "Yes, just a question. Does this mean that Representative Black is now apologizing because the Governor did not communicate with him? Thank you very much, for your affirmative answer."

Speaker Giglio: "You heard the Lady's Motion. Does the Lady have leave by the Attendance Roll Call? Hearing none, leave is granted, and the Motion prevails. Senate Bill 841, Representative Woolard. Is Representative Woolard in the chamber? Out of the record. Representative Steczo, Senate

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Bill 922. Representative Steczo. The Gentleman moves to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Does the Gentleman have leave? Representative Black."

Black: "Thank you very much, Mr. Speaker. I think the Sponsor, whose integrity is well known in this chamber, but anytime you see a back door referendum attached to a Bill, I think we need a little explanation. This is a rather lengthy Bill, and I don't know whether the title on the board is anywhere near accurate, but if it has some back door referendum provisions, perhaps the Sponsor could enlighten us as to just what he intends to do with this legislation."

Speaker Giglio: "Representative Steczo."

Steczko: "Mr. Speaker, what was the question? I'm sorry, I missed that."

Speaker Giglio: "He wants you to explain what the referendum is going to do or what it pertains to. Representative..."

Steczko: "Well this...the provisions in this original Bill, Representative Black..."

Black: "Excuse me, Mr. Speaker."

Speaker Giglio: "Proceed."

Black: "Representative, is this...this has the agreed language on...with the Home Builders and..."

Steczko: "That's correct."

Black: "Some things you've been working on for a considerable period of time."

Steczko: "That's correct. It has...954, the language in the Home Builders and a few other things. All noncontroversial."

Black: "Alright. Well, we might not agree exactly on that terminology, but we have no objection."

Speaker Giglio: "Alright, you heard the Gentleman's Motion. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted, and the Motion prevails."

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Representative Kulas. Representative Kulas in the chamber? Myron Kulas on Senate Bill 923. Out of the Record. Representative Preston on Senate Bill 934. Out of the record. Representative Steczko on Senate Bill 972. The Gentleman moves to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Any discussion? Hearing none, the Gentleman asks leave by the Attendance Roll Call. Hearing no objection, leave is granted, and the Gentleman's Motion carries. Representative DeLeo on Senate Bill 1042. Representative DeLeo in the chamber? Out of the record. Representative Hannig, Senate Bill 1071. Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I move to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Before we adjourned in the July Sessions, we did appoint a Conference Committee from the House, but unfortunately, none was appointed from the Senate. At this time, I think they're ready to proceed, and I'd ask that we suspend the rule and move forward with this Bill."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I rise in objection to the Gentleman's Motion. I think this is...this basically is the same language on a Bill that's already been moved out. I think it was 2666 or something like that. I don't know why we'd want to move a Bill that for all practical purposes is identical. I just rise in objection to the Gentleman's Motion."

Speaker Giglio: "Representative Hannig to close."

Hannig: "Yes, well, thank you, Mr. Speaker. I'd just like to move the Bill to Conference Committee at this point. Obviously, when it comes back if it can get six signatures, each and everyone of us would have a chance to examine the

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Bill and vote 'yes' or 'no' at that time. And I certainly would respect anyone's position opposed to a Bill on Third Reading, but at this point, I'd just like it to Conference Committee, and I'd ask for your 'yes' vote."

Speaker Giglio: "Alright. All those in favor of the Gentleman's Motion 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 74 'yes' and 36 'nos', and the Gentleman's Motion prevails. Representative Matijevich."

Matijevich: "After this is taken care of, then I want to be recognized. Oh, alright. Mr. Speaker, I understand...I understand Bill Black after his five minute recess now agrees to Senate Bill 424, Senate Bill 998, and Senate Bill 1033, and I would ask leave and Attendance Roll Call that the posting notice on those Bills be waived, and the rule whereby a committee cannot meet while the House is in Session be waived so that those Bills can be heard immediately in the House Rules Committee, and then we'll have a Roll Call on the other Bill. So, I would ask leave."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. Representative Matijevich."

Matijevich: "Yes, thank you. And, now I would ask...or move that the posting notice on Senate Bill 778 be waived, and the rule whereby a committee cannot meet while the House is in Session so that Senate Bill 778 may be heard in the House Rules Committee immediately."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, by the Attendance Roll Call leave is granted."

Matijevich: "Thank you."

Speaker Giglio: "Representative Saltsman on Senate Bill 1073.

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Out of the record. Representative Kulas on 1231.
Gentleman from Cook, Representative Kulas."

Kulas: "Yes, thank you, Mr. Speaker. I would move to suspend Rule 79(e) and place Senate Bill 1231 on the Order of Conference Committee Reports. This is a Bill dealing with...for clarification of land use at regional airports for commercial and recreational activities, and I would move to suspend the rule."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Mr. Speaker, I reluctantly rise to object to the Gentleman's Motion. There's some...believe me there's some pieces of this Bill that folks on either side of the aisle don't want. Now, I defer to Mr. Kulas' ability to round up votes, but I have to object to this. And there are pieces of this Bill that I don't think we need nor do we want to deal with in the two few days. So, I would object and ask for the appropriate Roll Call."

Speaker Giglio: "Representative Kulas."

Kulas: "Mr. Speaker, there is nothing in this Bill. It's a Shell Bill, and all we're trying to put in there is a clarification of land use for airport authorities. That's all we're trying to do on this Bill, and I would ask for a favorable Roll Call."

Speaker Giglio: "Representative Balanoff."

Balanoff: "Just a question that...does this include anything to do with the idea of a Lake Calumet airport on the southeast side of Chicago?"

Kulas: "No, Mr. Balanoff. This deals with legislation which is needed by three airports presently, which is Springfield, Rockford, and DuPage."

Balanoff: "Thank you."

Speaker Giglio: "Alright, you heard the Gentleman's Motion. All those in favor, signify by voting 'aye', opposed 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question, there are 79 voting 'yes' and 35 voting 'no', and the Gentleman's Motion prevails. Committee Reports."

Clerk Leone: "The Committee on Rules has met, and pursuant to Rule 29(c) paragraph 3 the following Bills have been ruled exempt on November 6, 1991: Senate Bills 424, 778, 998, and 1033, signed Representative Matijevich, Chairman."

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

Currie: "Thank you, Mr. Speaker. I move to suspend Rule 79(c) and put this Bill on the Order of Conference Committee Reports. It would be used for at least two items that I know about. One is a...putting in a substantive Bill that was passed by the Legislature and Amendatorily Vetoed by the Governor. The Amendatory Veto fell on the noncompliance list and this would be used to incorporate the Governor's changes in that original Bill. Secondly, there is a need to extend the deadline on a Bill that we passed and that was signed by the Governor this spring, Senate Bill 1349. There's a reporting requirement that will need to be changed. There may be others."

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

Wennlund: "Thank you, Mr. Speaker. I rise to object to the Representative's Motion. It appears that what this is, is the Circuit Breaker Pharmaceutical Assistance revisions. This appears to be a vehicle for the noncompliance Amendatory Veto of House Bill 673. And what it does is, it appears to prospectively eliminate the deduction for enterprise zone dividends paid by corporations. And that has been defeated twice on this House floor by all the Members. It defeats the very purpose for having enterprise zones in the first instance, and it's a false promise. We

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told these corporations who located in enterprise zones that they would have this tax advantage, and now you're yanking it from them. That's the whole purpose of an enterprise zone, is to create jobs in Illinois, and if we're going to tell our corporations that here are the advantages to locating and building in an enterprise zone to create jobs in Illinois, and then we turn around and yank away the very promise we made to them to induce them to locate in an enterprise zone and keep the jobs in Illinois. And that's the basis for the objection."

Speaker Giglio: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker. Just to correct the former speaker, what failed on this House floor was an effort to override the Governor's Veto of House Bill 673. The proposal for Senate Bill 1345 would not be the original language of the Bill, which the Gentleman is quite right, this House refused to override but to incorporate the Governor's Amendatory changes in that Bill, and give the Governor's Amendment, as well as the original House proposal a chance. So, it is not a re-do of the issue you describe. You are right, that issue failed. There would be no attempt to revive the Bill in its initial form in Senate Bill 1345."

Speaker Giglio: "Alright, the question is, 'Shall the Lady's Motion carry?' All those in favor, signify by voting 'aye', opposed 'no'. The voting is open. Representative Wennlund."

Wennlund: "I...Mr. Speaker, if you could just take this out of the record for a couple of minutes, I think we may be able to straighten this out."

Speaker Giglio: "Representative Currie, you still want this Bill in the record, or do you want to take it out? Do you want this Bill out of the record, or do you want to proceed with

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the Roll Call? It got 90 votes. Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question, there are 95 'yes' and 9 voting 'no', and the Lady's Motion prevails. Representative Brunsvold on 1410. Out of the record. Representative Matijevich on 1455."

Matijevich: "Speaker, I would move to suspend Rule 79(e) and place on the Order of Conference Committee Reports, Senate Bill 1455. Senate Bill 1455 is a necessary vehicle. Every ten years when we redistrict, they have to determine, by law, the Senate term schedule. In other words, what Senators the procedure of running for a two year term or a four year term, two, two, four, etc. So, this Bill would be used for that purpose. I would appreciate your support."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, a question of the Sponsor if I might. Is...my understanding that is that this is the vehicle for the Senate lottery and that's all?"

Matijevich: "Well, it could be by lottery. I understand if the Senate right now, may have an agreement by...they may do it by districts. They're trying to work that out now, but it's going to be by agreement, Republican and Democrat in the Senate. They're either going to do it by lottery or by district numbers, but they have to have a vehicle to do that."

Wennlund: "That's the sole purpose?"

Matijevich: "Yep."

Wennlund: "Correct. Thank you. We have no problem."

Speaker Giglio: "You hear the Gentleman's Motion. All those in favor...does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted, and the Motion carries. Representative DeLeo on Senate Bill 1042."

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DeLeo: "Thank you, Mr. Speaker. On Senate Bill 1042, I move to suspend Rule 79(e) and place on the Order of Conference Committee."

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

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

Speaker Giglio: "He indicates he will."

Black: "A portion of this Bill deals with the regional superintendent, Mr. Martwick. What is your intent with that part of the Bill?"

DeLeo: "Representative Black, I understand that there is some fee increases for services that are currently provided by Martwick's office. The GED test, the teachers' certification, and transportation safety fees will be increased."

Black: "So, it's your intent that this Bill only be used for fee increases for the regional superintendent's office in Cook and also some language dealing with home confinement and their ability to pay."

DeLeo: "That's correct. That's the electronic monitoring program for the Department of Correction. The assessment for the inmates to pay for their own electronic monitoring."

Black: "That's what Tony and I were talking about a little while ago. The judges aren't making a pre-determination?"

DeLeo: "That's right."

Black: "Alright, fine."

DeLeo: "There's a five dollar a day assessment cost for electronic monitoring program."

Black: "Is...the only thing that I need to get straightened out with you is that there is identical language filed on 1033. Are you going to run with 1033 on the home confinement or are you going to do it on 1042?"

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DeLeo: "Representative Black, I understand that 1042 is in a more progressive stage already in a Conference Committee. So, we'll probably go with the one that's in the furthest stages through our system."

Black: "In other words, the..."

DeLeo: "1033 is still on Second Reading."

Black: "Alright, so if 1042 is successful, then would you withdraw the Amendment on 1033?"

DeLeo: "That's correct."

Black: "Thank you. Alright, let's go."

Speaker Giglio: "Further discussion? Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. How does this...does this Bill at all affect the retirement, the pension, anything to do with the Cook County Regional Superintendent of schools?"

DeLeo: "Do you want it to?"

Balanoff: "No, I certainly don't, but I want to know if you want it to."

DeLeo: "Neither do I. Neither do I."

Balanoff: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted and the Motion carries."

Black: "...the regional superintendent, Mr. Markwick. What is your intent with that part of the Bill?"

DeLeo: "Representative Black, I understand that there is some fee increases for services that are currently provided by Markwicks office. The GED test, the teachers certification and transportation safety fees will be increased."

Black: "So, it is your intent that this Bill only be used for fee increases for the regional superintendents office in Cook and also, some language dealing with home confinement and their ability to pay?"

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DeLeo: "That's correct. That's the electronic monitoring program for the Department of Corrections, the assessment for the inmates to pay for, their own electronic monitoring."

Black: "That's what Tony and I were talking about a little while ago, the judges aren't making a pre determination?"

DeLeo: "That's right."

Black: "Alright, fine."

DeLeo: "There is a five dollar fee assessment cost for electronic monitoring program."

Black: "Alright. Is...the only thing that I need to get straighten out with you is that there is an identical language filed on 1033. Are you going to run with 1033 on the home confinement or are you going to do it on 1042?"

DeLeo: "Representative Black, I understand that 1042 is in a more progressive stage, it's already in a Conference Committee. So we'll probably go with the one that is in the furthest stages, through our system."

Black: "In other words the..."

DeLeo: "1033, is still on Second Reading."

Black: "So, if 1042 is successful then would you withdraw the Amendment on 1033?"

DeLeo: "That's correct."

Black: "Thank you. Let's go."

Speaker Giglio: "Further discussion? Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. How does this...does this Bill at all effect the retirement, the pension, anything to do with the Cook County Regional Superintendent of Schools?"

DeLeo: "Do you want it to?"

Balanoff: "No, I certainly don't but I want to know if you want it to."

DeLeo: "Neither do I. Neither do I."

Balanoff: "Thank you."

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Speaker Giglio: "Further discussion? Hearing none. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted and the Motion carries. Alright, returning to the Order of Motions. House (sic Senate) Bill 406, Representative Paul Williams. 406, do you want to hear this? Out. Out of the record. Senate Bill 453, Representative Curran. Senate Bill 453."

Curran: "I move to suspend Rule 79(e) and place on the Order of Conference Committee Report, Senate Bill 453."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, 15 or 20 minutes ago you won't certain what this Bill might be used for. Could you give us some intent as to where you're heading with this Bill now."

Curran: "I am in exactly the same mental position I was, 15 or 20 minutes ago. All I know in addition to that now, is that somebody other than me would like to see this Bill advance."

Black: "Would it..."

Curran: "In addition to me."

Black: "It appears...why, you know, I appreciate your honesty. Thank you. Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. Here we have a vehicle Bill that even the Sponsor, by his own honesty, admits he's not sure what it is going to be used for, I don't know whether it's going to be a Chicago Bill, a title one, shift of dollars Bill. I think there is sufficient vehicles out there. I rise in objection to the Gentleman's Motion and would urge my colleagues to vote 'no'."

Speaker Giglio: "Representative Curran to close."

Curran: "This will not become a Chicago Bill, a title one Bill."

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It would give us plenty of opportunities...what we're talking about here is putting in position of a Conference Committee Report. There will be plenty of opportunity to discuss it at that time. I move for a positive vote."

Speaker Giglio: "All those in favor signify by voting '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 67 voting 'yes' and 47 voting 'no', and the Gentleman's Motion prevails. Senate Bill 511, Representative Giorgi. 511. Out of the record. Representative Woolard."

Giorgi: "Mr. Speaker, by request, I ask that Senate Bill 511...I move to suspend Rule 79(e) and place on the Order of Nonconcurrance for the purpose of forming a Conference Committee."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Representative Matijevich."

Matijevich: "I just thought my seatmate would tells us what this Bill is going to do. As if none of us knows."

Giorgi: "I belong to the menser group but I...doesn't reach that far."

Speaker Giglio: "Representative Dunn."

Dunn: "What is the Motion to do?"

Speaker Giglio: "The Motion is to suspend Rule 79(e) and place on the Order of Non Conference Committee."

Giorgi: "Non Concurrance."

Speaker Giglio: "Non Concurrance."

Giorgi: "Non Concurrance. To form a Conference Committee on telecommunication, it's a telecommunications Bill."

Dunn: "Do we know what the game plan is?"

Giorgi: "Nobody is for sure at this point."

Dunn: "Okay. Neither am I, I would just..."

Giorgi: "I think the Governor is in on the act. Even the

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Governor is in on the act."

Speaker Giglio: "Any further discussion, Representative Dunn?
Hearing none, Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative how many vehicle Bills are still alive
that deal with this topic? Aren't there three?"

Giorgi: "You asked the only guy that could possible know, and I
don't know."

Black: "An honest answer. And it has nothing to do with
telecommunications lottery or anything like that, right?"

Giorgi: "Oh, and I promise you that is not it."

Black: "Alright..."

Giorgi: "Put that in the record."

Black: "Mr. Speaker, I think there are about three vehicles that
deal with this topic. I have no particular objection to
moving this to nonconcurrance but again, I think this is
one that everybody in this chamber should be aware of and
be prepared to vote and act intelligently on it, if and
when this matter comes before us."

Speaker Giglio: "Representative Levin."

Levin: "Would the Sponsor yield? Okay."

Speaker Giglio: "He indicates he will."

Giorgi: "Categorically."

Levin: "Representative you have a tremendous reputation for
mumbling and I really didn't hear..."

Giorgi: "But I'm lucid up today, I've very lucid today."

Levin: "I really didn't hear the answer to your seatmates
question, as far as what you plan to with this Bill.
There's rumors that there is a massive rewrite of the
Telecommunications Act that nobody has seen and hasn't had
a single hearing...that effects half of the industries in

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the state and, you know, is this going to be used for that purpose?"

Giorgi: "Have you forgot that you have conducted hearings and I've attended on the Telecommunications Act. How many hearings did we have, you were the Chairman. Have you forgotten that."

Levin: "We had..."

Giorgi: "Or you are conveniently forgetting it."

Levin: "If you're talking about a final draft, has anybody seen it?"

Giorgi: "I can't presuppose what's going to go into that Conference Committee Report. I'm one of 118 Members and we need 60 of us to agree, so, you know, you're not going at this correctly."

Levin: "Have you even seen it?"

Giorgi: "I attended every meeting you called..."

Levin: "No, I'm not talking about the meetings, I'm talking about, have you seen the language of what would be put into this Bill?"

Giorgi: "By parliamentary procedure, first you from the Conference Committee then you work on the product. That's parliamentary procedure. You should know that, you're an attorney."

Levin: "I'm trying to understand what you want to do with it. Have you seen what they are going to put into it?"

Giorgi: "I'll give you the sealed envelope tomorrow."

Levin: "Thank you. I think we have made our point."

Speaker Giglio: "Further discussion? Does the Gentlemen have leave by the Attendance Roll Call? All right, the question is, 'Shall the Gentleman's Motion prevail?' 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 2

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voting 'yes' and the Gentleman's Motion fails. Senate Bill 1410, Representative Brunsvold. Brunsvold. Senate Bill 1410, Mr. Clerk."

Brunsvold: "Thank you, Mr. Speaker. Senate Bill 1410 is an LRB Bill on recodification and I would move to...pursuant Rules 74(a), I move to take from the table, suspend Rule 37(g) and 79(e) and place it on the Order of 2nd Reading, 2nd Legislative Day."

Speaker Giglio: "Any discussion? Does the Gentleman...hearing none. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted and the Gentleman's Motion carries. Representative Rice, Senate Bill 703. Out of the record. Representative Woolard. Is Representative Woolard in the chamber? Senate Bill 841. Out of the record. Representative Kulas do you have another Bill, Senate 923. Out of the record. Representative Preston, do you want 934? Out of the record. Representative Saltsman do you want to go with 1074? Representative McGann. The Gentleman from Cook, Representative Andrew McGann. The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I would like to move to extend the deadline on House Bill 2485 as amended until the end of the Spring Session of 1992. I have checked with the other side of the aisle and they concur with this proposal."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Representative McGann has checked with our side of the aisle, as far as we know, we have no objections."

Speaker Giglio: "Further discussion? Hearing none. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen. Point

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of personal privilege. I would like to announce that Representative Jay Hoffman is 40 years old today. 40 years old, Jay Hoffman."

Speaker Giglio: "Representative Giorgi."

Giorgi: "So is the famous Steve Brown's birthday today, but I don't know his age and I wouldn't tell it if I knew it, Steve. Happy birthday, Steve."

Speaker Giglio: "Representative Hoffman. Representative Novak."

Novak: "Yes, Mr. Speaker. I would also like to extend my birthday wishes to Jay Hoffman and let everyone know in the chambers that he will be buying breakfast at Jack Robinson Systems tonight around 2:30 in the morning. Anybody that wants to go by."

Speaker Giglio: "Senate Bill 1091, Representative Keane, Representative McGann. Call the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1097, a Bill for an Act to amend Sections of the Public Community College Act. This Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative McGann, Balanoff, Shaw and Williams."

Speaker Giglio: "The Gentleman from Cook, Representative Andrew McGann on Amendment #1. Representative McGann on Amendment #1."

McGann: "Can we take it out of the record for just a moment."

Speaker Giglio: "The Clerk informs the Chair that the Amendment has been distributed. Mr. Clerk, take this Bill out of the record. On Conference Committee Report, Senate Bill 972, Representative Steczo. Is Representative Steczo in the chamber? Representative Steczo on Senate Bill 972, the Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would

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move that the House adopt the First Conference Committee Report on Senate Bill 972. This Conference Report recommends that the Senate concur in House Amendment #1. That Amendment reduced the massive mandate of the interagency Energy Conservation Committee to get energy audits for all state facilities and to review all capitol projects and energy cost operating budgets. Instead, what this Conference Committee does now is authorize the interagency, Energy Conservation Committee to select some facilities for pilot projects and review some of the projects of budgets in the state. I would move for the adoption, Mr. Speaker, of the Conference Committee Report."

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

Black: "Thank you very much, Mr. Speaker. My question has been answered by the recent addition to the board. I wasn't sure we were talking about the Second Conference Committee Report, obviously we are."

Steczo: "Yes. Correct."

Black: "Okay. I think your explanation was satisfactory. Thank you."

Speaker Giglio: "Further discussion? Hearing none. The question is, 'Shall the House accept the Second Conference Committee Report to Senate Bill 972?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCracken, 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 118 voting 'yes' and none voting 'no', and the House does accept the Second Conference Committee Report to Senate Bill 972 and this Bill having received the required Constitutional Majority, is hereby declared passed. Senate

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Bill 1097, Senate Bill, Second Reading page 2 of the Calendar appears Senate Bill 1097. The Gentleman from Cook, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1097, a Bill for an Act to amend the Public Community College Act. This Bill has been read a second time previously. Floor Amendment #1 offered by Representative McGann."

Speaker Giglio: "Representative McGann on Amendment #1."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Amendment #1 to Senate Bill 1097 becomes the Bill. What we are asking, that the...this legislation provides for the Fiscal Year of 1992, the Chicago school finance authorities reserve fund is reduced by 35 million. The 35 million shall be immediately available to the Chicago Board of Education for any lawful purposes and their needs during this 1992 fiscal year. I would ask for adoption of this Amendment #1 to Senate Bill 1097 and would be happy to answer any questions."

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

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

Speaker Giglio: "Indicates he will."

Black: "Representative, has this reserve fund been drawn down before?"

McGann: "Yes."

Black: "Was it last year?"

McGann: "Yes, that is correct. And it was paid back also, Representative."

Black: "Was...an obviously, the problems still exist. So, what you reduced last year, I assume you can't pay back this year."

McGann: "No, no. It has been paid back previous to this state

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and what we're doing is reducing it once again by legislation, this 35 million."

Black: "So, you're telling me that the 35 million that you took from this fund last year has been repaid, correct?"

McGann: "That is correct."

Black: "Alright. Now, what is your intent that the 35 million be used for?"

McGann: "Well, I don't think it's an answer all to the problems of the Chicago Board of Education as of today, but it will go a long way in helping to solve an immediate problem. That is with the impending possible strike of the teachers in the Chicago Board of Education. This will help in a tremendous way to avoid that and keep our little kids in school for the rest of this year. Of this fiscal year."

Black: "And I can appreciate that Representative. And so that perhaps gets you through this school year then what happens next school year?"

McGann: "Well, Representative, I don't want to put the answer to you in your way but, you know, and I know that the different problems that we are having not only in the Chicago Board of Education but throughout the state. That as far as financial support to the educational institutions, is far from over and it will probably end up that this General Assembly will have to take some action between now and next June, in hoping to solve the problem either through school finance task force in funding with the formula or by other areas that will have needs in order to get the proper revenues for the different educational systems throughout this state."

Black: "And you've certainly hit on something that obviously is going to demand a great deal of our energy in the coming months, there's no question about that. But let me go on a little farther. How many dollars are in this reserve fund,

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do you have any idea?"

McGann: "It's my understanding there's between 85 million and 170 million."

Black: "Okay. Alright..."

McGann: "In the reserve fund as of this date."

Black: "Alright, now, why did the Chicago School Finance Authority set up this fund?"

McGann: "It was set up, my understanding, the dollars come into it from the state and federal and it is set there in order to be assured that there would not be a true crisis as far as the settlement of bonding and extra throughout the State of Illinois since the 1979 debacle that we had."

Black: "When you say, we had, you mean...as I remember it was the Chicago Schools that literally were, I don't want to use the word bankrupt, but I mean they were really out of money. Wouldn't that be fair to say."

McGann: "They were not bankrupt, they were property rich. They didn't have any cash, that's correct."

Black: "Is the Chicago School Finance Authority in favor of this transfer?"

McGann: "I've tried to get a hold of the School Finance Authority through our staff today, we have not been able to get in communication, a line of communication with them. But I would say, Representative, that this is just one avenue that may be able to be used and with the Veto Session closing, it is my thought to get this Amendment on this Bill and then let us see what we can do from this day forward for the next couple of days and try to get it resolved. We know we have an awful...tremendous obligation, if we may put it that way, in order to keep the children in school. And if this can be one step in that direction, I think it should take the support of all of the Members of this Assembly."

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Black: "Let me just ask, on page 2 of the Bill, line 45 through line 50. It appears that you are actually suspending any and all rules and regulations of the Chicago School Finance Authority. And I'm assuming from your answer that this suspension of their authority perhaps is being made without their advise and consent and perhaps without their support."

McGann: "No, I am...Representative, I don't believe that that is an actual correct evaluation of those lines, you say, 42 through 50. What we are saying here that these reserved fund balances...balance, in this case, 35 million, will be immediately available to the board for appropriation for any lawful school purpose during this fiscal year. And three, the accounting system of procedure prescribed by the authority in any rules and regulations made by the authority with respect there to, shall for the fiscal year of the board ending be deemed amended by this 35 million dollar reduction."

Black: "Well, Representative, thank you very much. I appreciate you candor. Mr. Speaker and Ladies and Gentlemen of the House. The Gentleman has proposed an Amendment that he obviously feels is very important to the continued operation of the Chicago School System for the balance of this school year. I would simply call your attention to the fact that the Amendment, no matter how well intention attempts to circumvent, in my opinion, why the Chicago School Finance Authority was created in the first place. And if we continue to allow such transfers, my fear is and I'm sure the Gentleman has the same fear. He's doing the very best that he can to keep this school system operating but if we continue to come down here and waive the rules and basic rationale that the school finance authority was created, my fear is, that the Chicago School System will

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find 1979, revisited. And if that happens, given the current fiscal condition of the State of Illinois, I don't know whether or not the state would be able to come to the assistance of the Chicago School System. Given that precarious fiscal situation, Mr. Speaker, I think a 'no' or 'present' vote would be advisable on this Amendment. I would ask for a Roll Call Vote and ask that the colleagues on both sides of the aisle to pay particular attention to this Amendment and search your conscious as to whether or not this indeed will help the Chicago Schools or whether it is simply a temporary approach that could put them even further into debt and difficulty."

Speaker Giglio: "The Gentleman from LaSalle, Representative Balanoff."

Balanoff: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Amendment #1. We are all painfully aware that the threat of a Chicago teachers strike and the disruption of our childrens education looms in the very near future. This will be a tragedy for our children and our city and our state. The School Finance Authority currently has a reserve of between \$80 and 170 million, a reserve, depending on who you would chose to believe. The Chicago Board of Education is the only board, the only board in the over more than 1,000 in the State of Illinois that is forced to have such a watchdog agency with such vast reserves. By reducing the school finance authority reserves by a mere \$35 million. It is a four way win, win, win, win, for our children, for parents, for teachers and for the Board of Education. And it does not hurt, I repeat, it does not hurt the school finance authority. All of us realize that this is a one year solution. We understand their projections are going to be coming out to show the Board of Educations budget in a far

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deeper hole next year but with this solution that guarantees the continuity of education for our kids, we must all make the commitment to begin immediately to work to avert this crisis that faces public education every single year. And this process has to include, looking at the question of a graduated income tax for the State of Illinois which would finally require the rich to pay their share and take the burden off of those who cannot afford to pay. We have to look at extending the Illinois life safety bonds to the Chicago public schools, which is the only school district in the State of Illinois that does not have this power. We have to look at equalizing state funding the public education and explore all real estate tax structure changes that would benefit the Chicago public schools and schools across the State of Illinois. There are many different possibilities for the future, this is the one that's before us now. In closing I just want to read a list of a number of school reform organizations in the City of Chicago that are in support of Amendment #1. Citizens School Committee. The United Neighbor Organization, Designs For Change, the Westside Collation to save our schools, Schools First, the Near North Development Corporation, Developing Communities Project, 'Central Pernure' Arising, United...Parents United for Responsible Education, The North River Commission, City Wide Collation for School Reform, Voices for Illinois Children, the Chicago Urban League, the African American Education Reform Institute, The Parents Community Council, The Westside Collation to save State Chapter I Funds and there are many many more and many local school councils. So, I urge everybody to join in support in helping to save the children from a disasterous strike and vote in favor of Amendment #1 and then in the underlying legislation, Senate

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Bill 1097."

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

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

Speaker Giglio: "He indicates he will."

Cowlshaw: "Could you please tell me exactly what we are buying with this money, that is, what is this money going to be used for?"

McGann: "It is my understanding, Representative that the purpose...purposeful use of this money according to the school reform groups in the City of Chicago is that, by the use of this money, would give a 4% increase to the teachers. A 4% rather than the 7% that was written in to a 3 year contract which could possibly avoid a strike and have the students into the school all through til next June, and thereafter maybe."

Cowlshaw: "Alright. You're saying that then it is your understanding that this money that we are going to permit the Board of Education in Chicago to spend which normally by any fiscal practice would be required to be kept as a reserve, is going to satisfy the teachers and they are not going to strike, is that correct?"

McGann: "It is that hope but is like many other ingredients that are needed. Representative, I've worked with you many many times and you know that you have to have faith in something in order to be able to accomplish any goal. This in effect is possibly a sweetener but more importantly, it may be the solution for the teachers to stay in, that they have something to hangon rather than zero which they have as of this date. And that's all it is. And the reform groups are the ones that are bring this issue forward and saying, if we can run with this, we at least have something to offer. And if they will accept that offering then we're in

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business for another year. That's more important to a lot of us and especially to residents in Chicago and even around Chicago to know that these kids are in school."

Cowlshaw: "Thank you very much, Representative McGann and thank you, Mr. Speaker, and now to the Bill, please. To the Amendment rather. If we knew that there was some negotiations that everybody who was involved had signed off on and we were actually going to get something for this money. That is, we put the fiscal condition of the Chicago Public Schools in jeopardy because we deplete this reserve. If we knew for sure that there had been an agreement and that what we did with this was going to result in the fact that there was not going to be a teachers strike or and that there was not going to be any real danger as far as the fiscal integrity of that system is concerned that would be different. But we don't have any assurance that we are buying anything that has any certainty with it, for this money. That's the first point, I think. And the second one is, that you do not truly solve any short range problem by using a long term solution that is not fiscally or fiscally wise or a good public policy. It is simply not a good idea for any school district to deplete its reserves to the point where it has nothing upon which to fall back in the event of an emergency. And I think that to say that the \$35 million that normally would be in the day to day checkbook of the Chicago Public Schools for an emergency is something that you're going to spend for something else simply puts not only the Chicago Public School in a dreadful position but puts this General Assembly in a dreadful position because then if there is an emergency, where do they get the money. Well, you know where they get it, they come to Springfield and say, we have this emergency and you'll have to come to our rescue. We should

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not put ourselves in a position where we have to rescue anybody and spend money for something about which we do not even know what it is that we have bought. And for those reasons, I stand in opposition to this Amendment."

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

Santiago: "Thank you, Mr. Speaker. Would the Gentlemen yield for a couple of questions?"

Speaker Giglio: "Proceed."

Santiago: "Andy, do you know or can you tell me, what is the current budget deficit that we have in the Chicago School System, right now?"

McGann: "Representative, it's roughly approximately \$178 million."

Santiago: "\$178 million?"

McGann: "That is correct."

Santiago: "Okay. And your Amendment is asking for \$35 million?"

McGann: "It's a reduction in the payment to the school finance authority in the board of education to be reduced by 35 million is correct."

Santiago: "So, if we vote and pass this Amendment out, we're still going to be about \$140 million in deficit?"

McGann: "That is correct but there has been many many reductions...whether they were legal or illegal have taken place with the board. A thousand teachers have been laid off. 221 reading resorts teachers have been eliminated, 70 assistant principles have been eliminated. We've lost 90% of our supply and equipment money. Summer school for disable children has been eliminated and dental services for poor children have been eliminated. All...most of these cuts cut the low income families and their children. There are further budget cuts in the central office that have taken place. I don't think we can be dealing with

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apples when apples that when we talk about \$170 million deficit verse the \$35 million reduction. We're talking about apples and oranges because we're talking here of one issue, one point, that is all. It is not dealing with the entire budget deficit that the Chicago Board now has."

Santiago: "What guarantees do we have that this money is going to be used for the teachers contract?"

McGann: "You would be rest assured. I would make the commitment to everyone on the House Floor here that these monies will be used towards solving the Teachers verses Ford delima at this time. And for no other purpose or I would ask the Governor if he was even going to sign it, to please veto it if there was any inkling that this was going to be used for any other purpose than for what it said. Further its been encouraging, I would like to point out that I am doing this in answer to you also, Representative, that the Chicago Teachers Union is in full support of this legislative proposal. That certainly gives me an indication that they themselves are willing to negotiate and keep the kids in school with a possible 4% increase in their wages. And I think that that is more important. We can enject all we want into this proposal but it is not going to solve the bottom line unless we pass it and that is, to keep the children in school."

Santiago: "I agree with you, Andy and I admire you for your commitment to children and education in general. But the problem that I have and it is the problem that many individuals in this Body have, is that we just keep giving money and money and money to the Board of Education and the money goes down the sewer deeper and deeper and deeper and deeper. And we do not see a return and that's why I am very sceptical of giving the Chicago Board of Education any money unless the money is...we have something in the Bill

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that specify what the money is going to be used for because they have a history of mismanagement and waste. And I want to make sure that the money is going to be used to help the children and not hire anymore administrators over on Persion Road. That is my concern and I'm going to help you get this Amendment on but I have a lot other questions that I would like to have the answers to before I vote for this Bill to get out of the House. Thank you."

Speaker Giglio: "Representative Richmond moves the previous question. All those in favor vote 'aye', opposed 'no'. The opinion of the Chair the previous question has been moved. Representative McGann to close."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I certainly appreciate the concern of everyone in this House Floor and their concerns about the Board of Education. About their stewardship and about their finances. Let us take a moment though, we helped place all school systems in this state in the dilemmas that they are in presently by mandates and not funding those mandates. This has been brought about at the Educational Appropriation Committee hearings this last Spring. We've placed a lot of mandates and we did not fund those mandates. This is a short term problem, it will be acted only as a short term problem. Is it fiscally responsible, yes, it is fiscally responsible because what it does it's a possibility lurking out there to keep our students in school. I'd ask everyone in this Assembly to vote for this Amendment. Let us give time to think it over between now and the calling of the Bill but let's have support for the Amendment. Let's put it on the Bill, hopefully we can get it out of this House and into the Senate and to the Governor's desk. I've been informed that there is a possibility that the Governor has great interest in this proposal and may couple it with something

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else but at least the door is open and I think all three concerned, the House, the Senate and the Governor's Office have a responsibility to see this through. I ask for support of Amendment #1 to Senate Bill 1097. Thank you."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Senate Bill 778, Supplemental Calendar #1. Senate Bill 778...Supplemental Calendar #1."

Clerk O'Brien: "Senate Bill 778, a Bill for an Act to amend the appraisers certification Article. Third Reading of the Bill."

Speaker Giglio: "No, the Chair did not hear the Motion for a Roll Call from Representative...no, I did not. I would have nodded. Did, you said 'aye'. No. I did not. Now, Representative Black, you know, the Chair has always been fair with you, especially when I'm in the Chair and I did not hear you and you know, if I did hear you, I would have nodded or gave a sign that I did hear you and I would say, okay. Representative McPike in the Chair. Representative McPike in the Chair."

Speaker McPike: "Representative McPike in the Chair. We're on Senate Bill 778. And I talked to the previous Speaker, Mr. Black and he assured me that he did not hear you ask for that, but Representative LaPaille tells me that there is a seat on the plane if you wish to go down and campaign against Republican, Mr. Duke. Representative Schoenberg. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 778, merely provides that the attorney in charge of Prosecutorial Actions for the

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Department of Professional Regulations has to have a law license and have practiced law for 4 years. I urge for an affirmative vote."

Speaker McPike: "Is there any discussion? No one asked leave to return the Bill back to Second Reading. Leave is granted, the Bill is on Second Reading. Is there any Amendments?"

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

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Yes, Mr. Speaker, Amendment #1 would correct what the...recently came to light in the newspapers. The Amendment #1 to Senate Bill 778 would allow the department to employ an attorney in charge a Prosecutorial Actions and this individual would coordinate the Prosecutorial program and would have to be qualified as an attorney in charge. In other words, the attorney would have to be an individual that has a valid license to practice law in the state and have been engaged in the practice of law for a minimum of 4 years. As you know, earlier in the...in another Bill I had mentioned it was brought to light that there's a person who completed law school but is not an attorney in charge of 40 attorneys in this division. And this Amendment would correct that problem, and I would urge the adoption of Amendment #1."

Speaker McPike: "Representative Hultgren, for what reason did you rise?"

Hultgren: "Thank you, Mr. Speaker. The Legislative Reference Bureau Committee was schedule to meet at 4:00. I talked with Senator Dunn who is the Co-Chairman of that Committee and he would like to try and get together after the Senate and House adjourn today. So, for those Members who are on that Committee, we're going to try and get together after adjournment today and the Senator's are going to try and

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meet us there at that time."

Speaker McPike: "Alright, thank you very much. On the Motion, the question is, 'Shall Amendment #1 be adopted?' All those 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: "Third Reading. Representative Black, for what reason do you rise?"

Black: "Well, probably an exercise in futility, Mr. Speaker. But, since that Bill was taken back to Second Reading for an Amendment, I would ask the Chair to rule concurrent with 37(d) that that Bill must stay on Second Reading, First Legislative Day. That rule can be suspended by 71 votes."

Speaker McPike: "Mr. Black...Mr. Black, the Chair already moved the Bill back to Third Reading."

Black: "Mr. Speaker, in all due respect to the Chair. My light was on from the time the previous speaker left the podium."

Speaker McPike: "Mr. Black, that is not correct. When Mr. Hultgren get up to speak you turned off your light. At that point I asked if there was any discussion on the Amendment and your light was not on, the Amendment was adopted and the Bill went to Third Reading and then you put on your light and I immediately recognized you. But your light was off while Mr. Hultgren was talking."

Black: "I don't think he had leave of the House to move it back to Third."

Speaker McPike: "He did, I asked if there was leave to move back to Second Reading. There was leave. That happened before Mr. Hultgren got up."

Black: "And that...that is going to be the ruling of the Chair."

Speaker McPike: "What was the question? I'm just telling you what happened."

Black: "Pursuant to Rule 37(d), that Bill was taken back to

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Second Reading."

Speaker McPike: "That's correct."

Black: "Pursuant to the rules it should therefore stay on Second Reading, First Legislative Day unless you suspend...and you have the votes to suspend Rule 37(d)."

Speaker McPike: "No, that's not correct. The Chair can move the Bill from Third Reading back to Second, which we did and then we moved it to Third Reading. There was no objections to moving the Bill to Third Reading. No one was objecting to that. No one had their light on, Mr. Black. I was looking at every light here and when I said that, there was no one had their light on. No one."

Black: "Mr. Speaker."

Speaker McPike: "Mr. Black, you are correct, maybe I misunderstood. This Bill can not be heard today on Third Reading unless it gets 71 votes, that is correct."

Black: "I understand that."

Speaker McPike: "If that was your question, then you are correct."

Black: "Well, the ultimate question might be that but I would much prefer it stay on Second Reading, First Legislative Day."

Speaker McPike: "Well, I think...that was untimely but you are correct in the second part of your question. The Bill requires...been Amended today and it requires 71 votes and you are correct."

Black: "Obviously, Mr. Speaker, I don't have the troops to object to the ruling of the Chair and I'll save all of us that time..."

Speaker McPike: "Well, Mr. Black the Chair agreed with you, it takes 71 votes."

Black: "We didn't agree on 37(d)."

Speaker McPike: "Well, we agreed on most of...I think we agreed

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on most of it."

Black: "Could I just address the Chair for a minute, Representative."

Speaker McPike: "Absolutely."

Black: "Thank you. On the previous, if I may go back to the Bill prior to this. Anyone on that side of the aisle..."

Speaker McPike: "Are you still on this...Mr. Black, are you still on this..."

Black: "Can I just go back to the prior Bill, I mean, just give me 90 seconds. I'm not going to yell or scream at you."

Speaker McPike: "Absolutely."

Black: "Any Member on your side of the aisle would tell you that I clearly asked for a Roll Call on that Amendment. Representative Keane came over here and said, he would not run the Bill on Third Reading today. That removed my objection. I intended to vote with Representative McGann on his Motion, the only thing that I was going to ask him to do was if he would give us a complete analysis of the Bill tomorrow. That was all we were going to ask him. So, I don't know why we had go through that charade of not...of being told we didn't ask for a Roll Call. When every Member on your side of the aisle knows I did and every Member on this side of the aisle knows I did as well. Now we go through this, we clearly objected. We'll abide by the rule of the Chair, we have no choice. But I don't think we need to do this."

Speaker McPike: "Mr. Black, I think you are correct. Mr. McGann, in the future would you clear this correctly with Mr. Black. Thank you. Alright, let's proceed. Senate Bill 998, Representative Munizzi. 998 is next, Representative Munizzi."

Munizzi: "Since you are going to do this to me, I'm going to have to go on the mike and ask you to take this out of the

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record right now, please."

Speaker McPike: "Ms. Munizzi, this is the next Bill in order on the Calendar."

Munizzi: "That's very good but let's take it out of the record for a little while."

Speaker McPike: "Representative Burke on 1033. Mr. Clerk, Senate Bill 1033."

Clerk O'Brien: "Senate Bill 1033, a Bill for an Act to amend the Clerks of Court Act. Third Reading of the Bill."

Speaker McPike: "Alright, the Bills on Third Reading. Mr. Burke, do you request to bring it back to Second Reading for Amendment? The Gentlemen ask leave to return the Bill to Second Reading. Leave is granted, the Bill is on Second Reading. Mr. Clerk are there any Amendments?"

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

Speaker McPike: "Representative Lang. Mr. Black for what reason do you arise?"

Black: "If the Amendment is adopted I will object under the applicable section of the rules and I would ask that the Bill then stay on Second Reading, First Legislative Day."

Speaker McPike: "Representative Lang on the Amendment."

Lang: "Thank you, Mr. Speaker..."

Speaker McPike: "Representative Hultgren for what reason do you arise?"

Hultgren: "Thank you, Mr. Speaker. I question whether its appropriate to consider the Amendment at this time. Under the rules I think these have to be on our desks for a day and this was distributed this afternoon."

Speaker McPike: "Mr. Hultgren, you are not correct."

Hultgren: "This is a...is this an Amendment to a Senate Bill?"

Speaker McPike: "Yes."

Hultgren: "Doesn't the rule provide that Senate Amendments must

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be on our desks for 1 day, 79(d)?"

Speaker McPike: "This is not a concurrence. This is a Senate Bill."

Hultgren: "I understand that, 79(d) talks about Conference Committee Reports as well as Amendments."

Speaker McPike: "This is not a Conference Committee Report."

Hultgren: "I understand that, it talks Conference Committee Reports as well as Amendments to Senate Bills."

Speaker McPike: "This is a House Amendment to a Senate Bill. This is not a Senate Bill, to a House...we're not on concurrences so you are not correct. Representative Lang on the Amendment."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 is initiative of the Cook County Board. It deals with various things relative to fees and costs, not court fees and costs however. The first part of the Amendment deals with requirement that a court when ordering home confinement as a condition of probation the court must determine whether the person can afford to pay the fees. There is a \$5 fee per day for home confinement under probation. If these people can't pay those fees, something needs to be done other than that. So, Section I of the Amendment would require that the person being home confined for probation can afford to pay the fee. Next, the Bill would amend the Cannabis Control Act to delete the provision that money is collected as fees by the clerk of the court send those fees to the State Treasurer. And finally, there are two Sections increasing small fees for the permits of bus drivers and for teachers licenses and that type of thing. Vary small changes and these only apply to Cook County. I move adoption of Amendment #1."

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

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

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Speaker McPike: "Yes."

Young: "In terms of the home confinement, if you can't pay the fees does that mean that you have to be incarcerated?"

Lang: "Yes."

Young: "So it seems to me that we're distinguishing between people with money and people without money as to who can be confined at home and who has to go to the county jail doesn't it?"

Lang: "Representative, the Amendment states that the court needs to determine that the person who's home confined either has the financial ability to pay the assessment or the physical capability to satisfy the assessment through community service. So, the person can be required to perform certain hours of community service to work off the fee."

Young: "Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair, indirectly to the Sponsor. It is my understanding that we just agreed with Representative DeLeo on a Bill that he had that if the language in his Bill did move on home confinement that he would take the language out of this Bill. Was that not the agreement that we just made 35 minutes ago on home confinement?"

Speaker McPike: "Mr. Black, I was not in the Chair...who are you addressing the question to."

Black: "Well, and unfortunately I don't see Representative DeLeo on the floor but I think if you'll ask people who remember that debate, he clearly said in that issue, if 1042 advanced and it did, which addresses, I think this very same issue that the language would that be taken out of this Bill and he would continue to move 1042."

Speaker McPike: "Mr. Lang did you want to respond to Mr. Black."

Lang: "Well, I don't know what agreement Representative Black

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made with Representative DeLeo so I'm not in a position to respond, Mr. Speaker."

Black: "Well, it wasn't an agreement made, it was an agreement on the record, on the transcript. It was as you and I are talking now and I believe, I don't...I don't intend to put words in Representative DeLeo's mouth. That was my question to him and I feel certain that the response was, that if his Bill continued to move and it did so, that he would then take the confinement language out of this Bill. And we would move one Bill."

Lang: "I don't know the answer to the question, but I am having difficulty, Mr. Speaker in determining whether Mr. Black has some difficulty with the language of this Amendment, I haven't made that determination."

Speaker McPike: "Alright, Mr. DeLeo is not here at this point so, Mr. Black would you like to speak to the Amendment."

Black: "Not at this time, Mr. Speaker."

Speaker McPike: "Representative Cowlshaw."

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

Speaker McPike: "Yes."

Cowlshaw: "Representative Lang, did I understand you to say that there are some increases in certain, I believe you said, small increases, in certain kinds of costs for licenses and that kind of thing, is that correct?"

Lang: "That's correct."

Cowlshaw: "And one of the groups that you mentioned that these increases would apply to is, teachers?"

Lang: "That's correct. Well, no, excuse me. This relates...why don't I just read to you what I have here. May I."

Cowlshaw: "Fine."

Lang: "This would amend the School Code and raise the fee in counties of more than 2 million from \$15 to \$17.50 for

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individuals residing within the region who wish to take the high school equivalence testing program. If the applicant wishes to retake the exam the fee is raised from \$2 to \$3, for each reexamination there after cost is raised from \$7 to \$10. Any applicant who has passed the minimum standards is notify by the regional superintendent upon payment. The applicant shall be issued a high school equivalence certificate. The cost of the certificate shall be raised from \$10 to \$12.50 in Cook County. Doesn't relate to teachers at all, I apologize for making that statement."

Cowlshaw: "Oh, but it does apply to the cost for someone who has not been able to complete high school in the regular way, to go an take the test in order to get equivalent of a high school diploma. Is that correct?"

Lang: "By somewhere between a \$1 and \$2.50."

Cowlshaw: "Very good. Mr. Speaker, in that event I would not only rise in opposition to this Bill since the people who drop out of high school are the ones who have the least ability to afford an extra couple of dollars in order to get an equivalent of a high school diploma and I think that if we need to raise money somewhere in Cook County it does not seem to me that that is the place that we ought to be doing it. And for that reason, Mr. Speaker, I ask for a Roll Call Vote on this Amendment. A Roll Call Vote on this Amendment."

Speaker McPike: "Representative did you want a Roll Call Vote?"

Cowlshaw: "Yes, thank you, Mr. Speaker."

Speaker McPike: "Alright. Representative Davis."

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

Speaker McPike: "Yes."

Davis: "Thank you very much. Representative why are you asking that, and it is really Chicago people, to pay \$17.50 for that same exam that other people will pay \$10 for."

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Lang: "Representative, currently the fee for taking the high school equivalence testing exam is \$15, that's being raised by \$2.50. The reexamination is being raised from \$7 to \$10, it's a raise of \$3."

Davis: "Okay, but does population mean that you have a greater amount of resources in your pocket because you live in an area where the population is over 2 million, that you have more money than someone who is taking that same exam but lives in a population of 5,000, I mean, I don't understand the rationale."

Lang: "Representative, we have numerous Bills on the floor of this House, numerous statutes on the books that create different categories of cost and fees based on population. This would be only one of many."

Davis: "And also, the bus drivers in Chicago who submit to license have to pay a larger fee than those who apply for drivers permit in other areas."

Lang: "I wouldn't characterize as just Chicago, it's for the entire County of Cook."

Davis: "You're saying that all the people in Cook County have more money because they live in an area with a larger population."

Lang: "I'm not saying that at all Representative, you're saying that."

Davis: "I would like to know Representative, I would like to know why you feel the fees for the people in Chicago should be so much more than other people. These are all people without high school diplomas, they are all people probably without jobs. Now why should those who live in Chicago have to pay more than those who live in the rest of the State of Illinois. I don't understand it."

Lang: "Well, Representative you can make your own conclusion as to whether you think people in Chicago and Cook County have

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more money than other places. And if you feel these fee increases are inappropriate I suggest you vote against them. But you're not asking me a question that I can answer, you're making a speech."

Davis: "Well, Representative I sorry if you think I'm making a speech. I'm merely asking you, why should the people who are in Cook County or Chicago who are mostly minority people, why should they have to pay a greater fee for the same particular service that the other people in the state will have. If I'm a person without a high school diploma and I'm taking an exam and I live in Cook County Chicago, why should I have to pay more than the person who lives in...in a smaller area, say DuPage County or a smaller population area. It should not be based upon that and because you suggested, I certainly will vote 'no' to this legislation."

Speaker McPike: "Mr. Kubik."

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

Speaker McPike: "Yes. Yes."

Kubik: "Representative, Representative Lang, over here."

Lang: "Hi there."

Kubik: "I would like to talk about another part of this Amendment which has to do with the cannabis...the Illinois Control Substance Act. You mentioned that there is going to be, I didn't catch the whole explanation but it seemed to me that there was going to be a change in how the fines were leveled or something to that effect. Could you maybe walk me through that again."

Lang: "Currently Representative, the monies that are collected...the fees and costs that are collected by the Clerk of the Circuit Court..."

Speaker McPike: "Excuse me, Excuse me. Representative Cowlshaw are you leaving? Representative Cowlshaw. If you leave

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do you still want the Roll Call Vote? Thank you."

Lang: "Currently, Representative. Representative. Representative, over here. Representative. Currently, the fees and costs that are collected by the Clerk of the Circuit Court are sent to the State Treasurer for deposit into a drug treatment fund. This Amendment would delete that provision and the Clerk of the Court would retain those funds."

Kubik: "So, essentially what we're doing is, rather than taking the money and giving it to the state to disperse. It's going to go to the county to disperse."

Lang: "That's correct, but I should advise you that the State Treasurer has not indicated any objection to this and it's a program that he has been administrating."

Kubik: "But the...but I guess the money that would now go to the state would be used for payment of state sponsored drug prevention programs, I would take it. Is that not correct?"

Lang: "I'm going to guess that your are correct but I'm not sure."

Kubik: "So, essentially what we're doing here is we're reducing the amount of funds that the state would have to administer drug programs and give that money to the county to administer drug programs on a county level."

Lang: "Presumably."

Kubik: "So, I think with all the gymnastics that are occurring here, is essentially...Mr. Speaker, to the Amendment. I think we ought to look at this Amendment very carefully because I think the net effect of this Amendment, is to reduce the amount of money that we, the State of Illinois, would have in order to administer drug programs and this would be a shift of money and I don't know how much money that might be but it would be a shift of money to the

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County of Cook. So, I think what...before we move forward on this, I think we ought to clarify that very carefully. So, for those of you who might be concerned about budgetary problems that the state has and their ability to carry out state sponsored programs, particularly in the area of drug prevention or drugs generally. What we're going to see is a reduction in the amount of money that is going to be available to administer those programs. So, I would urge that we take a very close look at this particular Amendment and vote 'no' on the Roll Call Vote on this Amendment."

Speaker McPike: "The Chair is going to rule that this is dilatory if everyone ask for the same thing. Representative Davis for what reason do you arise again."

Davis: "Mr. Speaker, I just wanted to thank Representative Lang and the rest of the General Assembly for giving the Board of Trustees of the University of Illinois, Chairperson, Mr. Byron Mitchell, student member of the Board of Trustees and Levita Davis, Dale Morrison and Jebory Groves from the University of Illinois. They are student government members and they are watching us in action. Thank you."

Speaker McPike: "Mr. Lang to close."

Lang: "Thank you, Mr. Speaker. I don't think this proposals in this Amendment are as hennas as some would indicate and I ask for your 'aye' votes."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'...sorry, Representative Cowlshaw asked for a Roll Call Vote. All in favor vote 'aye', opposed vote 'no'. Have all voted? Representative Giorgi, how did you wish to vote on this? How did you wish to vote on this, Sir?"

Giorgi: "How do I...I'm talking to Governor Cuomo. What did you say?"

Speaker McPike: "How did you wish to...how did you wish to vote

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on this?"

Giorgi: "Oh, didn't I vote. 'Present'."

Speaker McPike: "Representative Giorgi votes 'aye'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 6 'ayes' and 95 'nos', the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On page 2 of the Regular Calendar, Senate Bills, Third Reading appears Senate Bill 980. Representative Capparelli."

Capparelli: "Mr. Speaker, I would like to take Senate Bill 980 back to Second Reading."

Speaker McPike: "Alright, the Gentleman asks leave to return it to Second Reading. No objections the Bill is on Second Reading. Mr. Clerk are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Capparelli and Churchill."

Speaker McPike: "Representative Capparelli."

Capparelli: "Ladies and Gentlemen this is the Affiliate Bank Bill that we talked about this afternoon with the Community Banks and Illinois Bankers agreed to and the Amendment has three parts. The first part amends and enables the customer of one bank with a multi bank holding company to make withdraws, cash checks and make deposits. The second part of it requires a bank that elects to engage an affiliate facility on behalf of another affiliate bank to give written notice to the commissioner of banks within thirty days. And the third part of the Amendment requires the bank that elects to enact as an affiliate facility on behalf of another affiliate bank to give up it's home office protection area to another bank and their branches within that existing home office protection area. I move to adopt Amendment #2."

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Speaker McPike: "Mr. Capparelli, did you wish to table #1?"

Capparelli: "I would like to table Amendment #1 first though."

Speaker McPike: "Alright. The Motion is, 'Shall Amendment #1 be tabled?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment #1 is tabled. The Gentleman has now moved for the adoption of Amendment #2. And on that is there any discussion? Being none. The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Alright, the Gentleman ask leave to suspend the appropriate rule so the Bill can be heard on Third Reading at this time. Are there any objections? Hearing none, the Attendance Roll Call is used and the Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 980, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker McPike: "Mr. Capparelli."

Capparelli: "Mr. Speaker, what the Bill really does now, it simply allows a customer within the Bank Affiliate System to obtain a service from a human teller which can already be done today through a machine. And it also allows the banks to let the commissioner have a notice of 30 days, just as I told you in the Amendment stage and I ask for a favorable Roll Call on this vote."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall Senate Bill 980 pass?' All those in favor vote 'aye', oppose vote 'no'. Have all voted? Have all voted? Have all vote who want...wish. Representative Hicks."

Hicks: "Thank you, Mr. Speaker. I apologize to the Chair, but if Ralph would simply shake his head yes or no, is this agreed

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now between the community bankers and the IBA? Shake your head yes, or no. That's a yes, alright."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 116 'ayes' and no 'nays' and Senate Bill 980 having received the Constitutional Majority, is hereby declared passed. Senate Bill 725, Representative Giorgi."

Giorgi: "Mr. Speaker, this is the Luda Bill that provides for the urban education partnership grants for urban schools which has a certain minority population and which allows the school to get into the contract with community groups, social services agencies, government agencies and businesses so that the enhancement of education is obvious to most of the observers. And these groups report to the public annually, very successful program, has been in existence for...since 1988. Many schools in Illinois participate and I'm sure that every Member of the General Assembly is aware of the program. I urge your support. A total override of the Veto."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "What are the dollars involved?"

Giorgi: "There are no dollars involved in this Bill. This just is a substantive language."

Wennlund: "But, did the Governor's budget recommendation include dollars for Elementary and Secondary Education?"

Giorgi: "These are federally funded dollars. There may be a state appropriation later on but at the present time they are federally funded."

Wennlund: "Refunded from where?"

Giorgi: "Federally funded."

Wennlund: "Federal dollars directly into the program?"

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Giorgi: "Federal funds are used in this program and the State could also appropriate funds if they wish to."

Wennlund: "Does it require an appropriation?"

Giorgi: "Yes, it does. Not this Bill doesn't require an appropriation. This Bill does not require an appropriation."

Wennlund: "In effect, what...does this really create unfunded mandate?"

Giorgi: "This is not a mandate. I understand the State Board of Education is including it in their budget in the ensuing year."

Wennlund: "So...so, what you're saying is that, that it will require a appropriation down the road."

Giorgi: "If you don't appropriate, the program doesn't go."

Wennlund: "I'm sorry, I didn't hear you. To the Bill Ladies and Gentlemen of the House. The Governor vetoed this Bill because the program that it would create was not included in the Governor's budget recommendations for Elementary and Secondary Ed and it wasn't included in the budget request by the State Board of Education and can't be afforded by the state at this time. The estimated cost 600 and 50 thousand dollars to the State Board of Education for these urban educational partnership grants. And here we go again creating a future liability for the State of Illinois which we all know and I won't give Representative Black speech about the tough fiscal conditions of the State of Illinois at this time. But we're creating an obligation down the road to fund this with big dollars. We're talking about 600 and 50 thousand dollars. It's time to hold the line on spending in Illinois and this is one way to do it by voting 'no'."

Speaker McPike: "Representative Leitch. Mr. Leitch, you're on."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen. Will

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the Gentleman yield?"

Speaker McPike: "Yes."

Leitch: "Is this money that requires an appropriation or is this federal money which the State Board of Education can allocate within its preview to this program?"

Giorgi: "It could be federal funds appropriated through state channels. Could be federal funds. This language just provides for the program, and there is no money in this program although it is anticipated and there are programs in effect that are federally funded."

Leitch: "My understanding is, this is chapter 2 federal money which the State Board can allocate to the program and I would like to know if that's correct or not."

Giorgi: "That's...that's correct."

Leitch: "So, it does not require state funding or state general revenue."

Giorgi: "That's correct."

Leitch: "Thank you."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.

I would urge the override of the Governor's Veto. My school district has been a participant in this program as have 84 other schools in the four year program. As Representative Leitch has said, this does not require state funding, all it does is establish the program in the Illinois statute. Of course if we in the future want to provide state funding, that can be done but it is done by appropriations. But this is a federal program which requires a collaborative effort by either some social agencies, local government or some local businesses. It's a good collaborative effort and we ought to, by the override say that we agree that it ought to be in the state statutes. So I would urge an 'aye' vote. Nobody ought to

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be voting against this. It doesn't require any state moneys."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I am very reluctant ever to stand in support of an override Motion, particularly because of my respect for our current governor, but I would like to briefly mention a few facts about this urban education partnership grant program. It is not new and it is not a mandate. There are no costs attached to what is contained in Senate Bill 725 for the State of Illinois. The Urban Grant Program has been federally funded since 1988. The 153 school districts in Illinois that are the urban education network enroll more than 60 % of the school age population in our state. During the four years that the program has been operating, a total of 84 schools have been funded in 28 school districts across Illinois. This year the program is funding 30 schools representing 14 school districts. This is not a new program. It is one about which we already know the results and they are extraordinary. The result of the urban grants continue... those results continue to be positive because we see increased test scores, improved attendance, increased parent participation, improved grades and decreased dropout rates. We may not want to add any state funds to the federal funds provided for this program at some future time. That will be our decision to make then. But I think that we need to say we affirm a program that works. Because, Mr. Speaker, we've spent an awful lot of money in this State of state money to try to reduce the dropout rate, to try to work with children in urban settings, especially at the high school level. And frankly, Mr. Speaker, most of what we've done, no matter what the cost,

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has not been effective. This is a program that works and for that reason I stand in support of the override Motion on Senate Bill 725."

Speaker McPike: "The question is, 'Shall Senate Bill 725 pass, the veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are...take the record. On this Motion there are 91 'ayes', 24 'nos'. This Motion having received the required Three-Fifths Majority, is adopted and Senate Bill 725 is hereby declared passed, the veto of the Governor notwithstanding. Senate Bill 1020, Representative Steczo. Mr. Steczo. Senate Bill 1037, Representative McGann. Mr. McGann or Mr. Steczo. Senate Bill 175, Representative Dunn. Mr. Dunn. Senate Bill 1030, Representative Munizzi. Mr. Munizzi..

Munizzi: "Thank you, Mr. Speaker. I move to accept the Amendatory Veto on Senate Bill 1031. I ask for your favorable support in this."

Speaker McPike: "The question is, 'Shall...' She's moving to accept, Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker, but in the interest of not having a dispute afterwards, the Lady clearly said she wanted to accept the Amendatory Veto on Senate Bill 1031. I think she meant to say 1030."

Munizzi. My error. My error. Thank you very much. My error. Senate Bill 1030. I stand corrected."

Black: "You mean I won one? Oh, thank you."

Speaker McPike: "Alright, the Motion is...the question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1030?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion

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there are 116 'ayes' and no 'nays'. This Motion has received the required Constitutional Majority, the Motion is adopted and the House accepts the Governor's specific recommendations for change and Senate Bill 1030 having received the required Constitutional Majority, is hereby declared passed. Representative Steczo. Take it out of the record? That's Senate Bill 1020. Out of the record. Representative Hicks. Mr. Hicks. Mr. Hicks. Do you have an announcement?"

Hicks: "Thank you, Mr. Speaker. The appropriations public infrastructure committee will meet now. We will hold that meeting to 30 minutes. We do have people to give testimony for the scheduled meeting at 3:00 o'clock. I would like for those people to be heard, so if the Appropriations Committee will meet immediately in 118, I would appreciate it."

Speaker McPike: "Mr. Hultgren had a reminder. Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker. The Reference Bureau Committee will meet immediately after adjournment, Room 122-B. If we can get a quorum there quickly we can be out in just a few minutes."

Speaker McPike: "Is Mr. Turner here? Mr. Turner on housing. Representative Young."

Young: "Yes, Mr. Speaker. The Housing Committee is meeting right now in Room 114."

Speaker McPike: "Thank you. Representative Matijevich moves that the House stand adjourned until tomorrow at the hour of 10:30 a.m. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned until tomorrow at the hour of 10:30. 10:30 a.m."

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