

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

174th Legislative Day

December 2, 1992

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Kenneth Pate of the United Pentecostal Church in Charleston. Reverend Pate is the guest of Representative Weaver. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Pate: "Our Father, we're so happy to approach You today, and we humbly come into Your presence. We thank You, Lord, for our great country, for the great State of Illinois, and for these honorable men and women who have come to serve You and to serve the great people of this state. We ask today, Lord, that You would receive our thanks, that You would receive our worship, and that You would touch us now, for we're a needy people. We stand in Your presence, and the awe of Your presence fills our heart and mind, and we know today, Lord, as we approach the very important business that is before this Body that You are the only one that can give the wisdom that is necessary at this hour. We are prone to be controlled by our weaknesses but, Lord, help us today by moving in the heart of each person to cause our purpose to become noble. Give us a reverence for righteousness. Help us to remember those who cannot speak for themselves, and bring it to our mind and move and give wisdom that only You can bring to the hearts and minds of each person who is present and, Lord, for the cause of these who have gathered here and stand in Your presence today, we ask that You would bless them. We ask that You would touch them in their personal lives, strengthen them in their body, soul, mind, and strength today. I ask that Your blessings of peace would be upon this gathering, that each one would feel the emotional peace that You can bring, that You said passes all understanding, and that as we go through this Session, that much will be accomplished, that

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You will help us to redeem the time, and that all things will be done for Your glory, and for the great people of this state. We pray in the name of Jesus Christ. Amen."

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

Barnes - 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. Yes, Mr. Clerk, even though you're retiring. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Leitch is excused today."

Speaker McPike: "Mr. Matijevich."

Matijevich: "I have not been informed of any absences here. Thank you."

Speaker McPike: "Thank you. Mr. Clerk, take the...Mr. Leitch, is that correct? Yes. Thank you. Mr. Leitch. Take the record Mr. Clerk. 117 Members answering the Roll Call, a quorum is present. Representative Novak in the Chair."

Novak: "Thank you, Ladies and Gentlemen, Members of the the House. I've got an outstanding young group of gentlemen here that recently concluded their quest to win a world series championship for the Bradley-Bourbonnais Pony League, and I'd like to have the Clerk, Mr. O'Brien, please read the Resolution."

Clerk O'Brien: "House Resolution 2591, offered by Representative Novak. WHEREAS, The members of this body are happy to recognize the excellence of young athletes and wish to congratulate the Bradley-Bourbonnais Pony League Team who won the Annual Pony League World Series which was held in Washington, Pennsylvania; and WHEREAS, The

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Bradley-Bourbonnais Pony League All-Stars, managed by Paul Zeedyk, won the championship with a 4-3 win over the team from Pasadena, Texas, thus bringing the Kankakee community its first world championship baseball team; and WHEREAS, Prior to the game, Bradley-Bourbonnais was awarded the Jack Howell Sportsmanship Award, which was based on a vote of the Pony Tournament Committee and selected merchants in Washington; and WHEREAS, The entire Kankakee community should be proud of the dedication, resolve, and athletic ability of the young men who were members of this team; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we heartily congratulate the Bradley-Bourbonnais Pony League Baseball All-Stars on taking the Pony League World Championship; that we commend the players and their coaches on good sportsmanship, hard work, and dedication; and that we extend our sincere best wishes to them for the future; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to each member of the team and its coaches."

Novak: "Thank you, Mr. Clerk. Ladies and Gentlemen, I'm very honored to have this team and their coaches here today. These young men went through a lot of adversity and traveled around the country to not only represent their state, but they won for the entire nation, and they won for the entire world series, and it's...I know a lot of us bring teams down here of young men and women that have academic achievements and athletic achievements, but when a team can overcome a lot of obstacles and win a world's championship, they certainly deserve our recognition. I'd like for you to give them a round of applause, please. I'd like like to introduce Paul Zedich, the coach, who would

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like to introduce all the members of the team. Paul."

Paul Zedich: "To my left here we've got Bill Simulek, next to him is Jake Zich, then we have Jim McQue, Dustin Grace, T.J. Power, Jeff Wiley, Eric Zedich, Tommy Glen, Josh Carlaisle, Jason Cornelius, Greg Simmons, Steve Babinski, down at the bottom is Gary Freeland, and my coach, Lonnie Arthur."

Speaker McPike: "Representative McPike in the Chair. Well, we'd like to welcome back to the House floor a very good friend, ex-Representative Peg Breslin, who is now Appellate Judge elect. Peg Breslin. Representative Laurino. Representative Laurino in the Chair."

Speaker Laurino: "The House will turn their attention to page 6 on the Calendar, Amendatory Veto Motions. Senate Bill 1772, Representative Cowlshaw."

Cowlshaw: "Yes, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Motion is to accept the Amendatory Veto on Senate Bill 1772. This Bill was sponsored in the Senate by Senator Arthur Berman. It originally had three different provisions, all of which had to do with education. Two of those provisions appeared in other Bills that were signed into law, and so, the Governor removed those from this Bill, leaving only one provision, and that was at the request of the DeVry Institute. It seems that in the past, DeVry has been regulated both by the Board of Higher Education and the State Board. It was thought, perhaps, and agreed by The State Board that DeVry, because it is a degree granting institution, should be regulated only by the Board of Higher Education and not as a vocational school by the State Board of Education. The Governor, in his Veto Message, endorses that concept. Senator Berman has all ready accepted the Amendatory Veto in the Senate and had...the Senate has been in accord with

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that. Recent conversations with officials at the State Board, confirmed that this measure also enjoys the continued support of The State Board of Education. I know of absolutely no opposition to this legislation, and it originally passed both chambers without a single dissenting vote. For all of those reasons, Mr. Speaker, I rise and ask my colleagues to join me in accepting the Amendatory Veto on Senate Bill 1772. I would be glad to answer any questions."

Speaker Laurino: "Further discussion? Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Cowlshaw, does this, right here Mary Lou..."

Cowlshaw: "I'm sorry. Who is the Speaker? Who is speaking at the moment? Oh, Mike. I'm sorry, I couldn't place the voice."

Weaver: "Does this have anything to do with the movement of governance of adult education..."

Cowlshaw: "No."

Weaver: "...From the Community College Board to the State Board..."

Cowlshaw: "No. It has absolutely nothing to do with that. It has only to do with the vocational higher education program, such as that offered at the DeVry Institute."

Weaver: "Okay. Well, you understand, there's a lot of us very sensitive to that issue."

Cowlshaw: "Yes. I am aware of that, and I realize that is a corollary issue, but it is not an issue that is treated by this legislation."

Weaver: "Very good. Thank you."

Cowlshaw: "Thank you."

Speaker Laurino: "Further discussion? Seeing none the question

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is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1772?' All those in favor will indicate by voting 'aye', opposed 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Motion has received 112 'ayes', 0 voting 'nay', 0 voting 'present'. It has received the required Constitutional Majority, so, the Motion is adopted and the House accepts the Governor's specific recommendations for change. The next Bill to be called will be Senate Bill 1468, Representative Burke. Out of the record. Senate Bill 1588, Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I move to accept the Governor's Amendatory Veto changes as they relate to Senate Bill 1588. This is a prompt pay Bill. You know, we've been debating prompt pay legislation for a couple of years, and unfortunately, we've not had much success at getting the Governor to go along with it...with us on this proposal, but this Bill is a good first step. It creates a structure by which we can build and improve the states...responsibility to pay their bills on time. What the Governor has done, is cut from the Bill...or reduced from 1.25% monthly rate of interest to 1%. He's extended the time by which the Bill becomes effective to 60 days from the time of approval of the invoice. He has raised the interest access level from \$25 of interest per invoice to \$50 before you receive an interest payment, and from \$25 to \$50 you have to do as you do today, apply in writing for it. Less than \$25 of interest per invoice is no longer subject to the state paying it. And he has delayed the effective date from...a current effective date until July

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1st, 1993. I guess one of the best things you can say about this Bill, is it does, for the first time, require the state to automatically, automatically pay an interest penalty when we fail to pay our bills within a reasonable period of time, 60 days. So, I would ask my colleagues, in a bipartisan effort, to restore fiscal responsibility to state government to support this Motion."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise to support the Gentleman's Motion and thank him for working on this so diligently and cooperating with the Governor, and with...accepting the Amendatory Veto. We think this is a step in the right direction to do what the Gentleman has been trying to do for a considerable period of time."

Speaker Laurino: "Further discussion? Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker. I wanted to make some comments about the Bill. I totally support the efforts in the Bill and I certainly would hope we would all vote 'yes'. But, I think I have to point out some of the things that I think still needs to be improved, and although we have reduced the amount from 2% to 1%, which was a provision that many of us had suggested, I think to delay the payment of the bills an additional 30 days, to go from 30 to 60 days to allow a bill to be processed, to be paid, after the original 30 days it now takes for them to do it, is still 90 days, 3 months before interest would be automatically paid. And I think that's an area that we should look at as the health of this state improves and our economy allows us to go back to more prompt payment terms. I think other provisions that I think we have to do is also the voucher with the accrued interest of \$50 or more. That's fine, but you know, when you have doctors and

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dentists and small medical people, and other businesses that have smaller amounts, and that would be what, a \$4 or \$500 bill perhaps, before you could get that interest, they wouldn't even have to qualify and have to go through the same procedure. I think that's another area that we should look at. And I think to exclude any interest of less than \$25 is certainly a provision that we should look at also. So, I think although we are in the right step and I think everybody should vote for it, we still need to do more work to make Illinois a real prompt pay state. I commend the Governor for doing this and I welcome and commend Mr...Representative Edley, for his efforts."

Speaker Laurino: "The House would like to take the opportunity to welcome Senator Pam Munizzi to the House floor and for taking time out of her busy Senate schedule to come over and say hello to her old colleagues. Thank you, Senator Munizzi. Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. This obviously is a Bill that does not do exactly what all of us want, but, as the Sponsor indicated, is a step in the right direction, and it does place responsibility on the state to be current as the state expects everyone else to be payment...current in paying their taxes and so forth. So, I think this is an exceptionally good move, it is broad enough to cover all vendors. It was not like a previous Bill that was introduced that only took care of a specific group of people, and I think this is fair, equatable and is a very excellent start and I want to commend, not only the Governor for his movement, the Sponsor of this Bill."

Speaker Laurino: "Further discussion? Seeing none, Representative Edley to close."

Edley: "Thank you very much, Mr. Speaker. I would just

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briefly...just to say that I agree with my colleagues on the other side of the aisle that there is a lot of work that needs to be done and I'll work with them so that during the next Legislative Session we can correct some of these really glaring shortfalls that this Bill has. But, it's a good first step and I would ask for a positive Roll Call."

Speaker Laurino: "The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1588?' All those in favor indicate by voting 'aye', opposed 'nay'. The board is open. Have all voted who wish? Representative Wyvetter Younge votes 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Motion has received 116 'ayes', 0 voting 'no', 0 voting 'present'. It has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. Ladies and Gentlemen of the House, can we have your attention for a moment. Representative Tom Ryder from Morgan County would like to address us."

Ryder: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand with you today in order to honor a young man who is a national winner. Greg Brown wrote an essay, a copy of which I have available, he wrote an essay that was a national winner in the Mother's Against Drunk Driving contest. We have a Resolution to honor him, and then I would be glad to introduce him and his parents in just a moment. Mr. Clerk, if you would please."

Clerk McLennand: "House Resolution 2171, offered by Representative Ryder. WHEREAS, The House takes pleasure in recognizing the achievements of Illinois young people; and

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WHEREAS, Greg Brown, a sophomore at Jersey Community High School, is one of six winners in a national essay contest sponsored by Mothers Against Drunk Driving; and WHEREAS, Greg, the son of Warren and Carol Brown, of rural Jerseyville, took top honors in the high school division; and WHEREAS, His essay was entitled, "Make All The Right Moves - Drive Sober!" and deals with peer pressure to drink; and WHEREAS, Greg Brown is an honor student, plays baseball, basketball, and football, and is a member of Future Farmers of America; and WHEREAS, For his winning essay, he received a savings bond and a trip to Houston for the awards ceremony on May 3-5, 1992; and WHEREAS, Greg Brown's essay will be used in many of MADD's brochures throughout the United States; and WHEREAS, Students like Greg Brown are a credit to their teachers and parents; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Greg Brown on writing a winning essay in the contest sponsored by Mothers Against Drunk Driving, commend him for his effort to help other teenagers resist peer pressure to drink, and wish him all the best in his future academic career; and be it further RESOLVED, That a suitable copy of this preamble and resolution be presented to Greg Brown. Adopted by the House of Representatives June 16th, 1992."

Ryder: "Thank you, Mr. Clerk. The Resolution had previously been adopted by the House. Greg took this opportunity to leave his school and come with us today. It's my pleasure to introduce...before I introduce Greg, I'd like to introduce his parents...thank you, Warren and Carol Brown, who are in the back, we thank you for being here today. Now it's my pleasure to introduce to you Greg Brown, from Jerseyville,

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Illinois who is a first place nation winner in the Mother's Against Drunk Driving poster essay contest. Greg."

Greg Brown: "Winning the MADD essay contest was one of the greatest experiences that I have ever had. The \$1,000 savings bond, the trip to Houston, NASA Space Center, television coverage, and interview. The whole thing was great. All in all, I had a great trip, and I truly appreciate representing the State of Illinois in Houston, Texas."

Ryder: "Greg did an excellent job. We do have copies of the essay that he wrote. I think that in this time when we are faced with lots problems created by the youth, to see a fine example of a young man whose doing something very positive with his life. It's a pleasure for me to have the opportunity to be here with him today. Mr. Speaker, thank you for the opportunity."

Speaker Laurino: "Thank you, Representative Ryder. Appearing on page 6 on the Calendar is Senate Bill 1768, Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to move that we accept the Amendatory Veto of Senate Bill 1768, which deals with volume base rates for garbage."

Speaker Laurino: "The Gentleman moves for the adoption of the Amendatory Veto to Senate Bill 1768. Further discussion? Seeing none, the question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1768?' All those in favor will indicate by voting 'aye', opposed 'nay'. The board is open. Mr. Clerk, dump the Roll Call please. Inadvertantly, a wrong number was put up there. Would you now kindly put Senate Bill 1768? Thank you. You heard the Gentleman's Motion to accept the

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Amendatory Veto to Senate Bill 1768. Seeing no further discussion, all those in favor will indicate by voting 'aye', opposed 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Motion, having received 113 'ayes', 0 voting 'nay', 0 voting 'present', has received the required Constitutional Majority. So, the Motion is adopted, and the House accepts the Governor's specific recommendation for change. Let the record reflect that Representative McGuire wished to vote 'aye' on Senate Bill 1768. Representative Giglio in the Chair."

Speaker Giglio: "Representative Hoffman, page 2 of the Calendar, you have a Bill on Senate Bill...on the Order of Third Reading, 420."

Hoffman: "Yes, Mr. Speaker, I would like to move that back to second for the purposes of an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion on Senate Bill 420 to move it back to the Order of Second Reading. Does the Gentleman have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 420. This Bill has been read a second time previously. Floor Amendment #..."

Speaker Giglio: "Representative Hoffman, what's the status on Amendment #1? Representative Hoffman."

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

Speaker Giglio: "Representative Hoffman."

Hoffman: "Table Amendment #1."

Speaker Giglio: "The Gentleman moves to table Amendment #1. Representative Santiago, do you want to withdraw Amendment #1?"

Santiago: "Yes, I withdraw Amendment #1."

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Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Hoffman on Amendment #2."

Hoffman, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 essentially contains an Amendatory Veto by the Governor, which would place veterans on the Job Training Protection Act Board. What...essentially what it would do is, the Governor would...has agreed and Amendatorily Vetoed a previous Bill that would place five veterans on the job...or JTPA Board. Now, what this would do is because of some technical problems with federal law, this would place one veteran on the JTPA Board. I ask that Amendment #2 be adopted."

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

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading."

Hoffman, J.: "I would ask for immediate consideration."

Speaker Giglio: "The Gentleman asks for immediate consideration. Does the Gentleman have leave? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "This just simply incorporates the Governor's language on a noncompliance Bill and puts it into this Bill, correct?"

Hoffman, J.: "Exactly."

Black: "Alright. The Gentleman has leave. We support the

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Motion."

Speaker Giglio: "The Gentleman has leave for immediate consideration by the Attendance Roll Call. Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 420, a Bill for an Act to amend the Illinois Job Training Coordinating Council Act. Third Reading of the Bill."

Speaker Giglio: "Representative Hoffman."

Hoffman, J.: "Thank you, Mr. Speaker. I believe that I explained it previously on the Amendment. What this would do is this would put on the JTPA Board one veteran member. The Governor has agreed to this. The other side of the aisle has no objection. I ask for a favorable Roll Call."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall Senate Bill 420 pass?' 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? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', and Senate Bill 420, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar announcements."

Clerk McLennand: "Supplemental Calendar #1 is being distributed."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Yes Mr. Speaker, Ladies and Gentlemen of the House. I would ask unanimous consent...leave of the House and use of the Attendance Roll Call to suspend the appropriate posting notice on House Bill 760, and the rule whereby a committee cannot meet while the House is in Session so that the Rules Committee can meet immediately in the Speaker's conference room to consider the exemption of House Bill 760. This is a Bill that relates to the...regional

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superintendent of schools of Cook County and abolishment of the office. This has been discussed with the other side of the aisle, with Representative Kubik, and I understand there is an agreement to this Bill. So, I'd ask unanimous consent for that purpose."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? Hearing none, leave is granted. The Rules Committee will meet immediately in the Speaker's conference room. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met, and pursuant to Rule 29(c)(3), the following Bill has been ruled exempt: House Bill 760, signed John Matijevich, Chairman."

Speaker Laurino: "Representative Laurino in the Chair. The Chair recognizes Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I would ask unanimous consent, use of the Attendance Roll Call for that purpose, to suspend the posting notice on Senate Bill 130, and suspend the rule whereby a committee cannot meet while we're in Session, so that a Rules Committee can meet immediately in the Speaker's conference room to consider the exemption of Senate Bill 130. This is at the request of Representative Black, so it has been cleared. So, I would ask leave."

Speaker Laurino: "The Gentleman asks leave of the House to have the Attendance Roll Call used for the purpose of exempting the Rules Committee to meet while we are in Session. Does he have leave? Hearing no objection, the Gentleman has leave. Representative Satterthwaite in the Chair."

Speaker Satterthwaite: "Committee Reports."

Clerk O'Brien: "The Committee on Rules has met, pursuant to Rule 29(c)(3), the following Bill has been ruled exempt: Senate Bill 130, signed John Matijevich, Chairman."

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Speaker Satterthwaite: "On Supplemental Calendar #1, there appear Motions. On House Bill 760, Representative Balanoff moves pursuant to Rule 74(a) to take from the table House Bill 760, to suspend rule 79(e) and place on the Order of Concurrence. Is there any discussion? Seeing no one seeking attention, the Attendance Roll Call will be used for a purpose of passing the Motion, and the Motion is adopted. On Senate Bill 1519, Representative Capparelli moves to suspend Rule 79(e), and place the Bill on the Order of Concurrence. Is there any discussion? Seeing no one seeking attention, the Attendance Roll Call will be used for purposes of passing the Motion, and the Motion passes. On Senate Bill 1803...The Sponsor for that Motion is not here at the moment. Representative Balanoff, are you ready...Out of the Record. Representative Capparelli, are you ready on Senate Bill 1519? Mr. Clerk, do we need to read the Bill? We do not need to read the Bill. Representative Capparelli."

Capparelli: "I refuse to recede, and I ask for a Conference Committee."

Speaker Satterthwaite: "The Gentleman moves to recede from House Amendment #1, and asks for the appointment of a Conference Committee. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Gentleman's Motion carries. Supplemental Calendar #2 has now been distributed. Representative Stern moves to take Senate Bill 1803, to suspend Rule 79(e), and place the Bill on the Order of Conference Committee Reports. Representative Black, are you rising to speak to that Motion?"

Black: "I object, Madam Speaker. We're not in agreement with that whatsoever."

Speaker Satterthwaite: "Well, you are not in favor of using the

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Attendance Roll Call...but the Lady is putting the Motion and the Motion, as I understand it, takes only 60 votes. All those in favor..."

Black: "I'm sorry. I'm sorry. Wait a minute, Madam Speaker. Madam Speaker, what rule is she asking to be waived?"

Speaker Satterthwaite: "She's asking to suspend 79(e), and place the Bill on the Order of Conference Committee Reports."

Black: "And the Chair has ruled that it only takes 60 votes?"

Speaker Satterthwaite: "He has so ruled...the Parliamentarian advises me that that's appropriate."

Black: "An inquiry of the Chair. Since this Bill is almost as old as I am, are copies available? Are they on our desks, or are we just expected to recall what this is from a long time ago?"

Speaker Satterthwaite: "I am sure that the Bill has been placed on the Members desks at some time in the past. Representative Brunsvold."

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

Speaker Satterthwaite: "Representative Stern. Representative Stern, will you yield for a question on your Motion? She indicates she will."

Brunsvold: "Representative Stern, what is your intent by putting this in Conference Committee? What do you intend to put on this Bill?"

Stern: "The...the first..."

Brunsvold: "Well, what is on there then?"

Stern: "The First Conference Committee Report, which is what we are talking about now, has a great deal of miscellaneous on it, Sir. It has on it the Pilot Project Bail Agent and Solicitor License Act plan for Will County. It has on it some semi-automatic handgun legislation...it has on it..."

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Brunsvold: "That's far enough Representative."

Stern: "...some car hijacking legislation."

Brunsvold: "That's far enough. I object, also, to the Lady's Motion and would ask support on this side of the aisle to reject her Motion and would like a Roll Call, please."

Speaker Satterthwaite: "The Lady moves to suspend Rule 79(e) and place Senate Bill 1803 on the Order of Conference Committee Reports. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Representative Stern, would you wish to explain your vote?"

Stern: "I am not sure, Members of the Assembly, for which part of this Bill you are pushing your red button. There are a number of...but I gather that there are some opponents to handgun regulation. I gather there are some opponents to the car hijacking legislation, although I can't imagine why, and the pilot project on putting the system of bondsmen back into the private sector is one that is only in Will County. I can't imagine that it would arouse the kinds of animosities that I see on the board before me. I would urge you to reconsider this and allow the Bill to be debated."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 28 voting 'yes', 80 voting 'no', 1 voting 'present', and the Lady's Motion fails. On the Order of Amendatory Veto Motions...back on Supplemental Calendar #1, Representative Stern, on Senate Bill 1803."

Stern: "Madam Speaker, I would like to request that a Second Conference Committee be appointed."

Speaker Satterthwaite: "The Lady asks for a Second Conference Committee on Senate Bill 1803. All in favor say 'aye', opposed 'nay'...The Second Conference Committee will be

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appointed. On page 6 of the Regular Calendar on the Order of Amendatory Veto Motions appears Senate Bill 1992, Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that we accept the Governor's Amendatory Veto to Senate Bill 1992. Senate Bill 1992 is what's known as the Homeless Voter Bill to allow homeless voters to register and vote under certain circumstances. Many of you who voted against it, voted against it because the Governor previously was not in favor of this Bill. With the Governor's Amendments, he apparently is in favor of the Bill. The Amendments in the Governor's opinion, and in mine, tighten up the language...reminds you that even under this Bill homeless voters still have to have an address at which they receive mail. They still have to have two forms of identification, such as all of us do when we register to vote. There are safeguards to make sure that vote fraud does not take place. Ladies and Gentlemen, this Bill would enable the State of Illinois to be the first state in the country to enact a Bill into law that would allow homeless voters to vote. There is no citizen of our state or our country that is more needy to be involved in the political process. No one has a higher stake in the political process than homeless voters. I would recommend strongly an 'aye' vote to protect our political system and to make sure that all of our citizens have a right to register and vote."

Speaker Satterthwaite: "Representative Ropp."

Ropp: "Madam Speaker, would the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Ropp: "Representative, can you give me a number that we're talking about in terms of homeless people and the number of

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voters that we're really talking about with this Bill, should it pass?"

Lang: "There is an estimate that about 7,000 people statewide would take advantage of this Bill should it become law."

Ropp: "Seven thousand in 102 counties, so about..."

Lang: "I'm sorry, Representative, I can't hear you."

Ropp: "Seven thousand in 102 counties total."

Lang: "Seven thousand statewide."

Ropp: "Statewide. Thank you."

Speaker Satterthwaite: "Representative Schakowsky."

Schakowsky: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This legislation simply guarantees that citizens of the United States, residents of Illinois, will be guaranteed the opportunity to exercise their constitutional right to vote. All of the safeguards and more that protect against fraud, will be applied to homeless people. Getting here today has been a fairly arduous process of compromise every step of the way. The legislation before you, today, has met every test. The Governor, now, has made changes that would protect against fraud. I think it is with pride that we can vote for legislation, now in this holiday season, that would guarantee the homeless in our state the right to vote, and I urge you to accept the Governor's Amendatory Veto."

Speaker Satterthwaite: "Representative Lang to close."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is critical for our democracy to have all citizens involved in the political process, and I strongly recommend 'aye' votes."

Speaker Satterthwaite: "The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1992?' All in favor vote 'aye', opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes', 10 voting 'no', 2 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed, accepting the Governor's specific recommendation for change. On the Order of Senate Bills, Second Reading, on page 5 of your Regular Calendar there appears Senate Bill 2088. Representative Lang."

Lang: "Thank you, Madam Speaker. I believe there are Amendments to the Bill."

Speaker Satterthwaite: "Mr. Speaker (sic - Clerk), has...the Bill has been read a second time all ready? Are there Amendments available?"

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

Speaker Satterthwaite: "Representative Lang."

Lang: "Madam Speaker, I'd like to take this Bill out of the record, briefly. Thank you."

Speaker Satterthwaite: "Out of the record. On page 6 of the Regular Calendar, under Amendatory Veto Motions, appears Senate Bill 1468. Representative Burke."

Burke: "Thank you, Madam Speaker. I move that the House accept the Governor's Amendatory Veto."

Speaker Satterthwaite: "Is there any discussion? Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, I can't even pronounce this Bill's name, let alone spell it. Could you refresh my memory as to what this does?"

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Burke: "This is the Naprapathic Practice Act."

Black: "I'm sorry. I couldn't hear you."

Burke: "The Naprapathic Practice Act."

Black: "Naprapathic?"

Burke: "Correct."

Black: "Okay. What's a Naprapath?"

Burke: "Well, not to make any comparisons, but similarly to chiropractors, naprapaths exist, but they work on soft tissue and ligaments and muscle as opposed to skeletal. If you recall, Representative, this Bill passed unanimously..."

Black: "Oh, this the...I'm sorry. Yes. I recall now, and you're accepting the Governor's Amendatory language?"

Burke: "That is correct."

Black: "Okay. I'm sorry. Thank you very much."

Speaker Satterthwaite: "Representative Burke to close."

Burke: "Thank you, Madam Speaker. I just move that the House accept the Governor's Amendatory Veto."

Speaker Satterthwaite: "The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1468?' All those in favor vote 'yes', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present', and this Motion has received the required Constitutional Majority, and the Motion is adopted. The House accept the Governor's specific recommendations for change. On Supplemental Calendar #2 appear Motions. Representative Homer on House Bill 3986, moves pursuant to Rule 74(a) to take from the table House Bill 3986, to suspend rule 79(e) and place on the Order of Conference Committee Reports. Seeing no one seeking recognition, is

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there leave to use the Attendance Roll Call for purposes of passage of that Motion? Leave is granted, and the Motion passes. Representative Black, for what reason do you rise? Representative Currie on Senate Bill 1518 moves to suspend rule 79(e) and place the Bill on the Order of Conference Committee Reports. Is there leave for the Attendance Roll Call for passage of the Lady's Motion? Seeing no objection, leave is granted, and the Motion passes. Representative Currie on Senate Bill 1518."

Currie: "Thank you, Madam Speaker and Members of the House. This is a Bill with three separate provisions, all of them essentially making technical revisions to statutes that we passed in the spring but need correction now. One deals with the income tax changes that would prevent taxpayers from claiming the same dependent child, and what this clarification does is to make sure that those whose incomes are less than \$1,000 will not have to file tax returns in the State of Illinois. The second deals with the Uniform Interest and Penalty Act program, again, adopted last spring, and what this change would do would be to add a voluntary disclosure program to that Act, and the third, is a clean up on the electronic funds transfer program, again, that we adopted last spring. These changes would affect...in fact, would add to the provisions of that Bill taxpayers...these are commercial taxpayers who make estimated quarterly payments to the EFT agreements. I know of no opposition to this Conference Committee Report. The Department of Revenue supports it, as does the retail merchants and the Taxpayers' Federation, and I'd be happy to answer your questions."

Speaker Satterthwaite: "Representative Kubik."

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

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House. I just rise to echo the Lady's comments, and to indicate that there is no opposition. This is an agreed Bill. The Department of Revenue, Governor's office and our side of the aisle are all in favor of it. I'd urge passage of Senate Bill 1518."

Speaker Satterthwaite: "Representative Currie to close. Oh, excuse me, Representative Mulcahey."

Mulcahey: "A question of the Sponsor. What was the EFT portion of that Conference Committee Report, Barbara?"

Currie: "Again, this was a clarification of the measure that we passed last spring, and what this would do...would mean that those people who make estimated quarterly payments...we're talking here about commercial...liabilities with the Department of Revenue, but those who make estimated quarterly payments would be involved in the EF...electronic fund transfer agreements, and these clarifications were worked out between the Department of Revenue and the Retail Merchant's Association."

Mulcahey: "Thank you."

Speaker Satterthwaite: "Representative Currie to close."

Currie: "I think it's pretty clear what the Bill is about. I'd appreciate your 'aye' votes."

Speaker Satterthwaite: "The question is, 'Shall the House accept...shall the House adopt the First Conference Committee Report to Senate Bill 1518?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 114 voting 'yes', none voting 'no', none voting 'present', and the Bill has received the required Constitutional Majority, and is hereby declared passed. Representative Morrow wishes to be

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added, making the total 115 'yes', none 'no', and none 'present', and the Bill has passed. Under Conference Committee Reports, on Supplemental Calendar #2, appears Senate Bill 2100. Representative McGann. Representative McGann."

McGann: "Thank you. You want to read the Bill?"

Speaker Satterthwaite: "You may proceed, Representative."

McGann: "Pardon me?"

Speaker Satterthwaite: "You may proceed to present the contents of the Conference Committee Report."

McGann: "Thank you. Thank you, Madam Speaker and Members of the Assembly. Senate Bill 2100 is Conference Committee Report #1, is requested to recede the House Amendments #1, 2, 3, and 4. It deletes everything else, and the Bill is amending the Retailers' Occupation Tax and Use Tax Acts. What it does, basically, is that it amends these Acts to clarify that the rolling stock exemption applies to air passenger telephones which are permanently installed on commercial airlines, as it does to other forms of rolling stock moving in interstate commerce. The exemption contained, in Senate Bill 2100 is consistent with the tax policy rationale underlying the present exemption which is to avoid multistate taxation of rolling stock in interstate commerce. I would appreciate support, and I would be happy to answer any questions. It is my understanding that this is actually in an agreed Bill process on both sides of the aisle."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Representative McGann is correct. The Bill has been gutted except for the provision that he has outlined. I know of no opposition to this particular proposal, and

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I'd urge my members to support and adopt the First Conference Committee Report on Senate Bill 2100."

Speaker Satterthwaite: "The question is, 'Shall the Senate...shall the House adopt Senate Bill...shall the House adopt the First Conference Committee Report on Senate Bill 2100?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Balanoff, 'aye' and...Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present', and the House has adopted the First Conference Committee Report on Senate Bill 2100. Representative Martinez, for what reason do you rise?"

Martinez: "Thank you, Ms. Chairman. I would like the record to reflect that I would have voted 'aye' on this past Bill, on 2100."

Speaker Satterthwaite: "Representative Martinez wishes the record to indicate that he intended to vote 'aye' on the First Conference Committee Report on Senate Bill 2100, and the record will show...so reflect. Representative Kulas, did you wish to be recognized?"

Kulas: "Yes, thank you Madam Speaker. Madam Speaker, I would like to move to waive the appropriate rules and use the Attendance Roll Call in order to bring back and resurrect the 'Royal Order of Mushrooms', which I disbanded back in June. It was brought to my attention by some of the Members here that the fungus among us is starting to fester, and we'd like to know what the schedule is for the rest of the day. Thank you, Madam Speaker."

Speaker Satterthwaite: "Representative Kulas, is there a Bill or Resolution number associated with that Motion?"

Kulas: "They keep me in the dark and won't let me know."

Speaker Satterthwaite: "Representative Balanoff, do you wish to

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proceed with House Bill 760 on the Order of Concurrences on Supplemental #1? Representative Balanoff."

Balanoff: "Madam Speaker, I move to concur with Senate Amendments 1, 2, and 3 to House Bill 760. What this would do is speed up the elimination of the office of the Cook County Superintendent of Schools, something that Legislators on both sides of the aisle have worked very hard for for a long time. Last year, we successfully passed legislation to eliminate the office effective when the current occupant's term ended on August 7th of '95, but with his resignation, Amendment #3, which becomes the Bill would move the date up to July 1st of 1994, at which time all if any functions of the office would be assumed by the State Board of Education. It will be a tremendous savings to the taxpayers. The State Board of Education is on board, the Governor's Office and the Cook County Board President, Dick Phelan, and I know of no opposition."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would rise, also, in support of the conference...or this concurrence Motion. This legislation will speed up the abolition of this office, and I think that it's high time. This has been a project that many Legislators have been working on for quite some time. There's a lot of cooperation on this issue, as Representative Balanoff has indicated. The State Board has agreed to this proposal, and good riddance with this particular office, and let's put this chapter, this sorry chapter, of the Cook County Regional Superintendent to rest. I urge your support of the concurrence Motion on House Bill 760."

Speaker Satterthwaite: "Representative Davis."

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Davis: "Thank you, Madam Speaker. You know, I'm sure that most people in this Body will certainly support this legislation to speed up the abolition of our Cook County Regional Superintendent, but I'd like to ask Representative Balanoff if all of the duties that are currently carried out by the regional office, for example, the teacher's certification process, the GED testing, the planning for sites for GED. I have visited the regional superintendent's office, and I have found it to be extremely busy with a number of workers serving a number of people, even though those people are in Cook County. I want to know, have all of the services that they provide been farmed out, and if so, to whom?"

Balanoff: "Well, all of the functions of the office, if any, will be...come under the purview of the State Board of Education on July 1st of 1994. A year and a half from now."

Davis: "So, a year and a half from now, in July of 1994, hopefully, everyone in this Body hopes that all of the services, the teacher certification process, all of the GED services and those things that are available to the people who reside in Cook County, you're hoping that they will be farmed out to some other entity, be it the State Board of Education, but someone will be responsible to see that the citizens in Cook County get the same services that other people get in other counties. Is that what you're saying, Representative?"

Balanoff: "Absolutely."

Davis: "Well, I'm just going to say that I hope so as I vote 'no'."

Speaker Satterthwaite: "Representative Balanoff to close."

Balanoff: "I just ask for your 'aye' votes."

Speaker Satterthwaite: "The question is, 'Shall House Bill 7...shall the House concur in Senate Amendments 1, 2, and 3

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to House Bill 760?' All in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 5 voting 'no', 5 voting 'present', and the House concurs in Senate Amendments 1, 2, and 3 to House Bill 760, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Lang moves pursuant to Rule 43(a) to bypass committee and place House Resolution 2642 on the Speaker's table for immediate consideration. The Resolution and been reproduced and distributed on the Member's desks. Is there leave of the House to use the Attendance Roll Call for that purpose? Hearing no objection, the Attendance Roll Call will be used, and the Motion is passed. Representative Lang to present the Resolution."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Resolution 2642 deals with an issue that has been on the news lately regarding the owner of the Cincinnati Reds baseball team, Marge Shot. Many of you have read about this and heard about this. Marge Shot has not denied comments that she's made relative to African-American people, to Asian-American people, to Jews in America and elsewhere, she refers to all of those groups in very derogatory terms. Terms that we wouldn't even want to repeat on the microphones and on the speakers in the General Assembly. Because major league baseball and all sports teams offer themselves out as...as leisure time activity, particularly for young people, the young people of America are drawn to sports, and they read the newspapers, and where they read in the newspapers and hear on the news, because of their interest in sports, that

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people that own teams are racist, and people that own teams don't like people because of the color of their skin or their background or their religion. It makes...it puts a dent in our abilities and our efforts to raise our children in the State of Illinois and United States as people who don't grow up with prejudices, and so the major league baseball owners are investigating this, and they have the power to expel this woman from baseball or to fine her, and it's important that we not be silent on this and that they not be silent on this. I would ask your unanimous adoption of this Resolution."

Speaker Satterthwaite: "Representative Shaw."

Shaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think Representative Lang has basically said it all. I think that Mrs. Marjorie Shot...her remarks, her alleged remarks have not set a good example for young people across this country, and people that are working for her...and she is the only woman that I know, a person that I know, in their apology, their public apology, is also insulting. I think we have to look at that, and I think this Resolution calls for a censure by the executive board of the baseball league, and I think it's important that we, the legislative Body here in Illinois, send a clear message to that body, and let them know that this will not be tolerated in Illinois, when you're talking about ethnics and calling people out of their...talking about their religious beliefs and that type of thing. I think it's unfortunate that we have people like this, owner of a major baseball team, in this day and age have not moved into the 21st century. I ask for the passage of this House Resolution 2642."

Speaker Satterthwaite: "The question is, 'Shall the House adopt

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House Resolution 2642?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. On the Regular Calendar on page 3, appears Senate Bill 2104. Representative Granberg."

Granberg: "Thank you, Madam Speaker. I would like to bring...have leave of the House to bring this back to Second Reading for purposes of an Amendments."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. Is there any discussion? Representative Curran, did you wish to speak on the Gentleman's Motion?"

Curran: "No."

Speaker Satterthwaite: "All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Bill is on Second Reading. Mr. Clerk, read the Bill...or what is our status? Do we have...Amendments?"

Clerk O'Brien: "Senate Bill 2104, this Bill has been read a second time previously. Amendment #1 was adopted previously."

Speaker Satterthwaite: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Satterthwaite: "Floor Amendments?"

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

Speaker Satterthwaite: "Representative Curran."

Curran: "Thank you, Madam Speaker Ladies and Gentlemen of the House. Amendment #2 simply reverses recent changes in the states procurement procedures pursuant to Public Act 87-860, that's Senate Bill 1783 which kind of passed out of here...under the dark of night that lessened centralized procurement rolls of CMS. We don't want to do that, we want...to protect the taxpayers money better. This reduces the...dollar threshold for competitive procurements from

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25,000 back to 5,000 and a series of other things which put us back into the position which...Senate Bill 1783 unwisely and I think unknowingly took us out of. This...saves taxpayers dollars. Move...move for the adoption of the Amendment."

Speaker Satterthwaite: "Representative Hultgren."

Hultgren: "Will the sponsor yield? Representative Curran, does...does your Amendment replace everything in the Bill or is there something in the underlying Bill that would remain?"

Curran: "It...it re...it puts everything back in the way that it was before 1783 passed."

Hultgren: "I understand that but...but the underlying Bill 2104..."

Curran: "Oh, I'm sorry."

Hultgren: "Is...is...does it replace everything on the underlying Bill or..."

Curran: "The funding formula, I'm advised, is now out of the Bill."

Hultgren: "Out of the Bill. Thank you."

Curran: "Correct."

Speaker Satterthwaite: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the sponsor yield for questions, please? Thank you. Representative, you indicated that by passing the legislation that you purposed that it will save Legislators money."

Curran: "Yes, I do."

Ryder: "I take it from that, that you believe that the legislation that this General Assembly passed has cost us money. Is that correct?"

Curran: "Here's what I understand and know because I live in Springfield and the people who work in the procurement

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division are my constituents. What I understand..."

Ryder: "Might as well by the way."

Curran: "What I understand is that we decimated the procurement division of CMS. We also changed for example, the competitive bidding procedures...the dollar threshold from 25,000...from 5,000 all the way up to 25,000 and I'm...an increase of 500%..."

Ryder: "Representative."

Curran: "...so, what I'm saying to you is that when you liberalize those bidding procedures when you be...decimate a procurement division certainly you're starting to make poorer use of taxpayers dollars and therefore, I know you want to and I want to make better use of those taxpayers dollars. That is the genesis for this...this legislation."

Ryder: "And...and the first use of those taxpayers dollars is to hire...is to spend another \$500,000 hiring people. That's what this Bill does."

Curran: "The procurement division..."

Ryder: "...another 500,000. Is that correct, Representative? The exact figure is 429,200. I may have exaggerated."

Curran: "I am told from staff it's 245,000, 429,000 was the amount of money...that was cut out by a separate Bill, I believe, last year."

Ryder: "Repr..."

Curran: "The procurement division in my understanding saved the state millions of dollars, not tens of thousands or hundreds of thousands, but, millions or perhaps tens of millions every year. We don't want to undo that good thing."

Ryder: "Thank you for the answer to the questions. The 200,000, Representative, is 6 months..."

Curran: "Thank you for that correction."

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Ryder: "...429,000 for a year and yet the Sponsor of this Floor Amendment can cite not a single example of how the changes have cost the state anything. He assumes, he presumes that somehow these changes will have cost us money and yet there's not a single suggestion of how that is. I can make a single suggestion of how this Amendment will cost us money because by the Sponsor's own admission in six months we'll have to spend another 200,000. In a year we'll have to spend another 400,000 for staff and related cost. There is not a scintilla of evidence at this point to indicate that the changes are not working. Were there to be some, perhaps we should take a look at it, but it's simply the suggestion now that those changes would not work and have not worked. The changes were significant, I agree, but those that suggested them indicated that there were some reason to them and have also have indicated that the experience of the department is such that they can tell when uncompetitive bids are made and that they can tell when folks who are selling the state commodities that are open on the...available on the open market are overpriced. I would suggest that we allow the system to work, that we save the \$429,000 this Amendment will cost and that we support the changes that were passed by this General Assembly just a few months ago. I stand in opposition to the Floor Amendment."

Speaker Satterthwaite: "Representative Schoenberg."

Schoenberg: "Question of the Sponsor. Would the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Schoenberg: "Thank you. Just a brief question. Direct or indirect consequence of this Amendment. Is there any redistribution of the reallocation of the funds geographically throughout the state for home delivery of

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meals on wheels?"

Curran: "This Bill doesn't...this Amendment..."

Speaker Satterthwaite: "Representative Schoenberg. I think the answer to your question is that this Amendment guts the Bill of any of its previous contents and it now deals only with the Purchasing Act."

Schoenberg: "Thank you."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. An inquiry of the Chair. Has this Amendment been printed and distributed and on the Members desks?"

Speaker Satterthwaite: "We'll make that inquiry. Yes, I am informed that it has been printed and distributed, Representative Black."

Black: "I'm...I'm sorry, Madam Speaker, you said it had been?"

Speaker Satterthwaite: "It has been printed and distributed."

Black: "Does the Clerk have a time recorded on that distribution?"

Speaker Satterthwaite: "That is not information that is recorded."

Black: "Alright, thank you very much. May I address the issue, Madam Speaker?"

Speaker Satterthwaite: "Proceed."

Black: "Thank you. Madam Speaker and Ladies and Gentlemen of the House. While it appears that this Amendment has been distributed, our staff has not seen this Amendment. We do not have an analysis of this Amendment. I...I don't think it's the Sponsors intent to run something by late in the afternoon on the next to the last day of the Veto Session but I certainly rise to object to the fact that this Amendment seems to have been not made available to our staff and we have no analysis nor knowledge of this

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Amendment. It's for that reason, then, Madam Speaker, that I would ask for a...that I would direct an inquiry of the Chair should this Amendment be adopted. I believe the Bill has been taken back to Second Reading and would require an extraordinary majority to be heard this same day. So, I would simply stand to say we will object to that and the Bill must be put back on the calendar according to rule I believe it's...the Chair can correct me if I'm wrong, I think its 37(d) and the Bill could not be heard then until tomorrow on...on Third Reading."

Speaker Satterthwaite: "Representative Curran to close on the Amendment."

Curran: "Yes. Madam Speaker, I do not think that staff errors should inhibit the...the savings for taxpayers...pardon...there's no...is the other side now admitting that you have the Bill, have the Amendment? Okay, you have it, you're aware of it. Okay. The Gentleman, my good friend Representative Ryder from the other side of the aisle asked for evidence whether this...whether the procurement division was saving money. Let me...let me explain to you in terms of the person who is in charge of that procurement division, Steve Schnorf, Director of CMS, what. What I'm holding here is a memo initialed by him July 17, 1992. You may come and look at it Representative Ryder. It says and I quote, 'As you know the joint purchasing program has been extremely effective as a means of helping local government units which may or may not have established purchasing departments for procurement functions. Under this program we have receive...acheived reductions in administrative costs and also provided governmental units with an opportunity to share with the state the economic developements...benefits

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of large scale centralized purchasing. The evidence from the director of the...of CMS from his initialed memo. What this Amendment seeks to do is to put us back into the position that the Director of Central Management Services said we were last July before this Bill was ever passed, 1783, which was...I think passed under the dark of night and was never intended by this General Assembly. I ask for a favorable adoption of this Amendment."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2 on Senate Bill 2104. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "There has been a request for a fiscal note on Senate Bill 2104 and the Bill will remain on Second Reading. Representative Curran."

Curran: "Madam Speaker. I move that the fiscal note request does not apply, and I have from CMS letterhead right here, if the fiscal note does apply. I have...you may come and look at it...the cost of \$245,000 which Representative Ryder was quoting...was alluding to and talking about earlier. I have that information right here."

Speaker Satterthwaite: "Representative Ryder."

Ryder: "Madam Speaker. I simply rise to object to the Motion that is on...on the board at this point, and would ask an inquiry of the Chair as to the number of votes necessary which I believe is an extraordinary majority."

Speaker Satterthwaite: "The question requires a majority of those voting on the issue."

Ryder: "Under what rule interpretation or other...annatation did the Parliamentarian come up with that one?"

Speaker Satterthwaite: "On the Fiscal Note Act it so prescribes."

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Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. There needs to be something straightened out here and that is that I've...I've no doubt that you have the memo and I'm aware of the memo, but the date of the memo...and the memo was written by the Director of CMS prior to the time all the cuts were made in his budget. So, the circumstances don't...don't apply anymore with..."

Speaker Satterthwaite: "Representative Curran, do you have a date on the letter?"

Curran: "November 30, 1992."

Speaker Satterthwaite: "Representative Wennlund, have you concluded your remarks?"

Wennlund: "No, I've...one second, please. Does it...does it refer to the Senate Amendment to 2104, the memo? I...I don't believe that the memo addresses or refers to this Amendment to Senate Bill 2104. If the Sponsor would answer the question if it...it may be dated Monday but it doesn't refer to this Amendment to Senate Bill 2104."

Speaker Satterthwaite: "Representative Curran. I didn't hear a question, but if you can determine how to respond to the non-question your mike is on."

Curran: "He's wrong."

Wennlund: "Madam Speaker, with respect to the Motion to rule the note in inapplicable, I request a recorded Roll Call Vote and in the event it reaches the requisite number of votes we intend to seek a verification."

Speaker Satterthwaite: "Representative Ryder, do you have a point of order or...?"

Ryder: "No."

Speaker Satterthwaite: "The Gentleman moves that the...the fiscal note...the fiscal note is inapplicable...applicable, I

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can't say the word but you see it up there on the board, is in applicable. All those in favor of the Motion vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 70 voting 'yes', 45 voting 'no', none voting 'present' and the Gentleman's Motion passes. Is there a request for verification? That request has been withdrawn. Third Reading. Representative Ryder."

Ryder: "Madam Speaker, I believe that if you'll check the record we objected to this Bill being moved to Third Reading today. It was very distinctly said pursuant to Rule 37(d) that since it was brought back to Second Reading for purposes of an Amendment we objected. It cannot go to Third Reading on that...automatically on that point."

Speaker Satterthwaite: "I believe you..."

Ryder: "I asked the Chair to so rule..."

Speaker Satterthwaite: "I believe you have misinterpreted the rules."

Ryder: "No ma'am, we have not."

Speaker Satterthwaite: "The Bill can move to Third Reading..."

Ryder: "The Chair is in error."

Speaker Satterthwaite: "The request was that it not be heard on Third Reading the same day on which it was amended."

Ryder: "I apologize, I apologize."

Speaker Satterthwaite: "But the Bill can be moved to Third Reading. Which is what we just did."

Ryder: "I apologize, I was premature in my harangue. I'll wait and see what you do next before I reinstate it. I apologize to the Chair."

Speaker Satterthwaite: "Thank you. Representative Black."

Black: "Well, I...I think the Chair has handled that situation with a great deal of fairness and equity and I eagerly

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anticipate your next ruling that...this will be put on tomorrow's calendar, and I congratulate the Chair for her patience under great duress and stress."

Speaker Satterthwaite: "I don't believe any ruling is necessary."

Black: "Well, no I...I just want to see what might come next."

Speaker Satterthwaite: "Representative Granberg, for what reason to you rise?"

Granberg: "Madam Speaker, this...this issue has been debated enough. I would move to waive the appropriate rule for immediate consideration."

Speaker Satterthwaite: "The Gentleman has moved to suspend Rule 37(d) in relation to Senate Bill 2104. There are several people seeking recognition on that issue, Representative Black."

Black: "Yes, thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I simply rise to object to the Gentleman's Motion and if he is asking the Body to waive Rule 37(d) the Chair should rule that that requires 71 votes. Hoping...hoping that that is indeed the ruling of the Chair, I would then ask under the...under Rule 55(c) that...and I'm joined by Representative Klemm, Ropp, Wennlund and Ryder, in asking that that Motion be a recorded roll call vote on the Gentleman's Motion to move to immediate consideration by suspending Rule 37(d). And would further ask that the Chair join with me in affirming that this Motion requires 71 votes and should that Motion get the requisite number of roll call votes, I will seek a verification."

Speaker Satterthwaite: "The Chair joins with Representative Black in affirming that the Motion does, in fact, take 71 votes. The Gentleman's Motion is to waive...to suspend Rule 37(d) for immediate consideration of Senate Bill 2104. All those

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in favor vote 'aye' those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Weller wishes to be added voting no. On this question there are 71...Oh. Mr. Clerk, take the record. Mr. Clerk, take the record. On this question there are 71 voting 'yes' and 43 voting 'no' and the Gentleman has asked for a verification. Will the Clerk read the affirmative votes."

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

Speaker Satterthwaite: "Excuse me, Mr. Clerk. Representative Black, Representative Lang is asking leave to be verified. Is leave granted?"

Black: "Representative Lang?"

Speaker Satterthwaite: "Lang."

Black: "Is...is he in the chamber?"

Speaker Satterthwaite: "He's right up here at the podium."

Black: "Oh, there he is. Yes, by all means."

Speaker Satterthwaite: "Thank you. Continue, Mr. Clerk."

Clerk O'Brien: "Curran. Currie. Davis. Deering."

Speaker Satterthwaite: "Excuse me, Mr. Clerk. Representative Black. Representative Hartke asks leave to be verified. Leave is granted. Continue, Mr. Clerk."

Clerk O'Brien: "DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hasara. Hicks. J. Hoffman. Homer. Lou Jones. Shirley Jones. Kulas. Lang. Laurino. LeFlore. Levin. Lomanto. Maloney. Marinaro. Martinez. Matijevich. Mautino. McAuliffe. I'm sorry, not McAuliffe. McAfee. McDonough. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Rotello. Saltsman. Santiago. Schakowsky.

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Schoenberg. Shaw. Smith. Steczo. Stepan. Stern.
Trotter. Turner."

Speaker Satterthwaite: "Mr. Clerk, Representative McAfee over here would like to be verified. Leave is granted. Continue, Mr. Clerk."

Clerk O'Brien: "Walsh. White. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Satterthwaite: "Are there questions of the affirmative? Representative Richmond asks leave to be verified, Representative Black. Representative Black."

Black: "Yes, that's fine' and I see Representative Morrow."

Speaker Satterthwaite: "Representative Richmond, Representative Morrow."

Black: "That's fine."

Speaker Satterthwaite: "Leave is granted for them. Are there questions?"

Black: "Yes, thank you very much, Madam Speaker. Representative McNamara?"

Speaker Satterthwaite: "Representative McNamara. The Gentleman is in the back of the chamber."

Black: "Oh, on our side of the aisle. Thank you. Representative Smith?"

Speaker Satterthwaite: "Representative Smith is in his seat."

Black: "Representative Kulas?"

Speaker Satterthwaite: "Excuse me, Representative Black, what was that?"

Black: "Kulas, Representative Kulas."

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

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

Speaker Satterthwaite: "Remove him. Representative Black,

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Representative Preston is seeking verification up here."

Black: "Very nice suit Representative, very nice."

Speaker Satterthwaite: "Representative Preston has been verified.
Proceed."

Black: "Representative Farley?"

Speaker Satterthwaite: "Representative..."

Black: "I'm sorry, he's not voting. Representative Anthony
Younge?"

Speaker Satterthwaite: "Representative Anthony Younge. Is the
Gentleman in the chamber? Representative Anthony Younge.
How is the Gentleman voting?"

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

Speaker Satterthwaite: "Remove him."

Black: "Thank you. Representative Shaw?"

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

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

Speaker Satterthwaite: "Remove him."

Black: "Representative DeLeo?"

Speaker Satterthwaite: "Representative DeLeo. He's up front
right here, Representative Black."

Black: "Thank you. Representative Phelps?"

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

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

Speaker Satterthwaite: "Remove him."

Black: "Representative Jones? Lou Jones."

Speaker Satterthwaite: "Representative Lou Jones is in her seat."

Black: "I see her. I see her, I'm sorry. Representative
Capparelli?"

Speaker Satterthwaite: "Representative Capparelli."

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Black: "He's in the doorway. I see him."

Speaker Satterthwaite: "The Gentleman is here."

Black: "Thank you. Representative Homer?"

Speaker Satterthwaite: "Representative Homer is in his seat."

Black: "I have nothing further, Madam Speaker."

Speaker Satterthwaite: "On this question there are 67 voting 'yes', 43 voting 'no' and the Gentleman's Motion fails. On the Regular Calendar on page 3 appears Senate Bills on the Order of Second Reading. We have Senate Bill 1424. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1424, a Bill for an Act to create the Deadly Weapons Tort Claims Act. Second Reading of the Bill."

Speaker Satterthwaite: "Any Amendments?"

Clerk O'Brien: "No Committee or Floor Amendments."

Speaker Satterthwaite: "Hold the Bill on..."

Clerk O'Brien: "There are...there are Floor Amendments."

Speaker Satterthwaite: "Hold...hold the Bill on Second Reading. Supplemental Calendar #4 has been distributed. Inadvertently we read Senate Bill 1424 a second time without proceeding to a Motion on page 9 of the Calendar which needed to be dealt with first, and for purposes of...going to that Motion, Representative Lang moves that pursuant to Rule 27(c) he wishes to discharge the Committee on Judiciary to Interim Study Calendar from further consideration and suspend Rule 27(d) and (e) and 37(g) and place on the Order of Second Reading Senate Bill 1424. Representative Black."

Black: "Thank you very much, Madam Speaker. We appreciate the Sponsor working with our side of the aisle. We are in agreement because there are Amendments being prepared that will drastically alter the original Bill. We stand in

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support of the Gentleman's Motion and we'll look at the Amendments tomorrow."

Speaker Satterthwaite: "Representative Lang moves to use the Attendance Roll Call for passage of his Motion. Seeing no objection, the Attendance Roll Call will be used for that purpose. Now, Mr. Clerk, will you read Senate Bill 1424 a second time."

Clerk O'Brien: "Senate Bill 1424, a Bill for an Act to amend an Act to create the Deadly Weapons Tort Claims Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Satterthwaite: "Hold the Bill on Second Reading, please. On page 5 of the Regular Calendar on Concurrence there appears House Bill 4037, and Representative Ryder is recognized to concur...to nonconcur in Senate Amendment #1 on House Bill 4037. Is there any discussion? Seeing none...the Gentleman asks for...The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 4037? All in favor say 'aye', opposed 'nay'., The 'ayes' have it and the House nonconcur in Senate Amendment #1 on House Bill 4037. We are pleased to see that the House is graced with the president...presence of Senator Munizzi visiting over on the Democratic side of the chambers. On Supplemental Calendar #2 under Motions, there appears House Bill 3807 and Representative Lang moves pursuant to Rule 74(a) to take from the table, suspend Rule 79(e) and place on the Order of Concurrence House Bill 3807. Seeing no discussion the...Representative Black."

Black: "Thank you very much, Madam Speaker. Is your elbow covering my light? Oh, I...I was afraid it might have burnt..."

Speaker Satterthwaite: "Your light is on."

Black: "Okay, I was afraid it might have burnt out. I'm not

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aware of any discussion on this Bill...and...I...I think I would object to the Gentleman's Motion...and I believe that would require 71 votes and in that case we would ask that the 71 vote rule so be affirmed by the Chair pursuant to 55(c). And joined by four of my colleagues I would ask that this be a recorded roll call vote and we do stand in objection to the Gentleman's Motion at this time."

Speaker Satterthwaite: "The Gentleman's Motion does require 71 votes, and the Gentleman moves that the appropriate rules be suspended to take the Bill from the table and place the Bill on the Order of Concurrence. All those in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Lang."

Lang: "Madam Speaker, parliamentary inquiry. The...I may have misstated my Motion. I made a Motion to take from the table but I don't see anywhere where this Bill is on the table to take from the table. This should be a Concurrence Motion."

Speaker Satterthwaite: "Let us check the status of the Bill. Representative Lang."

Lang: "Thank you, Madam Speaker. I would point out Rule 79(c) and 79(c) does indeed say Bills should be tabled...if both Houses have passed the Bill prior to the adjournment of the Spring Session. However, I point out to the Chair and the Parliamentarian that the Senate did not act on this Bill until today. Therefore, 79(c) does not apply and therefore the Bill should not be on the table and a Concurrence Motion would be in order, and I would at this time ask the Speaker to so rule."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. In the event this gets the requisite number of votes I would request a verification,

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but, I'd also like a clarification from the Chair, from the Parliamentarian, as to exactly what this Motion is and what Motion is stated on the Calendar on Supplemental 2."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. The Gentleman's request is out of order. I have a parliamentary inquiry pending that I need a response to."

Speaker Satterthwaite: "Representative Black."

Black: "Yes, thank you very much, Madam Speaker. Respecting the Gentleman's inquiry of the Chair, the LIS System shows this Bill on the table. The Gentleman's written Motion says to take from the table. Now if the LIS is wrong and the Gentleman's written Motion is in error, then I think we really have a problem here. But, regardless I would think the Gentleman would need to file another written Motion. I don't see how we can just simply ignore the Supplemental Calendar and the written Motion they're on and move to business. And further, and I'm requesting a printout of the LIS System, the LIS System shows this Bill is indeed tabled and on the table."

Speaker Satterthwaite: "I'm told that the LIS System here at the Clerk's well does not show the Bill as being tabled. Representative Hultgren."

Hultgren: "Thank you, Madam Speaker. If...if the Representative would prevail in his parliamentary point of order I would like to call to the Chair's attention that I don't have these Senate Amendments on my desk, and, furthermore, I believe those Amendments have to be on my desk for a day. I have over the course of the last several years tried to read some of the material that we pass here and on prior occasions you may recall, Madam Chairman, I have risen and asked for copies of things. I'd like that same courtesy

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extended today and if the rule could be enforced so that I might have a copy I'd appreciate that. A copy of all three Senate Amendments."

Speaker Satterthwaite: "Representative, we believe that your request is premature at this time but you may want to check with your pages to see whether or not they have distributed the Amendments. In regard to the question. In Rule 79(e) it indicates that if after the adjournment of the Spring Session of any year...that after the adjournment of the Spring Session of any year, the House may not take up or vote upon Conference Committee Reports or Senate Amendments to House Bills or House Amendments to Senate Bills with respect to Bills which as of that date have passed both Houses, but which have not received final action by both Houses. In this case, this Bill had not received action by both the House and Senate by the end of the Spring Session and so, therefore, this rule does not apply and the Bill is in order for consideration at this time on concurrence. The Bill has not been tabled, and his...and so the Motion to take from the table is out of order, and, Mr. Clerk, dump the roll call on that question. Representative Hultgren, for what reason do you arise?"

Hultgren: "A moment ago you said my request was premature with regard to having printed copies of these Amendments. Now that the procedural status of this has been cleared up, I would renew my request to have those Amendments printed and distributed to my desk. Madam Speaker."

Speaker Satterthwaite: "Representative Hultgren, again you are premature in your question. We have simply at this point determined that it was not appropriate for us to consider the Motion that had been inappropriately filed regarding the Bill."

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Hultgren: "Very...very well, Madam Speaker. Tell you what I'll do. I'll turn my speak light on and when it's right would you call on me, please? Just ignore it until the issue is right. Would you...do that...do me a favor?"

Speaker Satterthwaite: "I would suggest you turn your light out and put it back on when the appropriate time occurs."

Hultgren: "Oh, okay."

Speaker Satterthwaite: "Now, we are ready to go to Supplemental Calendar #2 on the Order of Concurrence, and on that Order we will call House Bill 3807. Representative Lang."

Lang: "Thank you, Madam Speaker. I understand that these Amendments are on their way down, and I would accordingly move to suspend Rule 79(d)."

Speaker Satterthwaite: "Representative Hultgren."

Hultgren: "Well, I would oppose the Gentleman's Motion. Oppose it for this reason. You know those Members of this Body who would try and do a conscientious job...like the opportunity to at least see what their voting on before the actual vote is taken. Now, these Senate Amendments...we don't have on our desks. In fact, the Gentleman's Motion admits the fact that those are not available to us. It seems to me that our rules provide that we should have a day. In fact, the rule that he...would...waive today entitles us to a day to review these, and...and we have not had a day. We've not had a half a day. We've not had an hour. We've not had five minutes. Indeed he concedes that no one has seen these Amendments. I think that's not the best way to legislate in this state and would ask for 'no' votes on the Gentleman's Motion. It seems to me is a courtesy to this Member and to all Members that we should at least have the opportunity to review the materials that we're voting on, the Amendments we're concurring in, and

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not be a...blindly making public policy for the State of Illinois."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Inquiry of the Chair and the Parliamentarian as to how many votes are required to adopt this Motion to suspend Rule 79(d), and at the same time Madam Speaker, I make a request that if the Motion is successful I request a verification...and I ask for a recorded record roll call on the Motion."

Speaker Satterthwaite: "The Motion takes 60 votes for passage. Representative Ryder."

Ryder: "Madam Speaker, earlier, I...at an inopportune time questioned a ruling of the Chair, but I believe that now is the appropriate time to suggest that what is about to be do...what is about to be accomplished by inaccurate rulings from the Chair, flies in the face of the entire redistricting process that we went through all last spring. Representative, Senator, for those of you that are sitting here, all you're doing is redrafting the lines so that eight people will not have to move. That is what you're attempting to accomplish. All of which, all of which is subject to court scrutiny. All of which is simply sour grapes on the part of those who ran and had a selection to run from either where their house was located or where the district that they wished to represent. In good faith, I don't see how anyone can suggest that we can vote on such a issue especially when you won't even give us the Amendment to see."

Speaker Satterthwaite: "Representative Lang."

Lang: "Well, thank you, Madam Speaker. My point is moot now. I was about to ask the Chair to rule the previous speaker out of order. If he wants to debate the Bill, let's debate the

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Bill, but his comments have nothing to do with this Motion."

Speaker Satterthwaite: "Representative Johnson."

Johnson: "I don't wanna...I obviously want to address the merits of the issue, and I guess I'd ask the Speaker if I'm in order in doing that or should I wait until we consider the Bill."

Speaker Satterthwaite: "You're not in order to address anything except the Motion at this time."

Johnson: "Okay, I'll wait then. Thank you."

Speaker Satterthwaite: "Representative Lang, do you wish to restate your Motion or close on the issue? Do you wish to make a closing statement on your Motion?"

Lang: "No, let's vote."

Speaker Satterthwaite: "The Gentleman asks that we waive House Rule 79(d) in order to hear House Bill 3807 on the Order of Concurrence. All in favor vote 'aye', opposed vote 'no'. Representative Black to explain his vote."

Black: "No, no, no, Madam Speaker, I had an inquiry of the Chair long before you announced the vote. That was a very convoluted explanation of what we're voting on. Are we voting on the question to suspend Rule 79(d) or are we voting on the underlying Bill."

Speaker Satterthwaite: "We're voting to suspend Rule 79(d)."

Black: "Good, well we shouldn't do either, so let's vote 'no'."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'yes', 45 voting 'no'. Representative Wennlund requests a verification of the affirmative vote. Mr. Clerk, read the affirmative vote."

Clerk McLennand: "Those voting in the affirmative. Representatives Balanoff. Bugielski. Burke. Capparelli.

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Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi.
Granberg. Hannig. Hartke. Hicks. J. Hoffman. Lou
Jones. Shirley Jones. Lang. Laurino. LeFlore. Levin.
Lomanto. Maloney. Marinaro. Martinez. Matijevich.
Mautino. McAfee. McDonough. McGann. McGuire. McNamara.
McPike. Morrow. Mulcahey. Novak. Obrzut. Phelan.
Phelps. Preston. Richmond. Rotello. Saltsman.
Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw.
Smith. Steczo. Stepan. Stern. Trotter. Turner. Walsh.
White. Wolf. Woolard. Anthony Young and Mr. Speaker."

Speaker Satterthwaite: "Are there questions of the affirmative?"

Representative Wennlund, do you have questions?"

Wennlund: "Representative Stern?"

Speaker Satterthwaite: "Representative Turner. She's in the
center section."

Wennlund: "Representative Stern?"

Speaker Satterthwaite: "Representative Stern is in the back of
the chamber."

Wennlund: "Representative Preston?"

Speaker Satterthwaite: "Representative Preston. Right up here."

Wennlund: "Representative Turner?"

Speaker Satterthwaite: "We all ready verified Representative
Turner in the middle."

Wennlund: "Representative Santiago?"

Speaker Satterthwaite: "Representative Santiago is in front of
the well."

Wennlund: "Representative Phelan?"

Speaker Satterthwaite: "Representative Phelan is in his seat."

Wennlund: "Representative Burke?"

Speaker Satterthwaite: "Representative Burke is in his seat."

Wennlund: "Representative Wyvetter Younge?"

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Speaker Satterthwaite: "Representative Wyvetter Younge is not voting."

Wennlund: "Representative Hartke?"

Speaker Satterthwaite: "Representative Hartke. Representative Hartke? Is the Gentleman in the chamber? He is not. How is he voting? He's over here at the...at the door."

Wennlund: "Representative Shaw?"

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

Clerk McLennand: "He's voting in the affirmative."

Speaker Satterthwaite: "Remove him."

Wennlund: "Representative Flowers?"

Speaker Satterthwaite: "Representative Flowers is in the back of the chamber and Representative Rice wishes to be added voting 'aye'."

Wennlund: "Representative Trotter?"

Speaker Satterthwaite: "Questions."

Wennlund: "Rep...Representative Trotter?"

Speaker Satterthwaite: "Representative Trotter. Is the Gentleman in the chamber? Representative Trotter. Oh, he's in his seat. He's...he's in Balanoff's seat."

Wennlund: "Representative Phelps?"

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

Clerk McLennand: "Voting in the affirmative."

Speaker Satterthwaite: "Remove him."

Wennlund: "Representative Young?"

Speaker Satterthwaite: "Representative Wyvetter Younge is not voting."

Wennlund: "Anthony Young?"

Speaker Satterthwaite: "Representative Anthony Young is in his seat."

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Wennlund: "Representative DeJaegher?"

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

Clerk McLennand: "Voting in the affirmative."

Speaker Satterthwaite: "Remove him. Further questions?"

Wennlund: "No further questions."

Speaker Satterthwaite: "On this question there are 66 voting 'yes', 45 voting 'no', none voting 'present' and the Gentleman's Motion passes. We now go to the Order of Concurrence on House Bill 3807. Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. In the recently concluded re-map, which was a long and arduous project...project, there were many Representatives and Senators who were mapped into an area a block away from where they live or a block away...a block out of where they live...across the street from where they live, two blocks away. This Bill simply, and all the Amendments to this Bill, simply straightened that out. It allows some of our Representatives and Senators and some of our Representative-elects on both sides of the aisle to keep from having to move a block or across the street to get into their new district. And for those that would say we can't do this under the Constitution, let me just be clear. We have a Supreme...we have several Supreme Court cases in the State of Illinois that hold as follows; it is axiomatic that the General Assembly does not look to the Constitution for power to act. The Legislature has the power to do any legislative act not prohibited by the Constitution. Locust Grove Cemetery Association versus Rose, 16 Illinois 2nd, 132 and Client Follow up Company versus 'Hines', 75 Illinois 2nd, 208. This is a 1979 case. The Constitution of the State of Illinois does not prohibit

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the acts that are requested on the Concurrence Motion on Senate Amendments 1, 2 and 3 to House Bill 3807. The section, which is Section 3 under Article 4 of the Illinois State Constitution, talks about redistricting. No where within that Section does it deny the legislature the right to do this. In fact, the requested Concurrence Motion is a Legislative Act that not only do we have the right to do but have the power to do under the a...under the Constitution. It is our prerogative to do redistricting, and so we are the...the Concurrence Motion would ask that the General Assembly complete the process of redistricting. What we do here today, what we attempt to today and what the Senate did earlier today was in no way violative of the Constitution. The Constitution says very clearly that we may do any legislative act not prohibited by the Constitution. These Acts are not prohibited by the Constitution. The people involved, the Representatives and Senators and Representative elect and Senators-elect again from both sides of the aisle, need this to avoid disrupting their families needlessly. In no way are we asking that...that someone be moved miles and miles and miles away, that some district line be changed by that dramatic kind of stroke of the pen. We're talking across the street. We're talking two blocks and three blocks. In fact, the one person who would be moved...whose boundary would be moved the most by this I should add, is Representative elect from the Republican side of the aisle, and the effort here would be to enable these families to stay intact. Would enable families not to have to move their children from school districts so that these people that have been elected to serve can serve without major disruption to their personal lives anymore than service in

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the General Assembly all ready gives to them. And so, Ladies and Gentlemen of the House, I ask your strong vote on this Concurrence Motion."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I'm incredulous at what we are being asked to do. I would urge every Member of this chamber if you even have a copy of the Amendment to read it. It's one thing to have our rights violated by not following the intent nor the spirit of the House Rules, we're getting use to that, but I subject to all the Members of this chamber, it's quite another thing to violate the intent of the Constitution of the State of Illinois, and by God, no matter how you package it, that's exactly what you're doing. Why then, why did we go through reapportionment if all you have to do is bring a Bill that says, 'Well, I...I didn't run in the district to which I was reapportioned, so just excuse that fact. Then why reapportion? Why bother? The Supreme Court of this state and the federal government approved this map on a deviation of one. What you're doing is changing the population deviation in some of these Representative and Senate districts and there are more than just one Representative involved, and there's more than just one Senator involved. You're changing the deviation to 369 in representative districts and from 2 to 368 for the Legislative districts. Now I don't know how you expect this to uphold a constitutional challenge which may endanger the entire map and which very may well endanger the entire electoral process of November 3rd. Now, for crying out loud we can have our fun, we can have our partisan politics, we can do whatever we want down here, but when we simply set aside the intent and spirit of the

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Illinois Constitution to satisfy someone who doesn't want to move their residence but who filed for election knowing and running then for...therefore an election knowing that that would have to be the case, my God, people, have we absolutely no pride in the process. I don't care whether it's my residence or your residence and all the cute remarks over there notwithstanding, have you no pride or integrity in the process. Then throw the Constitution out. If I had that book I'd throw it. Then throw the rule book out. What you are doing is wrong. It is wrong by law, it is wrong by the Constitution, it is wrong ethically. I'll not be a part of it. I'll not be a party to it. I suggest you vote 'no' and if the Gentleman had the integrity that I think that he has I know that he has, he would withdraw this sham. The rules have been trampled. The Constitution has been trampled so that we can simply satisfy the benefit of 3 or 4 or 5 people. It's wrong. You know it's wrong. Why do you want to be a part of what's wrong. Vote 'no'. This is an outrage."

Speaker Satterthwaite: "Representative Johnson."

Johnson: "Thank you, Madam Speaker, Members of the House. When this map that we all were elected under or ran under or didn't run under was approved, there was a wide variety of testimony offered at the appropriate stages, all of which now would be rendered moot by the enactment of these changes. I..I guess it's technically in violation of House Rules, but I have one example here of changes that run a elongated finger from one district into the other that clearly violate rules of compactness. There's also changes in District #21 that would violate the contiguity rule. We haven't violated the contiguity rule in Illinois ever, so far as I know, and it hasn't been violated in the country

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back since the days of...of Governor 'Gary' in Massachusetts. In addition to that, both parties made a concerted effort last year in the redistricting process to assure that we met the U.S. and Illinois Supreme Court decisions with respect to populational equality. One person, one vote. These increased by 349 times the variation that we enacted when we enacted this map, and as Representative Black says, you could not only argue but make a very compelling case that these changes would render the entire map unconstitutional and the entire election process subject to change. Subject not only to change but to challenge. I feel as strongly as Representative Black does, but I think a record needs to be made here that this violates everyone of the constitutional parameters as well as the statutory and Illinois Constitutional parameters with respect to redistricting. I feel bad in a lot of ways that individuals are going to have to move. Some of my good friends, Representative Steczo and Balanoff and I guess Mulligan, Jones, et al. But that same degree of concern and anguish was not demonstrated ten years ago when a map was drawn and approved that required Senator Watson not only to move out of his district but to have to move into a new house. Build a new house and sell his old one two miles away in the same county. If we're talking about fairness where were all the bleeding hearts that many years ago when Senator Watson had to do something in degree even different than what I would assume a majority of these would as well. I don't know what the background is, all I know is this isn't good government, it isn't constitutional and it subjects the whole process from both a policy making standpoint and a constitutional standpoint to challenge and probably to overturn."

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Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The Illinois Constitution requires that the legislative districts in Illinois be quote, 'Compact, contiguous and substantially equal in population.' Furthermore, the Illinois Supreme Court in deciding on the final districts stressed these same three requirements in its decision. The three judge federal panel that reviewed the redistricting plan held that it met federal mandates along the same lines of those three requirements. Now after an election has all ready been held under this court approved map, an attempt is being made which threatens to destroy the legality of the new districts with regard to all three of those constitutional and federal requirements. Let's look at them one at a time. First, several of the proposed changes involved creating long thin fingers which stretch out from current districts there...thereby violating the compactness standard. Second, Section 25(b) of House Bill 3807 moves population from Representative District 33 to District 21. Since these districts do not touch at any point, this change makes portions of District 21 not contiguous with the rest of the district and clearly violates the contiguous standard. Finally the proposed changes create inequalities in population between districts both Representative and Senate thus violating the requirement that districts be substantially equal in population. This Bill would make a map that has withstood every kind of court challenge less than legal and certainly less than in keeping with the requirements of the Constitution. And in that regard, Madam Speaker and Ladies and Gentlemen of the House, I respect the process and the statutes of the State

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of Illinois and the Supreme Court decisions and all the rest of the things like the rest of you do, but most of all, Madam Speaker, I respect something that everybody in this chamber ought to respect because we all said the same words and we said them at the same time, we took a oath of office that said, 'I will support the Constitution of the State of Illinois.' This is a violation of that oath. Thank you."

Speaker Satterthwaite: "Representative Ropp."

Ropp: "Thank you, Madam Speaker, Members of the House. I think that we...many of us concur with what has all ready been said. I think one of the things that is interesting about this whole process is, I really don't believe that you changed the rules after we had all agreed to a particular process which has been approved by the courts of the State of Illinois and clearly, it is unquestionably something that we should not do at this point in time. Someone has mentioned that well, they don't want the families to move, we want to keep them together. We want to make sure that the kids go to the same school. Ladies and Gentlemen, every person knew that before the election. And if they're so concerned about not having to move, Ladies and Gentlemen, they didn't have to run in some other district, they could have run in the district in which they lived and then some of us might even still be here. This Ladies and Gentlemen would clearly defy the intent of the Constitution by screwing up the compactness and the contiguous of this particular Bill. Let us hope that our good judgment reigns and that we do not support this after the game is over. Ten years ago, I think, if you will recall, the party on the other side of the aisle drew the map and we had to live with it for ten years. Can't you now in good conscience

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live with this map that only has a one person deviation. Let you live with it now for ten years. Please, don't support this kind of action after the game is over. Not after the game is over, Ladies and Gentlemen. Thank you."

Speaker Satterthwaite: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. Will the Gentlemen yield?"

Speaker Satterthwaite: "Representative Lang, will you yield for a question from Representative Churchill? He indicates he will."

Churchill: "Representative Lang, when is the effective date of this Bill if the Amendments are on and were in a final form?"

Lang: "The effective date, Representative, is July '93."

Churchill: "What date in July?"

Lang: "I believe it's July 1st."

Churchill: "And what does the Constitution say about the residency requirements for the next election cycle?"

Lang: "The Constitution says that you have to be in your new district within 18 months of the next election."

Churchill: "Okay. And so if you have to change your house then, what date would you have to change your house by?"

Lang: "Let me...shortstop some of these questions, Representative. It's the intention of those who are proposing this to file a declaratory judgment action if and when this becomes law, immediately upon it becoming law so that there could be an immediate court ruling on this to determine whether or not there is any constitutional problem. I do not believe there is, but should there be a constitutional problem the people effected by this would in fact, have to move. And if this becomes law a court very quickly will make a determination."

Churchill: "So, in other words, let me translate that into common

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language. If they...if this Bill were to pass and these people have to make a choice, not by July 1st, because the Bill isn't effective yet, but by May 15th of 1993. They have to make a choice of whether to move or not. So, what do they do. Do they move into the new part of the district or do they stay in the old district on May 15th, 15 days before the Bill becomes effective?"

Lang: "There would be a declaratory judgement action filed immediately...let me finish, Representative. If we were to pass this, if the Concurrence Motion passes there will be an action filed to determine whether this action by the General Assembly is or is not constitutional, giving Members who are effected by this legislation sufficient time to make those decisions."

Churchill: "Let's say that that declaratory judgement fails. So what are the Members going to do. May 15th they have to chose whether they have to move or not. Do they stay in their old district or do they move to the new district or what do they do."

Lang: "Well, I don't know what you mean by the declaratory judgement failing. Presumedly a judge will decide whether the law that would become effective on July 1st would be a constitutionally valid law or not a constitutionally valid law."

Churchill: "Let's say, let's say that they say it's constitutionally valid. Okay. Let's say that the Bill is good it passes through constitutional muster. You still have to make a decision because 18 months before the next election is in the middle of May and your Bill doesn't become effective until July 1st."

Lang: "Conceivably a person would have to move for two months rather than moving lock, stock, and barrel..."

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Churchill: "Oh, you just mean they just pick up and move their house for two months and their residency, change their residency for two months and then when the Bill becomes effective they put their residency...they go back to their old house."

Lang: "That's correct, Representative."

Churchill: "So, in other words, they're moving out of their district for two months?"

Lang: "No. They would be moving into their district under the guidelines that were previously passed for two months, and then they would be able to move and stay in their old residence preserving family dignity and preserving the family...no, I would never say family values, I don't think."

Churchill: "Well, it's not. That's just a pure sham and you know that and I know that. What happens...what happens when this case goes from the circuit court or wherever this declaratory judgement action is filed and it goes into the federal court system and then it goes to the, you know, the circuit court of appeals and, you know, that's the process that doesn't get done in 6, 7 months. What happens if, you know, in next September we're still in the courts past the July 1st effective date? What are your people going to do then? I mean, are they going to move into the other part of the district or are they going to stay where they are?"

Lang: "Representative...Representative, our people and your people that are affected by this could always move into the new part of the district if they have some concern about that. They can move into the new part of the district at no risk or they can stay where they are. Whatever risk they decide to take. Why is it up to you to make a

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determination for these 10 or so people as to where they should live."

Churchill: "Because the statute in the Constitution say they have to be residents before they seek election again, and if the petition is filed and they're in the wrong part of the district, I can see somebody coming back and filing a challenge to that petition on residency, and it's very possible that this could still be in the federal courts by the time the petitions are filed."

Lang: "The people involved will take their shot. The people involved will make their own decision. Why is it up...Excuse me. You asked me a question and I would like to answer it."

Churchill: "Let them take their shot."

Lang: "Why is it up to this Representative from Lake County, Illinois to make a determination for these other 10 people where they should live."

Churchill: "They took their shot. They took their shot and they ran in the district, the new district and now they want to change their shot. They want change the place where their house is. They took their shot. Why don't they stay where they are. Why don't they stay in the district they ran in. Why don't they move their houses. They knew they were going to have to move their houses. They didn't move their houses and now they're trying to change the rules."

Lang: "Representative it sounds..."

Churchill: "They didn't take their shot. They are not going to take their shot the next time because there will be another Bill that will come along to try and change it again and give them another break. You know this isn't right."

Lang: "Representative, it sounds to me like your against these Amendments and you should vote against them."

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Churchill: "And I will. What...tell me this Representative Lang, House District 30 and 35 are going to have boundaries changed. Tell me what that does to the compactness standard?"

Lang: "Let me save some time. I have reviewed all of the maps and I believe that under the law they are all compact and contiguous. So, let's not go through each one of them one at a time and so you can create a record. They are all compact, they are all contiguous. You disagree. Vote 'no'."

Churchill: "There's one district that shows the change to come down a railroad track by what appears to be about two miles and then go off of that course down another side street and then maybe an alley to get to the Representatives house. What it kind of looks like is a bar stool sitting on a flag pole. And this thing is about three or four miles outside of the current district. It's meant just to go down and pick that up. According to all compactness standards, that's a district that would fail under compactness."

Lang: "Are you asking me a question or making a philosophical statement."

Churchill: "I'm doing both. You're welcome to reply if you wish."

Lang: "Well, I'll tell you again. In my view each of the maps created by each of these Amendments are compact and contiguous. You believe they are not. You should vote 'no'."

Churchill: "And I will. Ladies and Gentlemen of the House, this is a sham. All this is is a scam for the people that try to take a shot, an election cycle, they knew what they were doing when they filed their petitions. They hoped like anything that they could get something to come through and

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give them the right to live in the house they're living in now but they knew what they were getting into. This is absolutely screwy to go ahead and change reapportionment after the election cycle. Absolutely screwy. Vote 'no'."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think what everybody has forgotten here, is not only is the process of abusing the House Rules a mockery but this Bill is a mockery of the Constitution of the entire system. What everybody has forgotten is the taxpayers of the State of Illinois. Yes, it was the taxpayers who spent hundreds of thousands of dollars to the redistricting process on both sides of the aisle. That was taxpayers money. That wasn't your's and mine. That was taxpayers money. Hundreds of thousands of dollars in legal fees of the taxpayers money. Hundreds of thousands of dollars that will now be spent in new legal fees pushing this one all the way through the court system from the circuit court to the appellate court to the Illinois Supreme Court to the federal court who have all ready approved these rules. We've all ready spent the taxpayers money to come out and follow the constitutional process and now you're going to spend hundreds of thousands of dollars more of the taxpayers money of Illinois making a bigger mockery out of the entire reapportionment process. That is abuse of the taxpayers. That's what you're doing here. You are abusing the taxpayers of Illinois and I hope they remember it. This whole process is an abuse of the taxpayers who are going to pay through the nose again to go through the entire court system. This is ridiculous and Madam Speaker, I request a verification if this gets the requisite number of votes."

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Speaker Satterthwaite: "Representative Flinn."

Flinn: "Madam Speaker, I think we've heard enough. I move the previous question."

Speaker Satterthwaite: "The Gentleman moves the previous question. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the previous question is put. Representative Lang to close."

Lang: "Thank you, Madam Speaker. Firstly, let's get a factual question out of the way. The issue regarding deviation is not a correct issue. The change in deviation on every one of the districts referred to in Senate Amendments 1, 2 and 3, are either zero or one. The same computers, the same map rooms were used to create these maps as the original maps. There is no problem with deviation. Let me tell you what there is a problem with, however, the problem here is the self-righteous indignation on that side of the aisle. That's right. The maps...the maps that were approved by the court, you want to talk about a sham, those maps are a sham. How many Members on this side of the aisle and how many districts were people put 20 feet from their homes. A line across the street in front of Chuck Morrow's house. A line across the street in front of Clem Balanoff's house. A line a block away for Ellis Levin. It's nonsense. What was done here, you talk about what's fair under the Constitution, you talk about what's right under the Constitution, you talk about the letter of the law. Let's talk about the spirit of the law. Let's talk about what fair and equitable maps would be and it's not a fair and equitable map, to draw a map where a person can spit across the street onto his new district but he has to move to get into it. And there are three, four, five and ten people in this General Assembly, and new people coming into this

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General Assembly where they would have to move just this much to get into their new district. But the maps drawn, Mr. and Miss. self-righteous on that side of the aisle, the maps that were drawn were drawn purposely to make those people have to move. To make those people have to deal with disruption of family life. This is a Bill to save those family lives, to make sure they don't have to move and to be fair to these people. Is it not fair to say to someone, 'Okay, you're 20 feet from your old district, we'll give that to you Clem'. We'll give that to you Chuck. You don't have to spend thousands of dollars hiring lawyers, who most of you hate, we don't...you don't have to hire lawyers and realtors and buy a new house and get new mortgages. Move across the street, it's okay with us because you are our colleagues. Not good enough for you, you want them to move. Must be a lot of realtors over there. We don't want these people to have to move. We don't want a couple of your Members to have to move, a couple of new Representative-elects. Don't talk to us about self-righteous garbage, about what the Constitution says, you folks know what was done in those maps. You know how they were written. You know how they were drawn and you know they were drawn to hurt people on this side of the aisle. This side of the aisle will not put up with that. Vote 'aye'."

Speaker Satterthwaite: "The question is, 'Shall House Bill 3807 pass?' 'Shall we concur in Senate Amendments 1, 2 and 3, to House Bill 3807?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. For one minute to explain their votes. Representative Robert Olson."

Olson: "Thank you, Madam Speaker. We talked about the legality of this issue, the constitutionality of it but I want to

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talk about, and somebody used the word earlier, preserving dignity. Preserving dignity. Now, we're bipartisan on an awful lot of issues down here and a lot of times we turn to the Chair for...for procedure and somethomes we bend but we never quite break. But, I believe we're breaking on this one. Ladies and Gentlemen, look in your hearts. The maps were drawn for a purpose, not as the Sponsor said, but to put the individual in a district where we could maybe see that individual losing. But we didn't worry about whether he moved or not, all he had to do was run in the district where the map put him. I'm embarrassed for this General Assembly this afternoon to bend to this point. We went through the whole re-map process. Yes, there were ulterior motives, but...but..."

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

Olson: "The rules were there, they were made to be lived with. If someone chose to not go with the map as drawn, he should have made...she should have made their decision at that time. You talk about preserving dignity, this is the biggest sham I've been a part of in my six, seven years down here. I'm embarrassed. I'm embarrassed. This is a bad vote."

Speaker Satterthwaite: "Representative Ryder. One minute to explain your vote."

Ryder: "Thank you, Madam Speaker. Twelve months ago, 118 people filed petitions to be State Representatives and 59 people filed petitions to be Senators and some of them told the truth. Those same people stood in primaries and went to people and said, 'elect me, I am one of you, I want to represent you.' Those same people stood in general elections and said, 'elect me, I am one of you, I want to represent you.' Some of those people that filed the

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petitions and stood in the elections told the truth. Some now say, 'oh, I didn't mean that maybe I want to stay where I am. We'll change the rules to suit me.' You can't be in two places at the same time. Either you were with the people when you filed the petitions..."

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

Ryder: "Thank you, I'm done."

Speaker Satterthwaite: "Representative Barnes."

Barnes: "Thank you, Madam Speaker, I've had my light on since the beginning. I appreciate your calling on me. The remarks that I am about to make are not addressed to any other Member on this floor except my opponent. I called my opponent on the night of election that I lost because I consider myself a professional. I would like to make a few comments about that race. He used a pen to sign the fair practice campaign pledge but I think he used invisible ink. I had to read about it for three weeks in the paper. One of the things that I had to hear on WBBN and in the newspapers was that my mother-in-law who had passed away two years previous, was voting out of my house and was voting for me. You talk about disrupting family life, Representative, they dragged my family through the mud. My husband said, they're ruining..."

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

Barnes: "They dragged my family through the mud but I still called my opponent and congratulated him. You know, he accused me in a public debate as not living in my district when I did live in it. Ten years ago I had to move because those were the rules. I consider this a disgrace. I think it's impugns the integrity of this House to think now, when he could have run somewhere else, he has disgraced me, my family name and now he doesn't have to move. There's got

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to be a problem with this system and the way we run it. Some of you are laughing. I couldn't laugh. I can't see anything funny about it. Thank you very much, I vote 'no'."

Speaker Satterthwaite: "Representative Weaver."

Weaver: "Thank you, Madam Speaker. The Sponsor of this Motion has indicated that this is intended to help some people. It apparently is intended to help six Democrat Representatives and one Democrat Senator, and I think perhaps those of you on the other side of the aisle who it doesn't help, may want to take a look at why your leadership is not helping you out. There's five of you that are not going to return that probably ought to be helped by a re-map like this too. Two of you in leadership. Why is your own leadership not including you in this concurrence. Don't they think much of you, don't they want to help you out, don't they want to keep you in your district? If it's really intended to help why didn't they help everybody. I think a 'no' vote is the only vote on this issue."

Speaker Satterthwaite: "Representative Hasara."

Hasara: "Thank you, Madam Speaker. Didn't we learn anything from the voters in the last election. This is exactly the kind of thing that the voters were sending us a message about. We want to know why Ross Perot got 20% almost, 20% of the vote. These are the kinds of things that mobilize the people behind the candidate who is not tied to a political party or to government as usual. I hope you will all take a good look at this because, believe me, the voters in all of our districts will. It makes us all look terrible. And what about all those potential candidates who lived close to district lines but chose not to run because they did not

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want to move. What about all of those people? Some of them would have made excellent Representatives and Senators. But they trusted..."

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

Hasara: "That when we drew a map according to the Constitution and the Supreme Court we were going to leave that map, certainly, the way it was. This is one of the most embarrassing votes, I think, that the General Assembly has ever taken."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'yes', 49 voting 'no' and 1 voting 'present'. Representative Wennlund, did you seek a verification of this roll call? Mr. Clerk, read the affirmative. First of all would you poll those not voting and then continue with the affirmative vote."

Clerk McLennand: "Those not voting. Representative Kulas. McGann and Wyvetter Young."

Speaker Satterthwaite: "Poll the...those voting in the affirmative."

Clerk McLennand: "Those voting in the affirmative. Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Farley. Flowers. Flinn. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. J. Hoffman. Homer. Lou Jones. Shirley Jones. Lang. Laurino. LeFlore. Levin. Lomanto. Maloney. Marinaro. Martinez. Matijevich. Mautino. McAfee. McDonough. McGuire. McPike. Morrow. Mulcahey. Novak. Obrzut. Phelan. Preston. Rice. Richmond. Saltsman. Santiago. Schakowsky. Schoenberg. Shaw. Smith. Stetson...Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Wolf. Woolard. Anthony Young and

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Mr. Speaker."

Speaker Satterthwaite: "Are there questions of the affirmative?"

Wennlund: "Representative Brunsvold?"

Speaker Satterthwaite: "Representative Brunsvold is in front."

Wennlund: "Representative Shaw?"

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

Clerk McLennand: "Voting in the affirmative."

Speaker Satterthwaite: "Remove him."

Wennlund: "Representative Hicks?"

Speaker Satterthwaite: "Representative Hicks. Is the Gentleman in the chamber? He's up in the gallery. Representative Hicks, we will have to remove you unless you return to the floor to be reinstated. Remove him from the roll call.

Representative McGann requests to be voted 'aye'."

Wennlund: "Madam Speaker. Madam Speaker, this is much too important an issue to a...to verify anyone in the absence of leaving the chambers. Representative DeJaegher?"

Speaker Satterthwaite: "Are you indicating that...I don't understand what you indicated before you asked about Representative DeJaegher."

Wennlund: "I'm not granting leave to verify anyone."

Speaker Satterthwaite: "This was not leave, Representative McGann had not been on the roll call and requested to vote 'aye'."

Wennlund: "Representative DeJaegher?"

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

Clerk McLennand: "He's voting in the affirmative."

Speaker Satterthwaite: "Remove him. Further questions?"

Wennlund: "Representative Novak?"

Speaker Satterthwaite: "Representative Novak is in his chair."

Wennlund: "Representative Dunn?"

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Speaker Satterthwaite: "Representative Dunn. Representative John
Dunn. The Gentleman is in the back of the chamber."

Wennlund: "Representative Curran?"

Speaker Satterthwaite: "Representative Curran is in his chair."

Wennlund: "Representative Capparelli?"

Speaker Satterthwaite: "Representative Capparelli."

Wennlund: "Representative Steczo?"

Speaker Satterthwaite: "Representative Capparelli is over on the
Republican side. Representative Steczo is in his chair.
Further questions?"

Wennlund: "Representative Stern?"

Speaker Satterthwaite: "Representative Stern is right up front by
the well."

Wennlund: "Representative Giglio?"

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

Clerk McLennand: "In the affirmative."

Speaker Satterthwaite: "Remove him from the roll call."

Wennlund: "Representative Anthony Young?"

Speaker Satterthwaite: "Representative Anthony Young is in his
chair. Further questions?"

Wennlund: "Representative Flowers?"

Speaker Satterthwaite: "Representative Flowers is in her chair.
Further questions?"

Wennlund: "Representative Saltsman?"

Speaker Satterthwaite: "Representative Saltsman is in his chair."

Wennlund: "Representative Jesse White?"

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

Clerk McLennand: "In the affirmative."

Speaker Satterthwaite: "Remove him. Representative Giglio has

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returned to the chamber and requests to be voted 'aye'."

Wennlund: "Representative Smith?"

Speaker Satterthwaite: "Representative Smith is in his chair.

Further questions?"

Wennlund: "Representative Woolard?"

Speaker Satterthwaite: "Representative Woolard is standing behind
his chair."

Wennlund: "Representative Davis?"

Speaker Satterthwaite: "Representative Davis is in her chair."

Wennlund: "Representative Phelps?"

Speaker Satterthwaite: "Representative Phelps is not voting.
Representative White has returned to the chamber and wishes
to be recorded as voting 'aye'."

Wennlund: "Representative Wolf?"

Speaker Satterthwaite: "Who? Representative Wolf."

Wennlund: "Correct."

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

Wennlund: "Representative Obrzut?"

Speaker Satterthwaite: "He's up in front."

Wennlund: "Representative Turner? Art Turner?"

Speaker Satterthwaite: "Representative Turner is in the back of
the chamber."

Wennlund: "Representative Trotter?"

Speaker Satterthwaite: "Representative Trotter is in his chair."

Wennlund: "Representative Laurino?"

Speaker Satterthwaite: "Representative Laurino is in his chair."

Wennlund: "Representative Lomanto?"

Speaker Satterthwaite: "Pardon me?"

Wennlund: "Representative Lomanto?"

Speaker Satterthwaite: "Representative Lomanto is in the center
aisle on the Democratic side."

Wennlund: "Representative Shirley Jones?"

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Speaker Satterthwaite: "Representative Shirley Jones is sitting right over here."

Wennlund: "Representative Phelan?"

Speaker Satterthwaite: "Representative Phelan is in his chair."

Wennlund: "Representative McGuire? Jack McGuire."

Speaker Satterthwaite: "Representative McGuire is in his chair."

Wennlund: "Representative DeLeo?"

Speaker Satterthwaite: "Representative DeLeo is...DeLeo is in the back center aisle. He was removed, we put him back."

Wennlund: "Representative Stern?"

Speaker Satterthwaite: "Representative Stern was verified when she was down here by the well."

Wennlund: "Representative Santiago?"

Speaker Satterthwaite: "Representative Santiago is in his chair. Further questions?"

Wennlund: "Representative Richmond?"

Speaker Satterthwaite: "Representative Richmond is in his chair. Representative Flinn is also in his chair."

Wennlund: "No further questions."

Speaker Satterthwaite: "On this question there are 61 voting 'yes', 49 voting 'no', 1 voting 'present' and Representative Hicks wishes to be added having returned, and that makes 62 voting 'yes', 49 voting 'no', 1 voting 'present' and the House does concur in Senate Amendments 1, 2 and 3, on House Bill 3807, and this Bill having received the Constitutional Majority, is hereby declared passed. Supplemental Calendars #4 and #5 have arrived. On Supplemental Calendar #4 on the Order of Motions, appears House Bill 1918. Representative Giorgi moves pursuant to Rule 74(a) to take House Bill 1918 from the table, suspend Rule 79(d) and (e) and place on the Order of Concurrence. Is there any discussion? Representative Black."

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Black: "Thank you very much, Madam Speaker. Let me ask the Sponsor a question. I was told, perhaps in error, some time ago that we were supposed to nonconcur because there is an Amendment on this Bill that we don't want, and then it's supposed to come back in proper form."

Giorgi: "Madam Speaker..."

Speaker Satterthwaite: "Representative Giorgi."

Giorgi: "You're on House Calendar Supplemental #4. You went to Motions instead of concurrence. The first item on the Calendar, House Bill 1918, I'd like to move to nonconcur to Senate Amendments 1 and 3."

Speaker Satterthwaite: "We have to act on the Motion first before we have the Bill in a position to act on the Bill."

Giorgi: "...Okay, Bill? But he has no objections."

Black: "I have no objections to that."

Giorgi: "So use the Attendance Roll Call to..."

Speaker Satterthwaite: "The Gentleman moves for the use of the Attendance Roll Call to...to put House Bill 1918 on the Order of Concurrence. Hearing no objection the Attendance Roll Call will be used for that purpose, and the Bill is on the Order of Concurrence. Now, on House Bill 1918, Representative Giorgi on concurrence."

Giorgi: "That the House nonconcur to Senate Amendments 1 and 3 to House Bill 1918, and as is proper, I ask for a Conference Committee to be formed."

Speaker Satterthwaite: "I...I understand that at this point, we just nonconcur without asking for a Conference Committee. Is there objection? hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 3 on House Bill 1918?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the House does not concur in Senate Amendments 1 and 2 (sic 3) on House Bill 1918. On the

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Regular Calendar on page 3 appears Senate Bill 1828. Representative Hartke asks that the Bill be placed on the Order of Second Reading. Excuse me, the Sponsor has been changed to Representative Wolf and Representative Wolf asks to have the Bill returned to Second Reading and held in that position until tomorrow. Is there leave? Leave is granted. On Supplemental Calendar #5, under Motions, appears House Bill 2134. Representative Santiago moves pursuant to Rule 74(a) to take from the table, suspend Rule 79(d) and (e) and place on the Order of Concurrence. House Bill 2134. Is there leave for use of the Attendance Roll Call for that purpose? Seeing no objection, leave...Representative Black objects to the use of the Attendance Roll Call. The Gentleman moves that we suspend those rules to place the Bill on the Order of Concurrence. All those in favor vote 'aye', opposed vote 'no'. Voting is open. We are in the same position as earlier in the day where we find that this Motion is not necessary because there was action on the Bill in the Senate today. There was not final action on the Bill in the Spring Session, and so, we can dump this Roll Call. So, on the Order of Concurrence on Supplemental Calendar #5, Representative Santiago to present the Motion for concurrence in Senate Amendment #1 on House Bill 2134."

Santiago: "Thank you, Madam Speaker. I move to concur on Senate Amendment #1 to House Bill 2134. Amendment #1 was requested by the Joint Committee on Administrative Rules or JCAR in agreement with the office of the Commissioners' of Banks and Trust Companies. The Amendment has four parts. Number one, it amends the EST Act to authorize the establishment of POS terminals without prior notice to the commissioner. Number two, it amends the Illinois Banking

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Act to permit banks to share their examination report with their parent bank holding companies. Number three, it amends the UCC to clarify that when a bank is liable to another bank for returning a check past the midnight deadline, the liability will be limited to the actual damages suffered by the other bank, and number four, it amends the UCC to clarify that when a bank has a security interest in a deposit account held by another bank, that interest does not eliminate the common law right of... 'set off' of the other bank. I move to adopt Amendment #1...to concur on Amendment #1, and I'd move due passage on House Bill 2134."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. Is there discussion? Seeing no one seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 on House Bill 2134?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Santiago."

Santiago: "Madam Speaker, I must read this statement into the record: Under the federal law, a bank can be liable for damages if it fails to inform another bank in time that it is returning a check. Federal law imposes liability for the actual damages caused by this failure. However, federal law veers to state laws that are different on this point, and Illinois law appears to be unclear on this point. It can be read to say that a bank is absolutely liable for the face amount of a check that is not returned in time even if the other bank suffers less damage than the face amount. Currently, there is a lawsuit pending, now, between two banks on this issue. One of the banks is trying to win the face amount of several checks, approximately \$1.5 million worth, even though it suffered

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much less in actual damages. It is possible that a bank...that bank could receive a windfall of \$1 million or more which will be paid out of the other banks capital. To permit a windfall to reduce a bank's capital, will be unsafe and unsound. Illinois law should be clarified to ensure that only actual damages are permitted in cases like these. The UCC was enacted before the federal law, and it was never intended to permit windfalls. Windfalls are paid from bank capital...threatens the safety and soundness of banks. We need to clarify the UCC to ensure that only actual damages are awarded in all present and future cases of this nature. Thank you, Madam."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present', and the Bill having received the required Constitutional...Constitutional Majority, is hereby declared passed, and the House does concur in Senate Amendment #1. Supplemental Calendar #4 under concurrence appears House Bill 3325. Representative Hartke. Representative Chuck Hartke on House Bill 3325. Concurrence with Senate Amendment #1."

Hartke: "Thank you very much, Madam Speaker, Members of the House. Senate Amendment #1 to House Bill 3325 contains three divisions, and I move to accept Senate Amendment #1 to House Bill 3325. The first deals with the...creates the young farmer guarantee program. The second deals with testing of horses for the equine infectious anemia control, and the third section deals with the...changing a date for the Department of Conservation dealing with hunting in the State of Illinois. I'd be happy to answer any questions."

Speaker Satterthwaite: "Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Under the finance development authority section of the Amendment, Representative. Forgive me, I can't read as fast as I used to. Are you increasing their bonded indebtedness?"

Hartke: "The...it's an expansion of the program, and it's my understanding to use some of the present funds that are there now to...to the fund. The loss reserve fund will be at a \$4 million transfer from the agribusiness loan guarantee fund, plus an additional commitment of \$8.5 million from the state, which will not be appropriated while...into the program. This is just authorization..."

Black: "Into the...into the agribusiness loan program, or the...program?"

Hartke: "That's correct."

Black: "Okay. All right. Thank you very much, Representative. Thank you, Madam Speaker."

Speaker Satterthwaite: "Representative Ropp."

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

Speaker Satterthwaite: "He indicates he will."

Ropp: "The program that is created for young farmers, that's a brand new program is it not?"

Hartke: "No. This program has been in place for several years."

Ropp: "Well, I...it was my impression that the..."

Hartke: "This is a livestock portion of the program."

Ropp: "...the portion that has been in operation for several years has debt restructuring. This does not have to do with debt restructuring. It allows for the operation of a new business, subject to being 18 years of age and an income of \$250,000 or less is the new program. It is

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not..."

Hartke: "That's correct, but we're using that same authority in funds and, so forth, that was before in the old program."

Ropp: "Okay, but what..."

Hartke: "This sums it up for young individuals wanting to get into agribusiness dealing with livestock, buildings, and equipment, and so forth. Before, the program did not authorize the loans for those purposes, and what this does is transfers it possibly into that."

Ropp: "Okay. I think that's a new positive addition to assisting young farmers get started. The other one, dealing with the loan approval, that is attempting to be a revolving fund now, isn't it? So that we can..."

Hartke: "Excuse me, I didn't hear you."

Ropp: "The one that deals with the guaranteeing of the loans, isn't that to be set up as a revolving fund now based on about, whatever, 20 or 30% in reserve, so that we, in fact, will provide more security but maintain those funds revolving so that we don't always have to come back to the Legislature for more money."

Hartke: "I think you're correct in that, yes."

Ropp: "Thank you. It's a good Bill."

Speaker Satterthwaite: "Representative Hartke to close."

Hartke: "Thank you very much, Madam Speaker. I would just support...appreciate an 'aye' vote."

Speaker Satterthwaite: "The question is, 'Shall the House concur in Senate Amendment #1 on House Bill 3325?' All in favor vote 'aye', opposed vote 'no': Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'yes', 5 voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 on House Bill 3325, and this

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Bill having received the required Constitutional Majority, is hereby declared passed. On the Regular Calendar, on page 5 under Senate Bills, Second Reading, appears House...appears Senate Bill 2088. Representative Lang."

Lang: "Thank you, Madam Speaker. I believe there are Amendments filed."

Speaker Satterthwaite: "Mr. Clerk, what is the status on Senate Bill 2088?"

Clerk O'Brien: "This Bill has been read a second time, previously, and is held on Second Reading."

Speaker Satterthwaite: "Are there Amendments filed?"

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

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment revisits an issue we've had in the House before involving the issue of seat belts on school buses. Children are very vulnerable on school buses. Many of you debated before that we've raised the seat back heights and padded them to protect children, and we have. But that...studies have shown that that only protects children in the case of a front-end collision or a rear-end collision. In the case of a side collision or a roll over, children are vulnerable. They go flying into the aisles, they become human missiles. Part of this Bill would require a roof hatch. The roof hatch is there so that if the bus rolls over, a child can get out through the roof hatch, because they can't get out through the door. To those that are worried about the cost, I say to you, there are many school bus manufacturers who are in competition with each other. They'd be very happy to keep the costs down. To those who are worried about what school boards

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will have to pay, I say to you, if we save one child in 20 years, the cost is worth the savings, and I believe insurance rates will go down. And to those who haven't read the Bill, this is only new school buses, not retrofitting school buses. New school buses only. It's an important issue to protect our children. We make them belt up in their car, but we send them on to school, and we don't care whether they're belted in a bus or not. It's a bad precedent. When they grow up, they won't know whether to tell their children to belt up or not, and it seems to me we need to be consistent. If you take a neighbor's child in your car, we passed a law that says you must make sure they are belted. It's no different than a school bus. The children should be belted. The states of New York and now, this year, New Jersey agree with me, and the State of Illinois can add itself to that short list of states who have great care and concern about the health safety of children. I would recommend an 'aye' vote."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I...I sponsored a very similar Bill in the past on roof top hatches, so I...it's with a great deal of reluctance that I rise in opposition to the Gentleman's Amendment, and I do so only on the basis of this particular mandate, at this particular time. The percentage of those voting, casting a vote for us to stop unfunded mandates, was so overwhelming on the advisory referenda, that perhaps we need to revisit mandates of this kind in the Spring Session. I do not question that the Gentleman may very well have an idea whose time may come in the spring, but there are parts of this Bill that I think, even though what he is attempting to do is of the utmost

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importance, there are parts of this Bill that we need to move forward prior to the adjournment of this Veto Session. This Amendment has been controversial in the past, unfortunately. It is a mandate, unfortunately, and it's for that reason and that reason only, that I urge defeat of the Gentleman's Amendment, and yet try to keep this Bill alive because there are subsequent Amendments that are extremely important that we cannot put off until spring. So, I would urge a 'no' vote."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Before I begin, I want to request a record recorded Roll Call on this Amendment. I'll tell you, Members of the House, why this Bill has been defeated time and time again. The American Society of Pediatricians has found, and found very clearly, that the pelvic areas of young school children are not adequately developed, and in the event of an accident, suffer more injury to their pelvic area than they would from the school bus accident to begin with. That's why we've defeated this thing time and time again, because the experts tell us that young school children's pelvic areas are not well enough developed and cannot sustain the tugging and pulling the seat belt would give to a young child in the school bus, and he suffers more damage and it injures all 60 kids in that school bus who are all third graders or second graders or kindergartners or whatever, and they suffer more damages as a result of it. It's not just the cost factor, it's the damage you're going to do to school kids in Illinois on this issue, and it's a proven fact. This Amendment should be defeated like it has been in the past."

Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker, Ladies and

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Gentlemen of the House. About six years ago there was a proposal that would have required seat belts in school buses, and at that time, the whole technical aspect of all of that, particularly in relation to the various studies that had been done about the safety factor, were something I didn't know very much about, and so I asked some of our staff people and even the Legislative Research Unit to put together some information for me. I studied everything that was given to me and I even called a pediatric doctor who treats certain kinds of injuries, particularly serious injuries, for young children in one of the large Chicago hospitals, and talked...He was a very gracious person and was willing to talk to me about this. What Representative Wennlund has told you is true, and that is that many pediatricians would tell you that they would not recommend that we ever put actual belts around young children in school buses because of the damage that that can do, the internal injuries that that can cause in the event of a collision or a serious accident. And if we do that, of course, all those children will suffer those injuries, even those that were not in the area of the immediate impact. That is the first subject, Madam Speaker, and I think it is important for us to recognize that there are valid studies that have been done of this that show those kinds of results. The other thing, is that this is another unfunded mandate, and, Madam Speaker, Ladies and Gentlemen, one of these days we are going to have to begin to show some kind of restraint and some kind of fiscal responsibility. If we want to do this we should pay for it."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you, Ladies and Gentlemen. I would just like to point out that the Sponsor of this Amendment stated earlier

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that if we spend these tens of thousands of dollars and save one life of one child that it's worthwhile. Well, let me point out the reverse. If you put seat belts on these children and there is an accident and there is a fire, many of these children would not be able to get out of those seat belts. That is a major problem with the initiative. We are talking about the lives of children, and if these reports are true, that the high seat backs are really the real protection and the mobility of those children to be able to get out of a bus if there's a fire, cause we've seen those fires on school buses on the news, and you've locked those children in in seat belts and in a panic they can't get out, those lives will be lost just as readily as if you have...didn't have seat belts on them. I say this is wrong to do this. If this is such a grand idea, let the Sponsor go to his local school districts and campaign in his local school district and ask them to do this, and let them pass it locally and spend that extra money, and I think that's great. That's what it's all about. The local governing body making the decision. But a mandate was passed by this...by the State of Illinois voters that overwhelmingly said, 'We are sick and tired of this Body passing unfunded mandates down to the local level, and forcing them to pass tax increases on the real estate to them. I say to you, you vote for this, you are throwing in the face of all those voters that said that they're sick and tired of those unfunded mandates. This is not a good idea. It won't be a good idea in the spring. I ask you to vote 'no' on this bad idea."

Speaker Satterthwaite: "Representative Lang to close."

Lang: "Thank you, Madam Speaker. Firstly, in response to the previous speaker, my school district does think it's a good

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idea. They've all ready done it locally. Second, this isn't an unfunded mandate on schools. This is a mandate on school bus companies, school bus companies to put belts in their buses. Next, as to those who have talked about certain pediatricians and certain groups that do not think this is a good, there is a long, long page after page list of medical groups, doctors, surgeons, public service, public interest organizations who believe this is a good idea. Let me suggest to you, to someone who spoke earlier who thinks that seat belts are unsafe, if they're unsafe on a bus, they must be unsafe in your car, and yet none of us would allow our young children to get in the back seat or the front seat of our automobiles without a seat belt on. None of us would allow that, and anyone that would allow that is foolish. The lives of our children are precious. No one is going to dispute that with me, I don't think and, therefore, I have to tell you that the only right vote on this is a green vote because children's lives are at stake, and because those that are worried about cost, I have to remind you that school bus companies are in competition with each other, and those that say that belting a bus is going to cost \$1,000, it may cost \$1,000 to take one bus and belt it, but it doesn't cost anything like a \$1,000 when the school buses are going to do many manufacturings, and there are many buses to be sold, and they're in competition with each other. To those that say kids...do not know how to get out of a seat belt, I say to you, there's something wrong with you to think that. Five year old children know how to assemble and take apart a seat belt. When a child gets in an airplane, you put a seat belt on the child, and yet, you're not worried that the child won't be able to get out of it if the plane does a

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crash landing. It's silly. Save children. Keep them from being injured. Keep them from being killed. Vote 'aye'."

Speaker Satterthwaite: "The question is, 'Shall Amendment #1 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 52 voting 'yes', 58 voting 'no', 2 voting 'present', and the Gentleman's Motion fails. Representative Lang."

Lang: "Thank you, Madam Speaker. I would ask that the absentees be polled."

Speaker Satterthwaite: "Representative Lang, I've all ready declared that it has failed."

Lang: "Madam Speaker, I was seeking recognition at the time that you were doing that, and to add insult to injury once you poll the absentees, I'm going to ask for a poll of the negative."

Speaker Satterthwaite: "Representative Laurino requests to be voted 'aye'. We'll let the record show that Representative Laurino would like to have voted 'aye' on the issue. Representative Lang."

Lang: "Madam Speaker, are you...are you denying my request that the verification of the negative be taken?"

Speaker Satterthwaite: "Representative Lang, I did not see you seeking recognition. I knew that there had been a request for a verification if the affirmative prevailed and I declared the issue lost."

Lang: "Madam Speaker, the vote is still on the board. You have not gone to the next Order of Business, and I would, again, respectfully ask that a verification of the negative be taken."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. In all due respect

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to the Sponsor of the Amendment, and in all due respect to the Chair, Rule 60 is very clear. Let me just remind everyone, after an electrical Roll Call vote is completely recorded and the record is taken, no Member may change his vote or add his vote 'aye', 'nay', or 'present' if previously not recorded or remove his vote as recorded. This rule shall not be suspendable. You clearly took the Roll. You took the...announced the record. Rule 60 now does apply, and I would ask that you stand by your earlier decision and so rule according to Rule 60."

Speaker Satterthwaite: "Representative Parke."

Parke: "Madam Speaker, will you take action on Representative Black's request...then can we have a ruling from the Chair on his...what his statement was?"

Speaker Satterthwaite: "I don't believe it's necessary to have a ruling on...from the Chair on a Rule that he has read from the book. I have declared..."

Parke: "Madam Speaker, then why is the Roll Call still on the board? Aren't we...haven't you taken the record, and we're ready to move on to the next Order of Business? Let me just point out, I appreciate the situation you find yourself in but, quite frankly, it is very clear you declared it dead. You took it, declared it dead. Please, let's not abuse the system any further than you've been abusing it. Let us move on to the next call of business. There will be other opportunities, but quite frankly, how can we in good conscience continue to do this to ourselves. This is not right, and you know it's not right. Let's let it go and move on to the next call of business, please. Let's not embarrass ourselves any more than we've done."

Speaker Satterthwaite: "I have declared that the Amendment has lost, and we are ready to move to the next Order of

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Business now that we have recognized the Members who were seeking recognition. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Deering and Lang."

Speaker Satterthwaite: "Representative Deering on Amendment #2."

Deering: "Madam Speaker, withdraw Amendment #2."

Speaker Satterthwaite: "The Amendment is withdrawn. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Deering."

Deering: "Madam Speaker, Ladies and Gentlemen of the House, Floor Amendment #3 has several points of interest that are agreed to by both sides of the aisle. It establishes special plights for retired supreme court justices. It does some codification of some market areas for auto dealers; reinstates the medical advisory board under the jurisdiction of the Secretary of State, which was done away with in the...in the recent budget; does some changes for some weight limits on some roads; has some ICC regulations in it; several other items of interest, but as I say, it is agreed. If anyone has any questions, I'd like the opportunity to answer them."

Speaker Satterthwaite: "Representative Black."

Black: "Yes, thank you very much Madam Speaker, will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, in Amendment #3, and perhaps you can enlighten me by telling me where it is, supposedly there...you have removed the provision that delayed by two years the implementation of the O'Hare Noise Monitoring Act. Is that your..."

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Deering: "Yes, it has been removed."

Black: "You have removed that. Has it been crossed out anyplace on the Amendment that we have?"

Deering: "No, it's completely removed."

Black: "So, you have removed the entire Section?"

Deering: "The new Amendment has been drafted. It's completely out."

Black: "All right. One other question then, perhaps again, either by directing me to the proper cross out or whether or not you've taken out the entire section, there is nothing, I repeat, there is absolutely nothing in Amendment 3 that deals with the DuPage County Airport being able to build a golf course?"

Deering: "That is correct. There is nothing in the Amendment."

Black: "You have removed that entire section?"

Deering: "Absolutely."

Black: "Thank you very much."

Speaker Satterthwaite: "Representative Martinez."

Martinez: "Thank you, Madam Speaker, I'd like to address Amendment #1 if it's possible, just to explain my vote."

Speaker Satterthwaite: "I believe that that is not in order at this time, Representative. Perhaps after we've finished with this Order of Business, if you would like a point of personal privilege, we could come back to you at that time."

Martinez: "Thank you, Madam."

Speaker Satterthwaite: "Representative Deering to close on Amendment #3."

Deering: "Thank you. Ladies and Gentlemen of the House, as I said, this is an agreed Amendment. I just ask for affirmative vote."

Speaker Satterthwaite: "The Gentlemen asks for passage of

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Amendment #3. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #3 is adopted. Any further Amendments?'

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

Speaker Satterthwaite: "Out of the record...withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Lang."

Lang: "Thank you, Madam Speaker. This Bill had been read a second time prior to today and, accordingly, I would move for immediate consideration on Third Reading."

Speaker Satterthwaite: "The Gentleman asks leave for immediate consideration of the Bill on Third Reading. Is there any objection? I'm told he does not require leave. He may proceed with the Bill on Third Reading."

Lang: "Thank you, Madam Speaker. Amendment #3..."

Speaker Satterthwaite: "Just a moment. The Clerk will need to read the Bill a third time."

Clerk O'Brien: "Senate Bill 2088, a Bill for an Act in relation to government. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. The Bill is Amendment #3 as just discussed by Representative Deering, and I would ask for affirmative votes."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 2088 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, read the...take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present', and the Bill having received the required Constitutional Majority, is hereby declared passed. Agreed

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Resolutions. Before we go to Agreed Resolutions, we have an announcement by Representative Ryder."

Ryder: "Thank you, Madam Speaker for the opportunity to remind the House Republicans that there is a reception in Leader Daniel's office immediately upon adjournment in order to honor those who currently serve with us who are retiring this year. Thank you, for the opportunity, Madam Speaker."

Speaker Satterthwaite: "Thank you. Mr. Clerk, Agreed Resolutions."

Clerk O'Brien: "House Resolution 2588, offered by Representative Walsh; 2617, Petka; 2635, Levin; 2636, Ropp; 2637, Preston; 2638, Balanoff; 2640, Petka; 2641, Monique Davis; 2643, Noland; 2645, Novak; 2646, Harris; 2647, Kubik; and Senate Joint Resolution 182, McCracken."

Speaker Satterthwaite: "Representative Matijevich moves for the passage of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Agreed Resolutions are hereby declared passed. Death Resolutions."

Clerk O'Brien: "House Resolution 2644, offered by Representative Hultgren, with respect to the memory of Curtis H. Erickson."

Speaker Satterthwaite: "Representative Matijevich moves adoption of the Death Resolution. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Death Resolution is adopted. General Resolutions."

Clerk O'Brien: "House Resolution 2639, offered by Representative Weaver; House Joint Resolution 168, offered by Representative Weaver; and Senate Joint Resolution 191, offered by Representative Ryder."

Speaker Satterthwaite: "Committee on assignments. Introduction and First Reading of Bills."

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Clerk O'Brien: "House Bill 4253, offered by Representative Sieben, a Bill for an Act to amend the Nursing Home Grant Assistance Act. First Reading of the Bill. House Bill 4254, offered by Representative Black, a Bill for an Act to amend the Department of Veterans Affairs Act. First Reading of the Bill. House Bill 4255, offered by Representative Johnson, a Bill for an Act making appropriations to the State Board of Education. First Reading of the Bill. House Bill 4256, offered by Representative Ryder, a Bill for an Act making an appropriation to the Court of Claims. First Reading of the Bill. House Bill 4257, offered by Representative Speaker Madigan and Representative Curran, a Bill for an Act making appropriations. First Reading of the Bill.

Speaker Satterthwaite: "Representative Matijevich moves that the House adjourn until 10:00 a.m. tomorrow, leaving perfunctory time for the Clerk to read Constitutional Amendments into the record. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Adjournment Resolution is adopted. We will now convene the Second General...Second Special Session of the 87th General Assembly. The Attendance Roll Call for the regular Session will be used as the Attendance Roll for the Second Special Session. Resolutions. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #1, resolved by the Senate of the 87th General Assembly of the State of Illinois at the Second Special Session thereof,

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the House of Representatives concurring herein, that when the two Houses adjourn on Wednesday, December 2, 1992, they stand adjourned sine die.'"

Speaker Satterthwaite: "Representative Matijevich moves the adoption of the Senate Joint Resolution 1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. Representative Matijevich now moves that the Second Special Session adjourn sine die. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Motion is adopted. For those who didn't hear earlier, the Adjournment Resolution for the Regular Session will be until 10:00 a.m. tomorrow."

Clerk O'Brien: "Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #39, offered by Representative Novak. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article VIII of the Constitution to read as follows: ARTICLE VIII FINANCE SECTION 2. STATE FINANCE (a) The Governor shall prepare and submit to the General Assembly, at a time prescribed by law, a State budget for the ensuing fiscal year. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal year, the estimated receipts, and a plan for expenditures and obligations during the fiscal year of every department, authority, public corporation and quasi-public corporation of the State, every State college and university, and every other public agency created by

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the State, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the State and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget.

(b) The General Assembly by law shall make appropriations for all expenditures of public funds and all other funds administered by the State. No unappropriated public funds or other funds administered by the State may be expended.

Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year. SCHEDULE This Constitutional Amendment takes effect upon its approval by the electors of this State."

Clerk McLennand: "House Joint Resolution Constitutional Amendment 40, offered by Representative Novak, RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 3 of Article VIII of the Illinois Constitution as follows: ARTICLE VIII FINANCE SECTION 3. STATE AUDIT AND AUDITOR GENERAL (a) The General Assembly shall provide by law for the audit of the obligation, receipt and use of all funds administered by State government whether directly or indirectly by the legislative, executive or judicial branch of the State or by any instrumentality of any branch, whether appropriated or not and regardless of source, but not funds administered by units of local government or school districts, except as established by the General Assembly by law. public--funds

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of---the---State: The General Assembly, by a vote of three-fifths of the members elected to each house, shall appoint an Auditor General and may remove him for cause by a similar vote. The Auditor General shall serve for a term of ten years. His compensation shall be established by law and shall not be diminished, but may be increased, to take effect during his term. (b) The Auditor General shall conduct the audit of all funds administered by State government public--funds--of--the--State. He shall make additional reports and investigations as directed by the General Assembly. He shall report his findings and recommendations to the General Assembly and to the Governor. SCHEDULE This Constitutional Amendment takes effect upon approval by the electors of this State. First Reading of House Joint Resolution Constitutional Amendment 40. No further business. The House stands adjourned until 10:00 tomorrow."

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