

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

56th Legislative Day

May 7, 1993

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. The Chaplain for today is the Reverend Joe Johnson of the Church of Christ in Anna, Illinois. Reverend Johnson is the guest of Representative Hawkins. Will the guests in the gallery please join us in the invocation?"

Reverend Johnson: "And before we pray, let me give you a greeting from southern Illinois. Bow with me, please. Almighty God, we praise Thy name, for Thy great power and love and goodness. We address Thee as an all wise and all powerful creator of heaven and earth, and we recognize that all good things come from Thee, the Giver of all good gifts. We pray Your richest blessings on this Body of people, who play such an important role in the lives of the residents of our state. We thank You for every blessing You have given Illinois, and pray that You will continue to look down upon us in love and mercy. We pray that You will help each Legislator in our state to have a clear understanding of the proposals that come before them. Help each one to realize that not every decision will be exactly as they want it, but grant that every decision that is made here will be that which is best for the common good. Help each Member of this Body to have the courage of his or her conviction, but also to be willing to listen to others points of view. Above all, we pray that no action taken by this Body will hinder any citizen of our state in living a full and wholesome and righteous life in keeping with Your will. Finally, we pray that those regions of our state that are suffering economic problems will find solutions to those problems. Grant that all persons who want to work can find gainful employment and to the extent that this Body can help in that direction, please assist it in doing

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so. We thank You, O Lord, for loving all mankind, for blessing us so richly and for sending Your Son with a way for those who will obey His will to have eternal life, in whose name we pray, Amen."

Speaker Madigan: "We'll be led in the Pledge of Allegiance by Mr. Black. Is Mr. Black here today?"

Black - 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 Madigan: "Roll Call for Attendance. Representative Currie, are there any excused absences?"

Currie: "As you look around, it may amaze you to know this, but there are no excused absences on the Democratic side."

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

Kubik: "Thank you, Mr. Speaker. On the Republican side, Representative Ackerman and Representative Bernard Pedersen are excused today."

Speaker Madigan: "Thank you. Mr. Clerk, take the Attendance Roll Call. There being 102 people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, do you have any work? Committee Reports."

Clerk Rossi: "Representative Granberg, Chairman from the Committee on Personnel and Pensions to which the following Bill was referred, action taken on May 7, 1993, reported the same back with the following recommendations: 'do pass as amended, short debate' Senate Bill 533."

Speaker Madigan: "Representative Brunsvold and Representative Hartke shall be in the Chair."

Hartke: "Well, thank you very much, Members of the General Assembly. Today we have the honor of having guests here from the People's Republic of China, representing the

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People's Republic of China. During the Easter break, Representative Brunsvold and I had an opportunity to...to visit China, and they're coming down today to visit our state capitol. Joe."

Brunsvold: "Thank you. Thank you Mr. Speaker for allowing us time to introduce a very important person who represents the Chinese people's government. As Chuck has said, we visited China on a agricultural mission, and the gentleman I'm going to introduce, Wang Lee, is the Consul General who is stationed in Chicago, and it was through his help and his contacts in China that helped put this trip together, So, with great pleasure, I'd like to introduce Wang Lee, Consul General, China."

Lee: "Honorable Congressmen, it is my great pleasure and honor to visit this beautiful city, Springfield, the hometown of Lincoln, and also my great honor to speak a few words here in the very great Congress. And I would like to send my best wishes for you, the deputies of the hometown of Lincoln, home state of Lincoln, and wish you success in your work. I know you have a very busy schedule, and today I realize that Congressmen are very busy. Sometimes they couldn't even have their lunch, and you're working very hard for the benefit of the people of the state, and as you know, I have come to Chicago three years ago as the Consul General of the People's Republic of China and my main function, the purpose of my mission is to improve and promote good relations between China and the Illinois State and the Midwest. We are in charge of nine states. Our main purpose is to promote trade and business, to promote educational cultural exchanges between the people, to promote friendship and the mutual understanding between the two peoples. We also provide a service to the Chinese

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community in this area, and also taking care of Chinese students in the United States. We have 15,000 students studying in the United States here, and the large number of course, is in Illinois. Of the United States, Illinois is the center and the most power...her largest state, and in promoting trade and business, that is our main task. We have been very successful. Illinois is among the top ten in the United States...states...50 states. You...your export to China is...last year...is increased 114% over the previous year. There are many products from this state goes to China. Of course, Chinese consumer goods also come into the United States, so my message to you is that China has become a very great, huge market for the United States, and United States also a big market for China. We have very beneficial trade and business relations. This is good for both of our peoples, and I will do my best to do...to promote trade and business in the future. I hope that in my efforts to do this, I will enjoy your support and cooperation. Thank you. Thank you."

Brunsvold: "We'd also like to thank Senator Woodyard for his efforts in promoting the relationships between the State of Illinois and the loaning province which is our sister province in China, and the efforts that the Chinese government has done to try to promote trade with the United States. In fact, there're ongoing efforts right now in Chanute Air Force Base area to have a management...Chinese management facility there of which is going to be a great economic benefit for Illinois. So, that's just one thing going on, and we'll thank Senator Woodyard for his efforts. Wang Lee, thank you for coming today. Appreciate it."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Rise to a point of

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personal privilege. If I could have the attention of the Body, we'll give you an update on a good friend of all of ours..."

Speaker McPike: "Would the Membership please give their attention to Mr. Black? Would the Membership please give their attention to Mr. Black? Mr. Black."

Black: "Thank you very much, Mr. Speaker. All of you on this floor know Mr. Ferd Sugent who has been a liaison for the Department of Transportation, most recently the Department of Conservation for a long time. Ferd had surgery yesterday. It was cancerous, removed his larynx. He is doing well and the prognosis is better than expected at this point, but I doubt he'll come back in his capacity in a legislative liaison to the General Assembly. He's a patient at Loyola University Medical Center in Maywood, Illinois. I have his address here at my desk if the Members would like to send him a card. Thank you very much, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Black. Ladies and Gentlemen, our plan for today is to consider Discharge Motions which have been filed and appear on the daily Calendar; and in that regard, on the Special Order of Revenue, there appears a Motion relative to Senate Bill 1, Mr. Daniels. Mr. Kubik. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. I would move to suspend Rule 77 to discharge the Committee on Revenue from further consideration of Senate Bill 1 and bring it to the floor for debate. I think we all know what this issue is. I think we know that this is an important issue and we on the Republican side of the aisle believe that it's an important issue and that it should have the debate of the whole Membership of this House. This Bill is different than the

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others that have been put forth prior to this Bill. So it is with that in mind, Mr. Speaker, that I ask that we bring this matter to the floor so that we can discuss the property the tax cap legislation for all Members of this General Assembly."

Speaker Madigan: "Mr. Kubik. Mr. Kubik, I believe that the proper Motion is to take from the table."

Kubik: "I would move to take from the table, Mr. Speaker."

Speaker Madigan: "Right. Okay. And on that Motion, the Chair recognizes the Chair of the Revenue Committee, Mr. Levin. Mr. Levin."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would oppose the Gentleman's Motion. There was very extensive discussion and debate in the subcommittee on Real Estate with respect to Senate Bill 1. We were, in fact, graced with both Senator Philips and Representative Daniels, as well as numerous television cameras and media, and discussed and debated this legislation for probably about 45 minutes. I think all of the...there was adequate...I think adequate debate on the matter, and the matter...you know, failed to obtain the support of the subcommittee; and, indeed, the Motion that was adopted as a recommendation was a 'do not pass' Motion which was affirmed in the full committee. I would point out that that opportunity for a full debate in the substantive committee is not something that more than 200 of our Bills that we passed out of here got in the Senate, Bills that did not even get out of the Senate Rules Committee. So, this legislation had an opportunity. It did not succeed on the merits, and I would oppose the Gentleman's Motion."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the

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Chair, and I suppose it must go back to what Representative Levin...my concern is whether or not this Bill was heard by the Standing Committee or a subcommittee of that Standing Committee."

Speaker Madigan: "Mr. Levin."

Levin: "Representative, we have a policy in Revenue that hearings are held in subcommittee. As far as this particular piece of legislation, the subcommittee made its recommendation to the full committee. It recommended 'do not pass'. That matter was taken up by the full committee yesterday, and the full committee adopted the 'do not pass' Motion. So, the matter was heard in both subcommittee and in full committee."

Black: "All right. Thank you very much. I appreciate your explanation, but it might give rise to questions later on. I appreciate that. Thank you."

Speaker Madigan: "Representative Currie, on the Motion."

Currie: "Thank you, Speaker, Members of the House. We did have an extensive hearing on this Bill, and it's certainly not the first time this House has considered the question of property tax caps. Property tax caps have come to a vote in this House when we were looking at House Bills all by themselves, and it is my recollection the property tax caps failed and failed dismally. We've also seen a lot of legislation this Session to exempt items from the property tax cap. That was not, of course, the proposal in Senate Bill 1, but that suggests that property tax caps are not working as well as they might in the collar counties where they currently are imposed. Senate Bill 1 does not deserve a further hearing on this House floor. I support a strong committee system. This committee, the Revenue Committee gave Senate Bill 1 every opportunity to be heard. The

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measure was rejected by the committee on its merits as a proposal that will not be helpful to the citizens of this state who seek property tax relief, and I would urge your 'no' vote on this Motion to take Senate Bill 1 from the table."

Speaker Madigan: "The question is, 'Shall the Motion be adopted?' Those in... Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what we're talking about here is the concept of property tax relief, not the details of what's in this particular Bill or in any other Bills, we're talking about the whole concept of property tax relief. And this is of such importance to the people of Illinois, that the matter deserves to be heard by the full House Membership, not just the committees or the subcommittees. It's the concept of property tax relief that we're talking about here. It's not any particulars in this Bill, and it deserves a hearing by the entire House Membership it is so important. Vote 'yes'."

Speaker Madigan: "The question is 'Shall the Motion be adopted?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 58 'ayes', 36 'noes'... Mr. Wennlund, this Motion requires 71 votes. Mr. Wennlund."

Wennlund: "Speaker, Poll of the Absentees, please."

Speaker Madigan: "The Clerk shall poll the absentees." Clerk Rossi: "Poll of those not voting. Representatives Brunsvold. Flowers. Jones, Shirley. Lopez. Phelps. Stroger. Younge."

Speaker Madigan: "The Motion fails. On the Order of State and

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Local Government, there appears House Bill 87, and I believe a Motion has been filed by Mr. Walsh, and would Representative Currie take the Chair. Mr. Walsh."

Walsh: "Thank you, Mr. Speaker. I'd move to discharge the Committee on Executive from further consideration and advance to the Order of Second Reading, Senate Bill 87."

Speaker Currie: "Representative Walsh moves to discharge the Committee on Elementary and Secondary Education from further consideration of Senate Bill 87 and move that Bill to Second Reading; and, on that Motion... Representative Walsh."

Walsh: "Madam Speaker, it was the Executive Committee."

Speaker Currie: "Executive Committee. Pardon me; and, on that Motion, Representative Bugielski, the Chairman of the committee."

Bugielski: "Thank you, Madam Speaker and Members of the House. I rise in opposition to the Representative's Motion. This Bill had a fair hearing in the executive meeting. We met, there was a quorum present, and he did have the hearing on the Bill. It was a fair hearing and it failed, and I ask my Members to oppose this Motion."

Speaker Currie: "Speaker Madigan, on the Motion."

Speaker Madigan: "Madam Speaker and Ladies and Gentlemen of the House. This Bill is concerned what...with what is referred to as reform of the Chicago school system. The Bill, by its very nature, gets into matters which in part are subject to the normal collective bargaining process at that system. In addition, it gets into matters which are properly before the General Assembly. In regard to the matters which are currently under consideration by the General Assembly, they're highly technical and complex. They were the subject of a meeting which I convened last

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Wednesday in my office between the Chicago Board of Education on the one hand and the Chicago Teacher's Union on the other. Both sides to that negotiation felt that it was a very fruitful meeting. They left the meeting agreeing to go back in one instance to caucus, in another instance to do further research, so that they can come back to the General Assembly, work together to try to forge an agreement in certain areas which are currently pending before the General Assembly. They did agree that concerning matters which are not properly before the General Assembly but are the subject of a collective bargaining negotiations currently under way, they would go and do that as they have always done it between themselves. And for those reasons, I would rise in opposition to the Gentleman's Motion to discharge the committee."

Speaker Currie: "Further discussion? Representative Kubik."

Kubik: "Thank you, Speaker and Ladies and Gentlemen of the House. I am the Spokesman on the Executive Committee, and Representative Walsh presented his Bill and a large number of people left the room and there were not a sufficient number of people in the room to vote on the Bill. I think that the Bill is a legitimate effort to bring forward an important issue with respect to the Chicago schools. It was debated very fiercely, I might add, in the Executive Committee, but the fact of the matter was that there were a number of Members who were not present for the final vote. And I think that if you asked any of the people who came down to testify, they will acknowledge to you that this was not a fair hearing or a fair vote. With respect to the Speaker's comments, I think...I recognize there are ongoing negotiations and I think that is a good, good thing; however, we ought to bring this Bill forward as a...as an

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attempt to start talking about this very important issue, and perhaps it can be used as a part of the discussions as we move forward. So I think this is a very legitimate, good Motion to discharge, and I would hope that Members would look beyond partisan reasons to support this important piece of legislation. So, I rise in support of the Gentleman's Motion."

Speaker Currie: "Representative Bugielski, on a point of personal privilege, to explain about the committee."

Bugielski: "Thank you, Madam Speaker and Members of the House. Just as a point of privilege, it was brought out that there was not enough people at the committee to pass the Bill. There were eight votes that were cast on the Bill; you only need seven to get a Bill out of committee, so there were enough people in the room to pass the Bill if needed. Thank you."

Speaker Currie: "Further discussion? Representative Black."

Black: "Yes. Thank you very much, Madam Speaker. To the Gentleman's Motion, I simply rise to support the Motion to discharge. In response to some comments made from the other side of the aisle by a previous speaker that were not to the Motion but, in fact, were to the Bill, let me just remind you that this underlying Bill is perhaps as the Gentleman said, should be subjected to the collective bargaining process. Well, Ladies and Gentlemen of the House, I think if you read the Sun-Times, either of the last two days, today or yesterday, the Sun-Times and many people in Chicago are crying out for enough, enough of back room negotiating; enough of secretive dealings; enough of some custodial engineers making three times the amount of money that a school teacher may make; enough arguing over who should have the keys to the school, a custodian or the

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school principal."

Speaker Currie: "Representative, let me just... The Chair would like to remind you, that we're on a Order of Motions, and you are requested to...Discharge Motions, you are requested to keep your remarks to the Motion rather than the substance..."

Black: "I would do that..."

Speaker Currie: "...of the Bill that is not before us."

Black: "I would do that, Madam Speaker, but the Speaker on your side of the aisle talked about the Bill at hand for two-and-a-half minutes."

Currie: "I'm sorry to report that I do not believe that that's accurate, but in any case if the Chair errored, in not stopping that activity..."

Black: "Well..."

Speaker Currie: "...the Chair would apologize and just having noticed what you're talking about, the Chair remembered you're..."

Black: "Well, yes, yes."

Speaker Currie: "...not supposed to."

Black: "Well, I'll accept your apology, and let me just conclude. To the Motion. It's time we let the sun shine in on the Chicago Board of Education and education in the City of Chicago. Enough business as usual. Vote 'aye'."

Speaker Currie: "Further discussion on the Motion? Representative Morrow."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I agree. What we're doin' here today is a farce and a sham, but it was a farce and a sham four years ago when we voted for school reform, and at the time that we voted for school reform, we said, 'don't vote for it unless you're willing to put the money behind it to carry it out.'"

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And I haven't, to this day to see the money come from the second floor to adequately fund education in this state, So, the sham is not only on this side of the aisle, the sham is also on that side of the aisle. Until we start talking about puttin' some money where our mouths are, this Motion should be defeated."

Speaker Currie: "Representative Walsh, on the Motion, to close."

Walsh: "Thank you, Madam Speaker. I just would like to point out with the rush of business in the last week, many of the Members of the committee were coming and going because they had Bills in other committee, and weren't able to listen to the lively debate that we had. So, I would like to again move this Motion. I would also like to point out the fact that we had a number of principals that came down from the Chicago public schools that were not able to testify on this Bill. So, I think this...it's a good Motion. I would ask for your favorable...favorable consideration. Thank you."

Speaker Currie: "Representative Walsh has moved to discharge Senate Bill 87 from Executive Committee and move the Bill to the Order of Second Reading, First Legislative Day. All in favor of the Motion signify by voting 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Bud DeJaegher votes 'no'. On this Motion, there are 54 voting 'aye', 28...38 voting 'no', and the Motion fails. Next Order of Business on the Special Order of Call, Law, is Senate Bill 127, Representative Lang, for a Motion. Excuse me. For what reason does Representative Cowlshaw rise?"

Cowlshaw: "I'm sorry, Madam Speaker. I thought you were on a Special Order for education Bills. I have a...I have filed a Motion to Discharge the Committee of Elementary and

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Secondary Education on Senate Bill 135; however, because that is not on the Calendar, what I rise to do, Madam Speaker, is to move to suspend Rule 77(b) in order..."

Speaker Currie: "Representative, we're not on that Order. We were not on Education Order. The previous Motion was a Bill in the Executive Committee. Let us continue with the Motion I just announced, and we'll get back to you."

Cowlshaw: "Would the Chair please let me know when you plan to get to the Education Order?"

Speaker Currie: "The Chair will be happy to. Representative Lang on the Motion."

Lang: "Thank you, Madam Speaker. I move to discharge Judiciary I Committee and advance this Bill to the Order of Second Reading. Judiciary I is my committee, but we didn't get a chance to hear this Bill because we finished our business except for this Bill and maybe one other and cancelled our second meeting. So, this Bill has not had a hearing in committee, and I would ask the indulgence of the House to discharge the committee."

Speaker Currie: "Representative Lang has moved to discharge the Committee on Judiciary I from further consideration of Senate Bill 127 and move the Bill to the Calendar on the Order of Second Reading, First Legislative Day. Is there any discussion on that Motion? Seeing none, all...is there...is there leave to discharge committee and advance the Bill by the Attendance Roll Call? Leave is granted. The Motion succeeds. On the Order of...Special Order, Insurance, Representative Granberg with a Motion on Senate Bill 580."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Pursuant to Rule 77(a), I move to discharge the Committee on Executive and advance to the Order of Second

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Reading, First Legislative Day. I've approved this with both sides of the aisle, and I would ask your support."

Speaker Currie: "You've heard Representative Granberg's Motion. Is there any discussion? Hearing none, is there leave by the Attendance Roll Call to adopt this Motion? Leave is granted, and the Motion succeeds. On the Order of State and Local Government, appears Senate Bill 100. Representative Kubik has a Motion in respect to that measure. Representative Kubik."

Kubik: "Thank you, Madam Speaker. I would move to...pursuant to Rule 77(a), I move to discharge the Committee on Revenue from further consideration and advance to the Order of Second Reading."

Speaker Currie: "You've heard Representative Kubik's Motion. Representative Levin, the Chair of the Revenue Committee."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would oppose the Gentleman's Motion. Senate Bill 100 was heard in our committee and was ably presented by the Sponsor who's making a Motion now, and it failed to receive the requisite number of votes. I think one of the observations that was made in committee at the time was those who wanted tax caps, the City of Chicago in making its decision with respect to this particular tax wanted to avoid imposing increasing property taxes, and this was unfortunately the alternative. I personally do not like this source of revenue, but we, you know, should not be impinging on the rights of local jurisdictions, especially when they're trying to avoid raising property taxes. I would point out, moreover, that not only does this particular Bill eliminate revenue in terms of soda pop, but it also eliminates revenue with respect to natural gas. The committee considered the Bill and did not approve it."

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I would urge you to support the committee process and defeat the Amendment...the Motion."

Speaker Currie: "Further discussion? Speaker Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen, I rise in opposition to the Gentleman's Motion for one simple reason. The Bill is a pre-emption Bill. It's a direct assault on the ability of local governments to finance their operations and to raise their own taxes, and for that reason I stand in opposition to the Motion."

Speaker Currie: "Further discussion? Representative Black."

Black: "Yes. Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I rise to support the Gentleman's Motion. Unfortunately, I think there's been a total lack of communication on the other side of the aisle. I thought there was an understanding that one controversial Bill would be debated on the floor, and consequently another controversial Bill would be debated on the floor. Evidently, that agreement was not passed on to all those concerned, and I'll take responsibility for that if I have to, but I sometimes get very frustrated with the process when my part of the agreement is run first, and then the quid pro quo is run second and the agreement suddenly evaporates. So I'm not sure what happened or why. This issue transcends the City of Chicago. It should be debated on the entire floor of the House. If it's not good enough to pass, I don't suppose it will. But it was my understanding that it could be advanced to debate on the floor, and that's why I rise to support the Gentleman's Motion."

Speaker Currie: "Speaker Madigan, on a point of personal privilege."

Madigan: "My point is, I was not advised of any special

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arrangements on any Motions. I stand in opposition to the Motion."

Speaker Currie: "Further discussion? Representative Kubik, to close."

Kubik: "Thank you, Speaker. I would like to...since the nature of the Bill was mentioned by the Committee Chairman of the Revenue Committee, I would like to correct a statement. The Bill was amended to eliminate any other possible items except for the one that we're seeking to...to change, and that is on a soda pop tax. So all of the other items...there was an Amendment adopted so that any gas taxes or those sorts of things have been removed from the Bill. I would make one other point: This Bill was sent to subcommittee. Two voted in favor, two voted opposed, and one took a walk, and I just feel as though I would like to have had all of the Members of the committee in the subcommittee...in the subcommittee to vote on this so that we would have a fair hearing on this Bill. This is a Bill that will affect every home rule unit of government throughout the state, and I think all of us want to be mindful of that, and we ought to look at this issue carefully because if you don't think you're going to face it in the future, you will face it, and best we debate this Bill on the floor of the House and decide what our public policy should be, I would hope that we could suspend the rules and bring this Bill to the floor for further debate. It's an important Bill, and I ask your support."

Speaker Currie: "The Motion is, 'Shall the House Committee on Revenue be discharged from further consideration of Senate Bill 100 and that Bill moved to the Order of Second Reading, First Legislative Day?' All in favor of the Motion vote 'aye'; opposed vote 'no'. Voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 54 voting 'aye', 38 voting 'no', and the Motion fails. Representative Novak...too late. The record will reflect that Representative Novak wished to have been voting 'no' on that Motion. The next Order of Business is Professional Regulation, Special Order of Call, Representative Giglio, on Senate Bill 603. Representative Giglio."

Giglio: "Thank you, Madam Speaker. Pursuant to Rule 77(a), I move to discharge the Committee on Regulation and Registration from further consideration, advance to the Order of Second Reading, First Legislative Day. This Bill is the agreement on both sides of the aisle. There was some mixup as to whether this Bill was going to go in an omnibus Bill, and decided not to; and, therefore, I'd ask for its discharge."

Speaker Currie: "Representative Giglio has moved to discharge the Committee on Professional Regulations from further consideration of Senate Bill 603, and on that Motion, is there any discussion? Representative Saviano."

Saviano: "Thank you, Speaker. I will concur as the Minority Spokesperson for Reg and Reg debt that Representative Giglio made an accurate description of what happened in committee, and I would rise in support of his Motion. Thank you."

Speaker Currie: "Further discussion? Representative Steczo."

Steczko: "Thank you, Madam Speaker. Concurring with Representative Saviano, Chairman Jones had indicated to Representative Giglio after the committee hearing that should he choose to file a Motion to discharge that she would support it because the fees suggested in this Bill

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are not under the normal auspices of what we consider a fee related matter, so I would also concur with this Gentleman's Motion."

Speaker Currie: "Further discussion? If not, does the...is there leave of the House to adopt the Motion with respect to Senate Bill 603? Leave of the House by the Attendance Roll Call? Seeing no opposition, the Motion is adopted by the Attendance Roll Call. On the Special Order of Call, Local Government, appears a Motion with respect to Senate Bill 851, Representative Wennlund."

Wennlund: "Madam Speaker, we have an agreement to call that on Tuesday. The Chairman of the Counties and Townships Committee is absent right now, is not here. Representative Santiago."

Speaker Currie: "Is it your thought that the Chairman of that committee will have a problem with your Motion?"

Wennlund: "That he will concur with it, yes."

Speaker Currie: "Concur with it. Can we trust you, Representative Wennlund?"

Wennlund: "What happened was...is right after Session when Counties and Townships met, we had a short leadership meeting. By the time I got over there, they said they had passed out an Agreed List and one Bill and had adjourned, so there was not adequate time to...for me to present the Bill."

Speaker Currie: "Let me consult with the Parliamentarian on the question of the trustworthiness of the maker of this Motion."

Wennlund: "Well, you could do it..."

Speaker Currie: "Representative Wennlund, we believe you. So, if there's any discussion on Representative Wennlund's Motion to discharge the Committee on Counties and Townships from

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further consideration of Senate Bill 851, is there any discussion on that topic? Hearing none, the question is, 'Will the House give leave by the Attendance Roll Call to adopt the Motion?' Is there leave? Apparently there is leave, there are no objections, and by the Attendance Roll Call, the Motion succeeds. On the Special Order of Call Law, Senate Bill 870, with a Motion with respect to that Bill, Representative Maureen Murphy."

Murphy M.: "Thank you, Speaker. Ladies and Gentlemen, the matter before us is a Discharge Motion of Senate Bill 870 that was before Judiciary I with Chairman Lang. Questions arose during the presentation of this Bill that could only be answered by an outside agency. We believed there was going to be a second time for Judiciary I to meet, but because the shortened, abbreviated schedule that was cancelled, the outside agency has since been contacted and the various concerns by committee members have been addressed. Representative Dart has joined on with me on the Senate Bill, and I've talked with Chairman Lang about the possibility of discharging this Bill from his committee."

Speaker Currie: "On the Motion, Representative Lang."

Lang: "Thank you, Madam Speaker. The Sponsor is correct. I have no objection to discharge."

Speaker Currie: "You've heard the Motion to discharge the committee of Judiciary I from the further consideration of Senate Bill 870. On that Motion, is there any discussion? Seeing no further discussion, the question is, 'Will the House give leave by the Attendance Roll Call to adopt the Motion?. Is there leave? Leave is granted, and by the Attendance Roll Call, the Motion succeeds. Now, back to Representative Cowlshaw. Representative Cowlshaw has filed a Motion with respect to Senate Bill 135, and her

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Motion is to discharge the Committee on Elementary and Secondary Education from further consideration of that measure and to put the Bill on the Calendar at the Second Reading, First Legislative Day. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Chairman, Ladies and Gentlemen of the House. Senate Bill 135 received a complete hearing. All of the people who had come here to testify on that Bill during the meeting of the Elementary and Secondary Education Committee held right here in this chamber yesterday were given ample opportunity to testify, were treated very fairly and politely by Chairman Brunsvold, however, partly because we were running late and almost into the time when we needed this chamber in order for the House to meet, the fact is that the Elementary and Secondary Education Committee was adjourned before we even had an opportunity to vote on this Bill at all. I think, Madam Speaker and Members of the House, every Bill is entitled to be voted upon by the Members of this Body, and because the meeting was adjourned before any vote was taken at all, I would respectfully suggest that the proper and fair thing to do with Senate Bill 135, irrespective of what the contents of the Bill are, just the principle of the thing, that the correct vote on this Motion is 'yes'."

Speaker Currie: "The Chair recognizes the Chair of the House Elementary and Secondary Education Committee, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I rise to oppose the Lady's Motion. As I had indicated yesterday, we met in Speaker Madigan's office and with his guidance between the Chicago Board of Education and the Teacher's Union, much progress was made on the supernumerary issue, 5 by 5 and the principal engineer situation. It seemed that they were

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going to meet and they were meeting yesterday, the day after we had the meeting to try to come to agreement on those problems. The House taking a vote on this Bill would have destroyed those negotiations. The House then would have taken a position for one side or the other, and I don't think that's our responsibility here to try to dictate to the locals about what that decision should be, and so Mary Lou has a very good comment. We can vote on this Bill, yes, but we ought to wait until they...the two sides have either come to agreement or they can't come to an agreement. When that situation arises, then we can, out of Rules Committee, discharge this Bill and vote on that Bill at that time. But right now, we shouldn't be doing that. We should let both sides work on the issue and see if they can come to a mutual agreement before we come down here and try to pick sides. So, I stand opposed to the Lady's Motion, and ask for your 'no' vote."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. To the Motion. It's only been five minutes ago that someone on your side of the aisle asked that you all respect the sanctity of the committee process. Well, here we have a Motion that does exactly that. This Bill received a full hearing in these...in this very chamber yesterday, both sides adequate debate, but all of a sudden, the committee was gaveled to adjournment and no vote was taken on this Bill now, if you're going to respect the sanctity of the committee process on one side of the aisle, we would like to join with you and respect the sanctity of the committee process in that any Bill presented, both sides being heard, deserves to have a vote. That is the height of ignoring the sanctity of the committee process

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when you allow full debate on a Bill and refuse to let the Bill to be called for a vote. We're not talking about nobody showed up or there weren't enough people. We're talking about an adjournment that prevented a vote on a very important concept. I would hope that this would transcend politics and we send a message to those neighbors to the north that we want some sunshine on the process. Vote 'aye'."

Speaker Currie: "Further discussion? Speaker Madigan."

Madigan: "Madam Speaker, I rise in support of the position of the Chairman of the Elementary and Secondary Education Committee. As has been explained on a previous Bill, all of these matters have been brought into my office. We have open discussions and negotiations on these questions. It is my expectation that the parties to these negotiations will be reasonable, open minded, and that they will act in good faith, and for those reasons, I would humbly suggest that we oppose this particular Motion. Thank you."

Speaker Currie: "The Motion is to discharge the House Elementary and Secondary Education Committee from further consideration of Senate Bill 135 and put that Bill on the Calendar of Second Reading, First Legislative Day. All in favor of the Motion vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 52 voting 'aye', 42 voting 'no'... Representative Schoenberg voting 'aye'; 53 voting 'aye', 42 voting...41 voting 'no'. Representative Levin votes 'no'. So, we have 53 voting 'aye', 42 voting 'no', and the Motion fails. And there is on the Calendar a Motion to Discharge the House Judiciary I Committee with respect to Senate Bill 447. The maker of

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the Motion is Representative Andrea Moore. Representative Moore."

Moore, A: "Thank you, Madam Speaker. I ask that this please be discharged on behalf of Senator Barkhausen who is not here right now, and he asked if I would please file a Motion, and I did that. I did not expect you to call it today, but I certainly do appreciate it. I think that it has not been heard in committee, and I think that's it's something that the entire General Assembly should hear. Thank you."

Speaker Currie: "The Chair recognizes the Chair of the House Judiciary I Committee, Representative Lang."

Lang: "Thank you, Madam Speaker. Perhaps if the Sponsor had not called it today, I'd be in a position to discuss it with her. As she has not discussed it with me, this Bill was posted I believe for committee. We completed our work. We did 60 some odd Bills on the day we heard the Bills in committee; and accordingly I do not think it would be appropriate at this time to discharge this."

Speaker Currie: "The Motion is, 'Shall the Senate...House Judiciary I Committee... Representative Moore, to close on the Motion."

Moore, A: "I would respectfully request you take the Motion out of the record at this time, thank you."

Speaker Currie: "The Motion is now out of the record. Representative Moore, for what reason do you arise?"

Moore, A: "Thank you, Madam Speaker. I would again request the Motion be re-entered into the record, and after a short consultation with the Chairman of the committee, I believe we have worked out the details and he would also like to speak to it. Thank you."

Speaker Currie: "On the Motion, the Chair recognizes the Chair of the House Judiciary I Committee, Representative Lang."

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Lang: "Thank you, Madam Speaker. I have consulted with Representative Moore and I now believe we should discharge the Judiciary I Committee and advance it to Second Reading, and I would concur on the Motion."

Speaker Currie: "Representative Moore, perhaps you would like to state this agreement that Representative Lang alluded to on the record. Would you be willing to do that, Representative, Moore?"

Moore, A: "I didn't actually hear what Representative Lang said, because I have so many people asking me questions."

Speaker Currie: "Well perhaps...perhaps you would tell the Membership what your plans for Senate Bill 447 might be."

Moore, A: "Well, actually you see, because I only filed this Motion to Discharge about five minutes ago and did not expect the Chair to be so efficient. I expected to be able to address this in a much more thorough way on Tuesday, and what we are hoping is to have the Amendment put together by Tuesday, and that's what we hope to be able to use the Bill for."

Speaker Currie: "Rep... Would you like to tell us to use it for what? Representative Moore?"

Moore, A: "For what did you...specifically get into the...I'm supposed to tell you that this has nothing to do with malpractice. We are wanting to shell...make a shell Bill out of this Bill, and it will not have anything to do with malpractice."

Speaker Currie: "Further discussion? Hearing none, is there leave by the Attendance Roll Call to adopt Representative Moore's Motion with respect to Senate Bill 447 to discharge the House Judiciary I Committee from further consideration of that Bill and move the Bill to the Order of Second Reading, First Legislative Day? Hearing no disagreement,

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is there leave? Leave is granted, and the Motion succeeds. The Chair recognizes Speaker Madigan."

Madigan: "Madam Speaker, after consultation relative to Senate Bill 100, having voted on the prevailing side, I move to reconsider the vote by which that Motion failed."

Speaker Currie: "Representative Madigan moves to reconsider the vote by which the Motion with respect to Senate Bill 100 failed. Is there any discussion? Hearing none, is there leave for the Attendance Roll Call? Leave is granted, and now on the question of the Motion to discharge committee on Senate Bill 100 and move that matter to the Order of Second Reading, First Legislative Day, Speaker Madigan so moves. Is there any discussion? Hearing none, is there leave by the Attendance Roll Call to adopt that Motion? Leave is granted. The Motion is adopted. Representative Giglio now moves that the House stand adjourned until the hour of... Sorry, we have to read the Adjournment Resolution. Mr. Clerk."

Clerk Rossi: "Senate Joint Resolution 61, RESOLVED, BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, May 7, 1993, the Senate stand adjourned until Tuesday, May 11, 1993, at 12:00 noon; and the House of Representatives stand adjourned until Tuesday, May 11, 1993, at 1:00 o'clock p.m. Adopted by the Senate, May 7th, 1993."

Speaker Currie: "Representative Giglio moves adoption of the Adjournment Resolution, and Representative Giglio now moves that the House stand adjourned until Tuesday, May 11th at the hour of 1 p.m. All in favor of the Motion signify by saying 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted, and this House stands adjourned."

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