

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

FIRST SPECIAL SESSION

21st Legislative Day

October 28, 1993

Speaker Currie: "The First Special Session will come to order, and by use of the quorum Roll Call in the Regular Session, a quorum is present, and now Representative Granberg moves that the First Special Session stand adjourned until the hour of 10:00 a.m. tomorrow, Friday, October 29th. All in favor say 'aye'; opposed 'no'. The 'ayes' have it, and this House stands...this Special Session stands adjourned."

REPORT: TIFLDAY
PAGE: 001

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX
SPECIAL SESSION # 1

94/01/20
14:31:55

OCTOBER 28, 1993

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER CURRIE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
FIRST SPECIAL SESSION ADJOURNED	PAGE	1

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

89th Legislative Day

October 29, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is, Reverend Gary McCants, of the Allen-Chapel African Methodist Episcopal Church, in Alton. The guests in the gallery may wish to rise this morning and join us for the invocation."

Reverend McCants: "May we pray. Judge me O'Lord, for I have walked in my integrity. I have trusted also in Thee, therefore, I shall not slide. Examine me O'Lord and test me, try my reins and my heart, for Thy loving kindness is before my eyes and I have walked in Thy truth. O'Lord, my prayer today is for the continued peace and strength for those who lead and serve in this House. Grant them the ability to resolve the issues set before them and give them safe passage as they depart from this place to their several homes. We ask that You would continue to be with them, and we will always give You the glory, our honor and our praise, in Thy dear son's name, we pray. Amen."

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

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

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

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Cowlshaw is excused due to official business today."

Speaker McPike: "Thank you. Representative Currie."

Currie: "We have no excused absences this morning."

Speaker McPike: "Thank you. Mr. Clerk, take the record. One hundred and sixteen Members answering the Roll Call, a

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

89th Legislative Day

October 29, 1993

quorum is present. Representative Hassert. Representative Hassert. Turn him on, please. Thank you."

Hassert: "Yes, Mr. Speaker."

Speaker McPike: "Representative Hassert, we would like to wish you a Happy Birthday."

Hassert: "Thank you."

Speaker McPike: "Yes, and we would...and we would...oh, is that a present? Maybe you could open the present while we're here. A lot of people get cakes for their birthday, what did you get?"

Hassert: "I really don't know, and it fits. Thank you, I appreciate that."

Speaker McPike: "Representative Wennlund is laughing, he's got a lot of room to talk, doesn't he? Page three of the Calendar. Senate Bill Second Reading, Senate Bill 450. This Bill has been read a second time. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Weller."

Speaker McPike: "Representative Weller. The Gentleman withdraws the Amendment. Is that correct? Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Flinn."

Speaker McPike: "Representative Monroe Flinn. Monroe Flinn, on Amendment #3."

Flinn: "Withdraw."

Speaker McPike: "He withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Steczo."

Speaker McPike: "Withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative

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

89th Legislative Day

October 29, 1993

Flinn."

Speaker McPike: "Mr. Flinn. Amendment #5."

Flinn: "Withdraw that one, too."

Speaker McPike: "All right. The Gentleman withdraws that Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Steczo."

Speaker McPike: "Mr. Steczo. All right, let's go back to Amendment #5. Representative Flinn, asks to withdraw that, but...but he claims he misspoke. So, he withdraws his request to withdraw it. All right, Representative Flinn."

Flinn: "Mr. Speaker. I mistakenly asked to withdraw Amendment #5. Amendment #5 is actually what's left of House Bill 293, which the Governor amendatorily vetoed. We've taken out the parts that the Governor had objection to and left in the part that he is willing to sign, and so, that's all it is. It's a Bill that passed almost unanimously in both Houses, and we struck out the fourth part of House Bill 293, and I would move for the adoption of Amendment #5."

Speaker McPike: "Representative Wennlund on that Motion."

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

Speaker McPike: "Yes."

Wennlund: "Representative Flinn. This is the language that was left after the Governor amendatorily vetoed 293?"

Flinn: "Yes, he amendatorily vetoed...vetoed the fourth part of the Bill out. The other three portions are still in the Bill...are in this Bill rather...in this Amendment. We've left out the part that the Governor had the objection to."

Wennlund: "Okay, thank you very much."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further

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

89th Legislative Day

October 29, 1993

Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Steczo."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #6, contains two provisions originally in House Bill 2307, which had been approved by the General Assembly and amendatorily vetoed by the Governor. This Amendment assures that all individuals obey the law by requiring that all agents of alcoholic liquor manufacturers deal with retailers, be registered with the Liquor Control Commission and it further assures that all alcoholic liquors be warehoused in the state by requiring that they be off-loaded and come to rest in licensed distributor warehouses. This requirement also protects the state's regulatory and taxing authority. These two provisions were not in the Amendatory Veto of House Bill 2307, and I would move for the adoption of the Amendment, Mr. Speaker."

Speaker McPike: "Representative Steczo moves for the adoption of the Amendment, and on that, Representative Skinner."

Skinner: "Has this been distributed previously sometime? I have Amendments eight on. I have nothing prior to eight."

Speaker McPike: "Yes. That's correct, it has been."

Skinner: "Thank you."

Speaker McPike: "All right, the question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Giglio."

Speaker McPike: "Representative Giglio."

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

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

89th Legislative Day

October 29, 1993

House. What this Amendment does, this sets up the mechanism for the Toll Road Authority to have hearings for people with the new apparatus that they're putting on our toll way system in Illinois. What it does...what they will do in order to keep the traffic moving, they're going to set up these cameras so people could pay by charge cards or pay by mail. If there's somebody that cheats and doesn't pay or goes through or whatever, this Amendment would allow them to have a hearing before the Toll Road Authority and argue their case. So, it's due process and it's a very good Amendment and I would ask for your support."

Speaker McPike: "Any questions on the Motion? All in favor of Amendment #7 say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #8, offered by Representative Weller."

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

Clerk Rossi: "Floor Amendment #9, offered by Representative Kubik."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is offered by Representative McAfee and myself. It would...it is an attempt to clarify the property tax law for a local situation which has developed in our districts, and I'd be happy to respond to any questions that you might have and would urge adoption of the Amendment."

Speaker McPike: "All right, any questions on the Gentleman's Motion? The question is, 'Shall Amendment #9 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "Floor Amendment #10, offered by Representative Weller."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Floor Amendment #10, sponsored by myself and Representative Novak, grants temporary authority. It was requested by the Village of Herscher which is...discovered that they had a paperwork snapfoo and they failed to file some proper documents. They want the ability to have the temporary authority to refund some excess monies to the people of their community, and I ask for its adoption."

Speaker McPike: "Representative Weller moves for the adoption of Amendment #10. Any questions on the Motion? All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #11, offered by Representative Cross."

Speaker McPike: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This Amendment amends the counties code, it gives the count....gives county boards the ability to regulate agricultural land of less than 5 acres, and counties between 300,000 and 400,000 in population and counties contiguous to counties with populations between 300,000 and 400,000. I don't know of any objection. The Farm Bureau and I have worked on this and I would appreciate your support on it."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "By the population, this obviously applies to Will County and Grundy and Kendall. What's the genesis of it? What's the necessity or need for this legislation?"

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

89th Legislative Day

October 29, 1993

Cross: "Right now in a county like Kendall or those you just mentioned, the county board has no zoning authority in residential areas and unincorporated areas. In Kendall County, we have an area called Boulder Hill, with like 10,000 homes. Right now, someone could put up a stable or a horse barn in their backyard and we don't have any ability to prevent that and this allows us just with respect to regulating and restricting buildings inside an unincorporated area within the county."

Wennlund: "Who from Will County requested this?"

Cross: "No, our county board requested it. Kendall County did."

Wennlund: "Why was Will County included?"

Cross: "The only way we could do it was for us...we're contiguous to Will County just by population, Will's included."

Wennlund: "So, what you're doing is, you're tempting to increase the power of the county boards to regulate five acre tracts?"

Cross: "Less than five acre tracts."

Wennlund: "So, four and a half acres or four point nine?"

Cross: "Anything less than five."

Wennlund: "And they don't currently have the authority to do that?"

Cross: "Not with this...not in the area of buildings and structures. They have no authority."

Wennlund: "On agriculture zones land?"

Cross: "Correct, none at all that I'm aware of. In fact, several cases out of DeKalb just came down and said this has got to be addressed by the General Assembly and the courts have...counties have no authority to do it."

Wennlund: "Okay, thank you very much."

Cross: "Our...our State's attorney and county board requested this. That's why I'm doing it."

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

89th Legislative Day

October 29, 1993

Wennlund: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #11 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #12, offered by Representative Currie."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Amendment is to clarify that taxes that are directed by counties and other governments under the local government and the government employees Tort Immunity Act, are not part of the general budget. There apparently was a court ruling saying that these funds all would be considered part of the general fund budget, and that was not the general understanding among local government officials, so this is proposed really just to clarify that the extension is a separate extension from the general budget."

Speaker McPike: "On the Lady's Motion, Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Isn't the current law that...that a separate levy for Tort Liability...can now be levied by park districts and municipalities? Don't they have the authority to do that now?"

Currie: "Yes, and that's been the common practice among all local governmental units, but because of a court ruling in one part of the State, the practice is now subject to reconsideration. So, it seemed a good idea to clarify that the practice that is the typical practice can continue."

Wennlund: "Thank you very much."

Speaker McPike: "Representative Black."

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

89th Legislative Day

October 29, 1993

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

Speaker McPike: "Yes she will."

Black: "Representative, can you tell me, are any currently...are any levies exempt from the general property tax cap limitation?"

Currie: "My recollection is that only those levies that might reflect bond commitments that were made prior to the adoption of that Act, would be exempt."

Black: "So this would be the only..."

Currie: "Today the Tort...Tort Immunity Fund is not exempt from the property tax cap and it would not...that would not change under this Amendment. The only issue we're working with here, is the distinction between that separate levy and the General Corporate Fund."

Black: "And so...then so that I understand this, what you're doing then...if the...this is only going backwards, in other words, it's not carrying forward. You're not exempting the 1997 Tort Liability Levy from the General Property Tax Limitation Act."

Currie: "It is not exempt now and it would not be exempt under this Amendment."

Black: "All right."

Currie: "The property tax cap would apply as it always has. This is only clarifying the distinction between the Tort Immunity Levy from the General Corporate Levy."

Black: "All right, thank you very much."

Speaker McPike: "Representative Skinner."

Skinner: "Which counties have screwed up on their levies and need validation?"

Speaker McPike: "Representative Skinner, the Sponsor will be glad to yield to questions. Representative Currie,

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

89th Legislative Day

October 29, 1993

Representative Skinner..."

Currie: "It's not a Validation Levy, this is only to make the distinction between Tort Immunity Levy from General Corporate Levy. It's a response to a court case that raised the question whether that traditional practice could continue."

Skinner: "Well, would you please look at Page 9 and 10 and tell me why I shouldn't consider that a validation of a previously inappropriately levy Tort Liability Levy? It says, 'Are not invalid because of any provision of Section 5-1024 the Counties Code or may...or may have been construed to constrict or limit those levies...those taxes levied and those taxes are hereby validated...'"

Currie: "Only with respect..."

Skinner: "...when you put the word validate in the language it seems to me it's probably a validation Bill."

Currie: "Representative, only with respect to the questions raised by this recent court case. When the court said, 'Wait a minute, these extensions are not part of a Tort Immunity Separate Levy, they're part of the General Fund Levy,' it throws into question, not final answer, but question all of the levies that have been done by all local governmental units under the Tort Immunity Levy. So, this is not a specific validation for a particular unit of government. The whole point of this Amendment, is to clarify our understanding and the understanding of local governmental units that the levies for Tort Liability...Tort Immunity Liability, are separate from the General Corporate Fund."

Skinner: "Let me ask the question somewhat differently. Where is the court suit and who is it against?"

Currie: "I don't know which part of the state it was in..."

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

89th Legislative Day

October 29, 1993

Speaker McPike: "Representative Currie, I believe it was DuPage County."

Currie: "Thank you. DuPage County."

Skinner: "So the DuPage County Board is screwed up?"

Currie: "I don't believe so, I believe it was a local govern...I'm sorry, I think it was DuPage County, but they didn't...they did not make a mistake. The question was the court's interpretation of whether the levies should be separate. The court conclusion was that single court's conclusion was that the Tort Liability extension was, in fact, part of the General Corporate Levy. That has not been anybody else's understanding, including ours and the effort with this Amendment is to clarify that those are two separate levies as they have traditionally been and to make sure that the language is clear on that point."

Skinner: "And this has absolutely no impact on the tax limitation?"

Currie: "Tax caps, no, no."

Skinner: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #12 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note has been requested on the Bill."

Speaker McPike: "All right. Who's here? Representative Wennlund, do you want to move that the fiscal note is not applicable? All right, is Representative Cross or Representative Weller...Mr. Wennlund."

Wennlund: "Yes, I move that the fiscal note be ruled inapplicable."

Speaker McPike: "Thank you. Now on the Gentleman's question, any

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

89th Legislative Day

October 29, 1993

objections? Hearing none, the Attendance Roll Call will be used and the Motion carries. Third Reading. Senate Bill 87, Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 87, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Burke."

Burke: "Thank you, Mr. Speaker. This matter was discussed at length yesterday, and I would ask for your favorable consideration on Senate Bill 87."

Speaker McPike: "The question is, 'Shall Senate Bill 87 pass?' And on that Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. That was a fairly quiet explanation of what this Bill really does, and think back about the arguments on the floor yesterday. The State Board of Education has filed a fiscal note that says it's going to cost all the taxpayers of Illinois between two and a half and three million dollars a year in order to fund what you and I and all of our constituents pay in each county and in each region where there's a Regional Superintendent. For the services to the Chicago Public School District and in Cook County. So they're going to take the cost that would normally be born by the taxpayers of Cook County to service the teachers and principals and the schools, and spread it out throughout the entire state. So if you live outside of Cook County, this is a bad deal for you. You're going to have to go home and tell your taxpayers, they're going to be contributing to the services not only in their own region or in their own county, but throughout the entire state for the services provided to the schools and they're going to get a double tax hit for it. This is a bad concept. Let Chicago do...in Cook County have their own

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

89th Legislative Day

October 29, 1993

Regional Superintendent, provide the necessary services and let them pay for it. This is a bad concept and you ought to vote 'no' on it."

Speaker McPike: "Mr. Kubik. Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 87, and you know this legislation has a very torturous history. For those of you who were not in this House a couple of years ago, we passed almost unanimously, a Bill that eliminated the Office of Regional Superintendent for Cook County, and at that time the evidence was overwhelming that the...that the office needed to be abolished and that it was virtually useless. Now, at that time, we also learned that there was also an enormous amount of patronage, for example, in the Office of Regional Superintendent, there was something in the order of 10 to 11 Assistant Regional Superintendents. Clearly a great deal of patronage that didn't need to be in the office, so what happened was of course, we eliminated it and the existing person in the office, Richard Martwick, decided to leave early and so in order to finish the term, they've appointed someone else. Well, the people in that office have decided that maybe they've gotten comfortable, maybe we shouldn't eliminate this office. It's a typical, typical example of how government seeks to perpetuate itself. We have a group of people who are now appointed who feel that, 'well we're doing a pretty good job, maybe it's a pretty good idea that we continue this office'. Ladies and Gentlemen, we eliminated this office because there was a reason to eliminate it. This office was duplicative, it was filled with patronage, it's a State Board although they had some qualms about the funding, acknowledged that it was necessary to move those

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

89th Legislative Day

October 29, 1993

responsibilities to the State Board. So now we have...we're back with an office that's unnecessary and we're trying to repeal it, and I think that this is the right thing to do. We made the right decision a few years ago. We eliminated a...a layer of bureaucracy that was unnecessary. Now, let me...let me point out that there is going to be a lot of numbers that are going to be thrown around here, \$3,000,000, \$2,000,000, and the fact of the matter is, that if you look at those numbers, there is no way the State Board will have 11 Assistant Superintendents at a cost of roughly \$40,000 a year. Eleven Assistant Superintendents under the old regime, that's where the cost was pumped up, was because of the patronage. And you know as well as I do, that if these responsibilities stay with the State Board, they will not hire those kinds of people to actually pursue the goals of this office, so, I would submit that the whole issue of the fiscal note, the whole issue of cost, is absolutely, totally inflated beyond question. The numbers are simply not correct, because most of the responsibilities of the Regional Superintendents Office can be done by people who are not paid \$40,000 a year and have a title of Assistant Superintendent. Now, make no mistake, this office will cost the state some dollars, but clearly not the amount of money that is nec...that is the numbers that are banting about. This...the vote on this issue is a very, very simple one. Are you for reform or are you for pulling back and creating more patronage and more government? That's the issue. there is no other issue. It is for reform or pulling back and creating more patronage. I say, it ought to be reform. I say that we ought to support this legislation overwhelmingly and send a message to those who would seek

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

89th Legislative Day

October 29, 1993

to create government and to try to continue an existing system which clearly is filled with patronage and clearly not the right thing to do. Support this Bill, it's the right thing to do, and we ought to give it an overwhelming vote."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I unfortunately will have to disagree with the previous speaker, colleague, and say that there's no reason why we should break the continuity of this office. And why should the rest of the state be paying for the Cook County system. Yes, we had problems with it, we didn't care for the person that was running the office, it was something that we felt was absolutely abusive to what is good for good education in this state, but it would be wrong for the rest of this state to allow this kind of a program to end. We think it is a good idea, and I would ask that the colleagues vote to defeat this and move on with the legislation in the future."

Speaker McPike: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, there has been a misrepresentation on the numbers that have been presented regarding this measure. The fact of the matter is, that at the high point of the Cook County Superintendents position, when it covered all of Chicagoland and the suburban area, the administrative costs were only 1.5 million dollars. That was for all the suburban area and the City of Chicago. One point 5 million dollars. Now, it's absolutely outrageous to presume that taking only 3 elements of what the Superintendents Office does and applying those only to the suburban area, is going to double the amount of cost that

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

89th Legislative Day

October 29, 1993

have been present previously. That's absolutely ridiculous. There's no way that those numbers can be justified. The reality is, that fees for GED, fees for the Transportation Safety Fund, fees for the teachers certification, will generate almost \$1,000,000 in money that will be used by the State of Illinois. This will generate new revenue for the State of Illinois. By performing this service, the state will acquire fee money that it does not receive now. That will offset the cost, but in addition to that, the State of Illinois supplies a half million dollars to offset the cost of the position of the Superintendent and the Assistant Superintendents. Right now, the State of Illinois is providing that money. The State of Illinois will continue to provide that money under this arrangement that is being purposed. If we eliminate this office, we eliminate a half million dollars in cost to the State of Illinois by not having to pay for useless administrators. Now, this measure has been visited time and time again. And let me point out something to those of you who have heard from your Regional Superintendents that this is the first foot in the door to eliminate other superintendents positions. We already have measures that have passed this Body that will eliminate superintendents positions down the road. By 1980...by...let's see, within five years, by 1998, we will be down to 35 positions statewide. This has nothing to do with that. Now, if you believe in eliminating useless government, if you believe in providing tax savings, if you believe as I do that we have too many units of government in Illinois already, then you have to vote for this measure. This is the first legitimate attempt in a long time to reduce government in the State of Illinois. I

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

89th Legislative Day

October 29, 1993

appeal to you to look at the logic of it, look at the dollars. Don't believe fabricated inflated figures. Look at the reality and support this measure. Thank you very much."

Speaker McPike: "Representative Novak."

Novak: "Sorry, Mr. Speaker. Ladies and Gentlemen of the House, on this Bill, Senate Bill 87, yesterday, from my own edification, I cast a 'present' vote on this Bill yesterday for the adoption of the Amendment. Upon further review and upon listening to the arguments, especially the arguments from the other side of the aisle for those in opposition that says that the state is going to be spending a lot more money in...and it's going to affect other districts around the state with respect to state funds. I think that argument is totally spurious. I think any Legislator with a good common sense is going to support this legislation. Two years ago, we abolished Martwick's office. You didn't hear any arguments from the other side of the aisle saying that, 'Oh, we got to keep the Chicago School Superintendents Office because it performs vital functions'. No, because we knew that was a patronage haven. Now, through the Session earlier this spring, we come up with a deal where we have a suburban Cook County Superintendent of Schools. We have a new patronage haven. But now we don't hear any arguments from that side of the aisle saying, 'Oh, this is a good function now'. Now we should have it, now we need to perform these services. There seems to be a double standard here and it's very, very glaring. And I would ask my colleagues on this side of the aisle to support this Bill and pass Senate Bill 87."

Speaker McPike: "Representative Black."

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

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

89th Legislative Day

October 29, 1993

Chair. Was a fiscal note filed to this Bill on Amendment #6 and 7?"

Speaker McPike: "Mr. Black, I apologize. I was on the phone."

Black: "That's all right."

Speaker McPike: "Would you repeat your question, please?"

Black: "Yes, I had requested a fiscal note yesterday on this Bill as it was amended by Amendment #6 and 7, and I can't remember whether that has been filed."

Speaker McPike: "Mr. Clerk, has the fiscal note been filed?"

Clerk Rossi: "The fiscal note was filed."

Black: "Oh yes, I do remember that, it was filed."

Speaker McPike: "Yeah."

Black: "Yes, I remember. Well, thank you for that, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill, and to my colleagues who do not reside in or around Cook County. The issue is not whether you support less government. We all do that. The issue is what is this particular measure of less government going to cost and who's going to pay it. Let me quote from a news release, and I think some of you have gotten calls from Cook County today. Particularly some of you from downstate on your side of the aisle have gotten calls from Cook County today. Remember when you run my friends, the folks in Cook County can't vote for you. Let me quote from a press release that I think summarizes the argument that we're in. This press release was released by Senator Aldo DeAngelis and I quote, 'It's been more than six months since an FY-1991 State Board of Education audit showed the Cook County Board has been using Institute GED and school bus permit funds for other unauthorized purposes', DeAngelis said. At that time, it was recommend that deposits of those funds into the Cook County Treasurers account be halted. Furthermore, Dr.

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

89th Legislative Day

October 29, 1993

Lloyd W. Layman, Cook County Superintendent of Schools, was advised to seek refund of \$342,000 for costs charged in FY-1991. DeAngelis goes on to say, that recently provided information by the State Board of Education, indicates that the Cook County Board is still helping itself to these restricted funds to the extent now of about 2.7 million dollars. The issue is very, very clear. I'm for abolishing as many layers of government as we can, but why do we only talk about Cook County and why do you want my taxpayers to make up the \$3,000,000 shortfall? That's the issue and that's what you'll be judged on. You vote 'yes', you go ahead and vote 'yes' and call back County Board President Phelan and say, 'Look what I did for you'. I in turn will ask your taxpayers what you did for them. Vote 'no'."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. As a fellow downstater of the Gentleman who just spoke on the other side of the aisle however, I'm adamantly in favor of this proposal and believe that a 'yes' vote is the right vote for the constituents that I represent. Let's just back off a little bit and talk about what we did two years ago. We decided that there was such problems in the Cook County office that we decided to abolish it. And at that time, there was an agreement between the Regional Superintendent of School and those who wanted to abolish the one in Cook County, that this would not be the first step toward abolishing the o'. And, in fact, we passed last year, a reorganization Bill which I think insures the long term viability of the Regional Superintendents. So, I know that there are Members on both sides who may have gotten calls from Regional Sups who are concerned that if we abolish the

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

89th Legislative Day

October 29, 1993

office in Cook County, that perhaps their jobs somewhere down the road will be in danger. I think that's just not simply true. I'm a strong supporter of downstate Regional Superintendent offices, but I'm for this Bill. What happened last year, was that when we were trying to get out of here during the end of Session deal, that the Leaders met and the Senate Republicans led by Senator DeAngelis, insisted that as part of the Session ending deal, we put in this pro...put in a provision restoring this office in suburban Cook County. Now that was coming from the same people who led the fight to get rid of the office in Cook County. So, ask yourself why would the Senate Republicans, led by a Cook County suburban Member, want to put back in something they fought hard to take out, but put it back in only for the suburbs. And I think all you have to do is look at the Chicago newspapers the last two days, when both the Sun Times and the Tribune editorialized that this is nothing but a patronage Bill for Republicans in Cook County. Now, if that's what you're for, you want to create another layer of government that's going to perform duplicities service so that there can be some Republicans hired in this office in Cook County, you ought to vote against this Bill. But if you're for good government for doing away with duplication for lowering the cost of providing these services, then you should stand up and do what's right and vote 'yes'. The 'yes' vote is the right vote and I urge it on this Bill."

Speaker McPike: "The Representative Flinn."

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

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The

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

89th Legislative Day

October 29, 1993

previous question is put. Representative Burke to close."

Burke: "Thank you, Mr. Speaker. I think enough has been said with respect to this legislation and I would certainly ask for its favorable consideration. Vote 'do pass'."

Speaker McPike: "The question is, 'Shall Senate Bill 87 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Edley to explain his vote."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. For you downstaters, there's only one word that describes this Bill, 'oink'. Vote 'aye'."

Speaker McPike: "Representative Balanoff."

Balanoff: "To explain my vote. This Bill is a good government Bill and one that all who favor protecting the taxpayers wallets should support. Representative Kubik and myself worked for a number of years to eliminate this office, the office of the Cook County Regional Superintendent of Schools, because it was nothing more than a patronage office draining millions of dollars from the taxpayers in Cook County. Both the Chicago Tribune yesterday, and the Chicago Sun Times on Tuesday, editorialized about the worthlessness of this office, and the last line in the editorial of the Sun Times probably says it best; 'Enough is enough'. The only position left for the Cook County Superintendents job is no position at all. Vote 'aye'."

Speaker McPike: "Representative Hoeft."

Hoeft: "You've heard the arguments before. I just want to go on record as saying that this is coming directly out of the 'state formula' formula for the other school districts. The institute funds that they were talking about should go to the schools by law. They are now going to be used for the bureaucracy. You got to vote 'no'."

Speaker McPike: "Representative Pedersen."

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

89th Legislative Day

October 29, 1993

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The services that we are talking about are going to have to be provided for someone. The costs are going to be there. It's just a question of who you think can do it better. We think we can do it better in the suburbs, than the rest of the state that school superintendents have high marks, and we think we are able to provide that too. There's a big difference between the Cook County Superintendent and a suburban only. So, I urge...let us provide the services ourselves. We can do it better...and I urge a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, this Motion requires 60 votes. On this Motion, there are 70 'ayes' and 42 'noes'. Senate Bill 87, having received the Constitutional Majority, is hereby declared passed. Senate Bill 95. Mr. Clerk, are there any Amendments filed?"

Clerk Rossi: "Floor Amendment #1, by Representative Hartke."

Speaker McPike: "All right, the Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Amendment #1, Representative Hartke. That's Amendment #1, Mr. Clerk."

Hartke: "Thank...thank you very much, Mr. Speaker, Members of the House. Senate Amendment #...House Amendment #1 to Senate Bill 95 contains language that was originally in House Bill 1542 that was amendatorily vetoed by the Governor, but was considered in nongubernatorial compliance. House Bill...Mr. Speaker, let's take this out of the record for the time being."

Speaker McPike: "All right, take it out of the record. Senate Bill 433. Representative Turner. Read the Bill, Mr. Clerk."

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "Senate Bill 433, a Bill for an Act amending the Illinois Human Rights Act. Third Reading of the Bill."

Speaker McPike: "Representative Capparelli. Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. Today, we'd like to celebrate my colleague in front of me. He's 41 years old, Mike Rotello. He has a cake in the Speakers Conference Room back here with an Italian flag on it and you're all welcome to have a piece."

Speaker McPike: "Representative Turner, do you want this returned to...no he wants it out of the record. No. Representative Kaszak, do you want this...do you want to talk to Mr. Turner, please?"

Turner: "Mr. Speaker, you'll have to take this out of the record. We're still waiting for a couple of Amendments to be printed."

Speaker McPike: "All right. All right. Mr. Hartke, are you ready on your Bill now? Senate Bill, Second Reading, appears Senate Bill 450. Representative Flinn. Yes, this was read a second time previously, so this Bill can be called for a vote today. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 450, a Bill for an Act concerning Public Water and Infrastructure Projects. Third Reading of this Bill."

Speaker McPike: "Take this out of the record momentarily. Senate Bill 684 has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker McPike: "Senate Bill 881. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 881, a Bill for an Act amending the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "The Floor Amendments are not printed. Is that

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

89th Legislative Day

October 29, 1993

correct?"

Clerk Rossi: "That's correct."

Speaker McPike: "Out of the record. Senate Bill 1024. These are out of the record. Take it out of the record. All right, Senate Bill 450. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 450, the Bill has been read a third time previously."

Speaker McPike: "Representative Flinn."

Flinn: "Mr. Speaker and Ladies and Gentlemen of the House. This is the Bill that we just got through putting several Amendments on. I think everybody's got it fresh on their mind what the Bill now does, especially support my Amendment. I'd be willing to talk about it or explain it further and yield to the Gentleman who...Ladies and Gentlemen who put the other Amendments on. In the meantime, I would move for the adoption of the Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 450 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 96 'ayes' and 14 'noes', Senate Bill 450...on this Motion, there are 96 'ayes' and 14 'noes', and this Bill having received the three-fifths Constitutional Majority, is hereby declared passed. Is Representative Kaszak on the floor? Your Amendments are ready. Are your Amendments ready? Oh. Senate Bill 433. The Gentleman asks leave to...Representative Turner ask leave to return it to Second Reading. Leave is granted. Any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Kaszak."

Speaker McPike: "Representative Kaszak."

Kaszak: "Mr. Speaker, Floor Amendment #2 removes the immediate

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

89th Legislative Day

October 29, 1993

effective date that appeared in the original Bill or Amendment #1 and we wanted to remove that at the request of the Illinois State Bar Association. I'd ask your approval."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Has this Amendment been printed and distributed? We don't have it."

Speaker McPike: "Pardon me?"

Wennlund: "We don't..."

Speaker McPike: "It was just disc..."

Wennlund: "We just got it, just got it. Thank you."

Speaker McPike: "All right, yeah."

Wennlund: "Thank you."

Speaker McPike: "Representative Wennlund, are you ready?"

Wennlund: "All right, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Representative Kaszak. I believe the explanation I heard of this Amendment #2, was to remove the immediate effective date?"

Kaszak: "That's correct."

Wennlund: "As I see it, Floor Amendment #2, it does a whole lot more than removing an immediate effective date. And, in fact, I don't even see the removal of an immediate effective date unless I'm looking at the wrong Amendment or you're looking at a different Amendment than I am, but Floor Amendment #2, which was just delivered to us, deals with the Statute of Limitation and causes of actions more than two years after party seeking contribution or indemnity."

Kaszak: "I can explain that. Amendment #2 reads the same as Amendment #1 except Amendment #2 deletes the language that

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

89th Legislative Day

October 29, 1993

said this is...has an immediate effective date. That's the only difference."

Wennlund: "Does this also incorporate the Governor's recommended changes?"

Kaszak: "That's absolutely correct. Amendment #1 incorporated the suggestions made by the Governor in his Amendatory Veto of the original Bill. Amendment #1 was approved by the House, it had an immediate effective date on it. The Illinois State Bar Association has requested that we remove the immediate effective date, and so Amendment #2 is the exact same language as Amendment #1 except it removed the language for an immediate effective date."

Wennlund: "Thank you."

Speaker McPike: "Is there any opposition to this? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Kaszak."

Speaker McPike: "Representative Kaszak."

Kaszak: "Mr. Speaker. Floor Amendment #3 is a noncontroversial Amendment which provides the proper statutory authorization for the Criminal Justice Information Projects Fund. This fund is currently included in the appropriations for the Illinois Criminal Justice Authority. This particular fund allows the authority to receive and expend subject to appropriation grant money from non...not-for-profit groups, private sources, and governmental entities for use various research projects related to criminal justice issues. This Amendment has bipartisan support and there's no known opposition."

Speaker McPike: "Any discussion of this Amendment? The question

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

89th Legislative Day

October 29, 1993

is, 'Shall Amendment #2...3...Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Biggert."

Speaker McPike: "Who's the Sponsor?"

Clerk Rossi: "Biggert."

Speaker McPike: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Floor Amendment #4 is the House Bill 2168, which was passed by the House and by the Senate, and then was an Amendatory Veto by the Governor. This Amendment incorporates the Amendatory Veto of the Governor. It is a Criminal Identification Act where the reporting bodies will send to the Illinois State Police, the record of whether there has been a charge. And it was suggested that the language include that they have the option of designating another body to report, but it has to be authorized by the State Police Department. So, I would urge your support of Amendment #4."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. You want this left on Second Reading? All right. This Bill is...will stay on Second Reading. Senate Bill 232. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate 232, a Bill for an Act amending the Savings and Loan Act of 1985. Third Reading of this Senate Bill."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I ask

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

89th Legislative Day

October 29, 1993

for your acceptance of Senate Bill 232. As you know, Illinois has fallen behind states such as Delaware and South Dakota. They are getting the financial institutions that issue and process credit cards that we are not, because of our antiquated legislation. Senate Bill 232, deals with that ratification and would put Illinois on an equal basis with both of these leading credit card states. I ask for your acceptance. Will answer any question."

Speaker McPike: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. I rise in support of the Ladies Motion to past...Senate Bill 232. It was my Amendment that was changed on here, on the Bill. As I told the people before we voted on the Amendment, it would create some 300 to 500 new jobs in Illinois. I think for no other reason, we ought to pass the Bill. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 232 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take...the Clerk will take the record. On this Motion, there are 103 'ayes' and no 'nays', Senate Bill 232...Representative Stephens, for what reason do you rise?"

Stephens: "Are we going to be discussing the North American Free Trade Agreement today?"

Speaker McPike: "I...I don't know."

Stephens: "I'm trying to find some explanation for the Gentleman in the north...or in the gallery opposite you. The gallery opposite of you, Speaker."

Speaker McPike: "Opposite of me here."

Stephens: "Well, he's gone. You missed him."

Speaker McPike: "All right. On this Motion, there are 103 'ayes' and no 'nays', and this Bill, having received the

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

89th Legislative Day

October 29, 1993

Constitutional Majority, is hereby declared passed.
Supplemental Calendar announcement."

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

Speaker McPike: "Supplemental Calendar #1, Senate Bill 498,
Representative Gash. Where is Representative Gash? There
she is. All right, Representative Gash. Representative
Ryder, for what reason do you rise?"

Ryder: "Speaker, we just received by distribution the
Supplemental Calendar on which this is listed. We would
ask...we would ask if the Sponsor is willing to take it out
of the record for a moment?"

Speaker McPike: "Sure. Let's take it out for a couple of
minutes. Give them a chance to read it. Senate Bill 881.
Mr. Clerk, has the Bill been read?"

Clerk Rossi: "The Bill has not been read a second time."

Speaker McPike: "All right, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 881, a Bill for an Act amending the
School Code. Second Reading of the Bill. No Committee
Amendments. Floor Amendment #1, offered by Representative
Turner."

Speaker McPike: "Mr. Turner. Amendment #1."

Turner: "Thank...thank you, Mr. Speaker. Amendment #1 simply
makes Senate Bill 881 a shell Bill. It removes all the
previous language in the Bill and it makes it a shell Bill.
I move for the favorable adoption of Sen...Amendment #1."

Speaker McPike: "The question is, 'Shall Amendment #1 be
adopted?' All in favor say 'aye'; opposed, 'no'. The
'ayes' have it and the Amendment adopted. Further
Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative
Black."

Speaker McPike: "Mr. Black."

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

89th Legislative Day

October 29, 1993

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is some cleanup language. I think it's been cleared with both sides of the aisle, it was brought to me by the county clerks. I think it's been also cleared with the Board of Elections. It simply is trying to clear up who votes in an educational service region, in those regions that there is some overlap of the School Board of Trustees. I know of no opposition to Amendment #2."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Brunsvold."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment #3 contains the...all the provision of Senate Bill 159 as they were sent over from the Senate with the Governor's Amendatory Veto included. So, that is what Senate Amen...Amendment #3 does. It is the Bill in entirety that was sent over here, was ruled in noncompliance by the Speaker and that Amendment was drafted and presented on this Bill. So I ask for the adoption of Amendment #3."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and...all hold that. Representative Black, on the Amendment."

Black: "Thank you very much, Mr. Speaker. I...we don't have Amendment #3."

Speaker McPike: "Just printed."

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "The Amendment has been printed."

Black: "Okay, all right. Has it been distributed?"

Clerk Rossi: "The Amendment has been distributed."

Black: "The only question that I have, Mr. Speaker...evidently staff hasn't had a chance to analyze it yet and I know many of us have received literally hundreds of calls about this underlying Bill which is now Amendment #3, and I really would like to have a chance for staff to look at it. There seems to be some controversy with the Bill. At this point, I'm not sure why, but I know all of us, or many of us have received a number of calls about the underlying Senate Bill 159, and I...our staff simply has not been able to analyze the Amendment."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Just for the Body's information, the Governor's Amendatory Veto message here...is...contains all the information that was done on the Bill, contains the Bill and I would ask Mr. Black if he needs really the Amendment. This Governor's message is the same thing. He could use that in lieu of the Amendment, and I have the Amendment right here, so he can have that also."

Speaker McPike: "Representative Salvi."

Salvi: "Will the Sponsor yield? "

Speaker McPike: "Yes."

Salvi: "Representative, the original Bill is Senate Bill 159. That was the parents/teachers program. Is that correct?"

Brunsvold: "That...Par...aining Program was included. I think we...we've argued this Bill on the floor I think, two times."

Salvi: "I don't want to go through that argument again, but I think the Members are familiar with the underlining issues

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

89th Legislative Day

October 29, 1993

with regards to Senate Bill 159. But I just want to ask you a couple of questions. My understanding was that, we...many of the more modern conservative Members of this Body agreed to Senate Bill 159 after certain Amendments were placed on that Bill, and then the Governor then amendatorily vetoed those very Amendments that got the Bill through this House. Is that a fair description of what happened here?"

Brunsvold: "We passed this Bill out of the House the first time and it had the Parenting Program on it. It has...and again I will repeat it, it has nothing, absolutely nothing to do with home schoolers. This is a parenting program that was very successful by the Board of Education, we passed it out of here...Senator Watson...yes a voluntary program again, with written notification before anyone can come into the home, so it's very, very...it's been constructed so that it safeguards the parents. It went over to the Senate...Frank Watson, Senator Watson met with some concerned groups and agreed to an Amendment that really undermined the Bill, because it said after 1995 there would be no more home visits. Well, really that's against what the Bill is supposed to do, and the Governor in his message said that that undermined the Bill, and he vetoed that section out of there. And I agree with him totally that that should not be in there. In fact, the only reason we passed it before, is because there was so much other good stuff on this Bill, we just said okay we'll go ahead with the Bill and see if we can...it later. The Governor amendatorily vetoed it, and I agree with the Amendatory Veto and we proceeded in that line."

Salvi: "Thank you. If I could speak to the Bill very briefly, Mr. Speaker. First, I'd like to ask that a roll call vote

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

89th Legislative Day

October 29, 1993

be made on this Bill and I ask...we have a requisite number of Members that would support me on that verified roll call. We made this argument before. Many of you have received calls and letters, in fact, I think many of us have been deluged with calls and letters from home schoolers that are legitimately concerned about this Bill. In other states this parents/teachers program which is what it is, although the Sponsors for some reason don't want to call it that. In many...in the other states that this has been implemented, it has become very intrusive and very expensive. I'm fearful for what this Bill could become in the future, and for those of you who voted for 159 simply because of the Amendments, those Amendments are gone now. So we'd like to ask that you join us in voting 'no' on Amendment #3."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed 'no'. Representative Brunsvold."

Brunsvold: "Mr. Speaker, I was just going to mention that the Governor's received over a 1,000 contacts about this Bill to amendatorily veto it. And just to give you an idea...and there's about...there's quite a few groups that support this, the Illinois PTA, National Council of Jewish Women, League of Women Voters, Large Unit District Association, Alliance of Quality Early Childhood Settings, Voice of Illinois children, National Association of Social Workers, Junior League of Illinois, Illinois Chapter of . . . Committee on Prevention of Child Abuse, and that's just about half of the groups. I could go on, but I won't, so there's a lot of support for this Bill as it was amendatorily vetoed."

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

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

89th Legislative Day

October 29, 1993

Clerk will take the record. On this Motion, there are 70 'ayes' and 43 'noes', and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Santiago."

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. Amendment #4 to Senate Bill 881 adopts all the provisions in Senate Bill 7, which passed the...this House 114 to nothing, and it passed the Senate 48 to 2. It includes the Amendatory Veto language that was proposed by the Governor. I move to adopt this Amendment."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. The Sponsor has worked very closely with our side of the aisle on this Amendment. It's something that affects the City of Chicago, it makes eminent good sense for the city. I urge my colleagues to vote 'aye' on the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Curran."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I move the adoption of Amendment #5 to Senate Bill 881. What the Amendment does is, it tightens up the regulations regarding people who have dropped out of high school. We passed this Bill last year, it was House Bill 418, and you can't take drivers ed if they've dropped out of high school...out of high school

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

89th Legislative Day

October 29, 1993

and has not reached the age of 18. I'd be glad to answer any questions."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Giglio."

Speaker McPike: "Well, Representative Davis, I apologize. I did not see your light. Yes, Representative Davis."

Davis: "I think it's important that the Members know that Amendment #5 was eliminating Drivers Education to students who drop out of school and I don't know about other Members, but I was certainly visited by some of the Driver Training Institutions who informed me, or should I say brought to the conscious level that learning to drive is a safety feature. It should not be viewed as a reward for you having passed certain courses. Some people will never pass courses, but for the rest of us who are on the highway, we deserve to feel safe to know that those people who are behind the wheel have had driver training or Driver Education. And if that is a part of this Bill, I will not be able to support it."

Speaker McPike: "Amendment #6, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Amendment again for the immunization for the colleges under the Board of Governors which allows those people that don't have housing to be able to register at school without producing their vac...their flu shots or vaccination shots. They don't have to show that. This passed out three or four times. It's been put on some Bills that haven't been getting out. This is very

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

89th Legislative Day

October 29, 1993

important so the enrollment can continue at these colleges and I would ask for your support."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Levin."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 contains the provisions of House Bill 2105 as introduced, and also is identical to the Governors Amendatory Veto, in terms of House Bill 2105. It simply codifies the authority of the Governors Purchase Care Review Board with respect to Special Ed rules. You know, it passed the House by a vote of 112 to nothing, passed the Senate 52 to nothing, and be happy to answer any questions. Otherwise, I ask for your support for Amendment #7."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #8, offered by Representative Turner."

Speaker McPike: "Mr. Turner."

Turner: "Thank you, Mr. Speaker. Amendment #8 simply just puts an immediate effective date on this Bill, and I move for the favorable adoption of Amendment #8."

Speaker McPike: "The question is, 'Shall Amendment #8 be adopted?' All in favor say... Representative Davis."

Davis: "Mr. Speaker, we're asking that we be allowed to vote to table Amendment #5."

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

89th Legislative Day

October 29, 1993

Speaker McPike: "You can file a Motion to do that. Have you filed a Motion?"

Davis: "We're doing that now."

Speaker McPike: "All right. The question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and Amendment #8 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Representative Monique Davis says that she has filed a Motion. Do you have it? All right. What's the Motion, Mr. Clerk?"

Clerk Rossi: "The Motion is to table Amendment #5."

Speaker McPike: "All right, Representative Davis on the Motion."

Davis: "Thank you, Mr. Speaker. Amendment #5 was attempting to abolish the ability for school dropouts to take Drivers Education. And I think all of us know that statistically, accidents have decreased since we began having Drivers Education in or out of school. There's a large industry that helps people learn to drive not only in school, but outside of school, and part of that industry feels that safety...the safety feature is enough for us to continue supporting Driver Education as a safety feature rather than a reward. Now whether one lets his or her child drive, may be a reward system, but learning to drive is a safety feature that all of us should support. Therefore, we should not support Amendment #5. We should vote to table Amendment #5."

Speaker McPike: "All right, who's the Sponsor of Amendment #5? Representative Curran, on the Motion."

Curran: "Thank you, Mr. Speaker. I respectfully ask the Members to vote against the Lady's Motion. Amendment #5 was put on...the reason it was put on...what the Amendment does is

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

89th Legislative Day

October 29, 1993

it says, 'if you drop out of high school before you're age 18, you can't get...can't get Drivers Ed. Now the idea here is to keep kids in high school as much as we can. Yeah, it would be nice if we could offer to all these kids, Drivers Education, but let's face it, what's more important? Whether this kid has an easier way of getting Drivers Education or if we keep kids in high school. I think everybody in this...in this chamber understands that the idea here is to keep kids in school, not to punish kids, but just to make sure that we do everything we can to tell kids they ought to stay in school. This is a moderate proposal. This House voted a couple of years ago to force everybody under 18 to stay in school. We passed that with about 73 votes. All this Bill does, all this Amendment does, it says, 'if you drop out of high school before 18, we're not going to give you Drivers Education'. Let's face it, what's more important, teenager able to drive, or kids staying in school? I ask you to vote 'no'."

Speaker McPike: "All right, does...I have a lot of lights on here, so...who...who rises...does anyone rise in support of this Motion? All right, Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that the...the motivation behind the Sponsor of the Amendment is admirable, but I think at the same time, we're talking about apples and oranges here. This is a case of where Drivers Education is a safety measure. I think all of us who have been involved in education would want to do everything possible to increase the number of people who stay in high school, and I think we should look for methods to do that, but not when you're talking about challenging the health and safety of other individuals. We're going to find people who drop out of

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

89th Legislative Day

October 29, 1993

school, who are going to be driving cars anyway, and they're not going to have the advantage of drivers training programs. And to do this as an inducement for people to stay in school, when it compromises the health and safety of the public in general, is not a very wise approach. I would encourage everybody to vote for this Motion to table this particular Amendment. We can find other measures that are effective measures for keeping students in school, but not measures that threaten the health and safety and welfare of the public in general. Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. The Representative from Chicago has indeed raised some interesting points, and I don't think anybody goes into this Amendment without thinking of the points that she has raised. I would simply point out to the Members, that this language was brought to us by various teacher groups to close a loophole in a law that we've already passed, and I think Representative Curran mentioned that it was House Bill 418. I would further point out that there is language in this Amendment that would permit a school superintendent or a chief school administrator to waive the requirements of this Amendment if they think it's in the best interest of that student who has dropped out, and I don't know of any school administrator who wouldn't take a family problems or economic stress on a family into consideration and so that that drop out could indeed get a drivers license. But I think the issue is what Representative Curran has framed. Is it more important to try and encourage our kids to stay in school or simply more important to let them get a drivers license? So I would urge a 'no' vote on the Motion

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

89th Legislative Day

October 29, 1993

to table."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, and Members of the Assembly. I also rise to oppose the Lady's Motion and I certainly know that she's trying to do what she feels is best, but I have to respectfully disagree. I think last year when we passed this Bill, saying that you have to stay in school until 18 or not get a drivers license, that we simply didn't see this possibility that someone could go somewhere else and get a drivers license. And so all we're really doing is, is closing a loophole in a law that's already on the books. I know the teachers groups supported the initial law and they support this Amendment. I think it's a good Amendment and for reasons that Representative Black and Curran have already stated, I ask all Members to oppose the Motion to table."

Speaker McPike: "Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Motion. We have a lot of problems about dropouts at the high school level, but this is not the way to solve the problem. This chamber has defeated this legislation three or four times because it is not wise policy. Whatever anyone else says, when you dangle a negative incentive in front of a student, you are doing the wrong thing, and until we get the students in a posture to stay in school, some of them are going to drop out. All around central and downstate Illinois for certain, and possibly as far north as _____ and even into the city limits, youngsters need an automobile to get to work. Those students who drop out of high school, we hope, will wake up and get a GED or attend some adult education courses, not drop out in the first place or come

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

89th Legislative Day

October 29, 1993

back. But those who do, need to have transportation. If they don't have transportation and they are not in school, there isn't much left for them, and when people have nothing left for them, they turn to things they shouldn't turn to. This is not wise policy. The Lady's Motion should be accepted, we should support the Lady's Motion, and we should go back and rethink this entire issue. I hope everyone in this chamber will put a vote upon the board for the Lady's Motion. Please vote 'yes'."

Speaker McPike: "All right, we're going to go to the Motion, and then people can explain their vote. Representative Davis to close."

Davis: "Thank you, Mr. Speaker. I believe that this issue is so very important because there are people out there who will lose their lives simply because we felt students who don't attend high school, should not get Drivers Education. There's an entire industry out there that also teaches Drivers Education. We're going to harm that industry. We're also going to place people, young people who are not at all involved in the criminal justice system. With this kind of legislation, you're going to place young people who will drive without the benefit of training, we're going to place them now with the involvement of the criminal justice system. I believe we can think of much more relevant things to encourage young people to graduate and finish high school and to pass courses. Things like no football games, things like not being a part of a sports team, but surely to jeopardize the lives of other people, senior citizens, to jeopardize the lives of children because we think not allowing young people the opportunity to learn to drive is going to affect their learning ability or continuing in school. The Secretary of State has even

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

89th Legislative Day

October 29, 1993

stated that a drivers license should actually not be related to anything except ones ability to drive. Now I would encourage you to vote 'yes' on the tabling of Amendment #5, and continue to find other ways to encourage people to stay in school, but we cannot jeopardize the safety of everyone on the road because we denied the opportunity of some people, we denied them the opportunity to learn to drive and to drive safely. I encourage you to vote 'yes' on this tabling Motion."

Speaker McPike: "The question is, 'Shall Amendment #5 be tabled?' All in favor of the Lady's Motion vote 'aye', opposed vote 'no'. Representative Hoffman to explain his vote. Representative Schakowsky to explain her vote."

Schakowsky: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Obviously we all want to do what's best for our kids, which includes encouraging them to stay in school, but also means encouraging them to...helping them save their lives. The leading cause of death among stu...among children that age is accidents and automobile accidents are high among those. I don't believe that this Bill will either encourage kids to stay in school nor prohibit them from driving, which means that they're going to be less safe on the street. I think that we want to do what's best for the children, and in this case it's clear. We want to be able to let these kids get educated and how to drive well. I really wish we'd be able to see more green votes."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. An even better reason to vote 'yes' on Representative Davis' Amendment...or Motion, is that this is patently unconstitutional, because what you're doing is, you're telling a high school dropout, and you're telling

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

89th Legislative Day

October 29, 1993

anybody else who doesn't get passing grades, that they can't go to a private driving school, they can't go to a private driving school, and it prohibits private driving...drivers training schools from giving instructions to anyone who falls in that category. That is patently unconstitutional. Representative Davis, is correct. A 'yes' vote is the right vote."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. On most Motions in this nature, I'm a red vote. But I truly believe to tie the ability to stay in school or the desire to stay in school to something as important in the society we live in as a drivers license, is wrong. I think that Representative Davis, when she mentioned that our Secretary of State said that a drivers license should be a reward for the ability to drive and nothing else, I think that's important. I also believe that we are doing harm to a large number of citizens of this state. I'm not talking about upstate, downstate, ethnic groups or anything else. A drivers license is necessary to survive in this state. You can't hold a job without a drivers license and if we think that everyone in this state is going to stay in school for this or any other reason, we're only kidding ourselves. It's time to be practical and not to liberal or conservative. Thank you."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. I rise in support of Representative Curran's Amendment and in opposition to Representative [redacted] Motion, for several simple reasons. There's a lot of smoke that's being floated in here but here's the facts. Number one, this language is cleanup language to eliminate a loophole in House Bill 418 that was overwhelmingly passed by the Legislature this past year.

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

89th Legislative Day

October 29, 1993

The language was urged and agreed to by the Illinois Education Association and teachers groups for supporting this Amendment, and frankly, for those of you who are concerned about someone who may need to drop out of school for whatever reason, as Representative Black so clearly stated, the school superintendent has the right to waive any requirement and to consider any unique situation that a student may have. So the facts are pretty easy to understand. Let's not blow any smoke in here. This is a good Amendment and needs to be adopted. Please vote 'no' on the Motion."

Speaker McPike: "Representative Shirley Jones."

Jones, S.: "I rise to support the Lady's Motion. The reason why I rise to support the Lady's Motion is because the people that drop out of high school and then decide to go to take a GED test at a Y or Boys Club, would not be able to get a drivers license. So they do not have that in the Bill about the person taking a GED test. So I rise in support of the Lady's Motion."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Lady's Motion. We only need to take the opportunity to look at the State of Wisconsin. There they passed legislation saying that if a child drops out of high school, their mothers or their parents would no longer get the public aid grants. Well the students have dropped out of school, so it made them no difference that there's not food on the table or there's not a roof over their head. Kids are going to drop out of school for whatever reason, but they need to learn how to drive. Driving is a necessity often, and it is a privilege and they need to know the correct way to do so. I urge you to please

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

89th Legislative Day

October 29, 1993

support the Lady's Motion."

Speaker McPike: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too would like to add my word in favor of an 'aye' vote. This idea is simply an idea that does not work. In the real world, a person who has dropped out of school, almost by definition has a lot of problems, has a lot of difficulties and has the deck stacked against them before they even get started in life without that high school education. All this would do, is simply add to the young person's problems because you know they are going to drive, you know that they probably will get caught and in addition then to all the social problems and to all the problems in high school, all this does then is add problems by putting them in the criminal justice system. This is not something that makes sense, and I strongly urge an 'aye' vote."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think you heard Representative Wennlund tell you it's unconstitutional and I think if we're going to go this far, that we might as well say that they can't go to McDonalds. McDonalds, you're not allowed to serve any dropout. You're not allowed to sell any clothes to them from the Gap. I mean, this is ridiculous. We're not only talking about telling the private sector what they can do, which is wholly unconstitutional, but we're going to impair their . . . because we know they're going to drive anyway. The obvious right vote here, is a 'yes' vote. This is a ridiculous Amendment and it should be removed. It is unconstitutional and it is unsafe for the other drivers on the road."

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

89th Legislative Day

October 29, 1993

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker. I too rise in support of the Motion to table Amendment 5 and also to clarify for the record that the Sponsor of Amendment 5 was not as it said on the pieces of paper that crossed your desks, Currie, it was in fact Curran, so there a mistake. I just wanted to make sure the record is clear that Amendment 5 was never mine. I think the argument about constitutionality is a sound one, and it does seem a little odd that we would take an area totally unrelated to school activities and say that if you drop out, this is what you may not do. I would imagine that were this to pass, it would be challenged in the courts and I'm pretty sure that the Legislature that voted for this measure would find itself on the losing side. I prefer not to call to the courts. I think the right vote is to say, let us make sure that this Amendment is not in Senate Bill 881 when it comes to a vote on final passage."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the Motion. The Clerk will take the record. On this Motion, there are 40 'ayes' and 75 'noes', and the Motion fails. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Has this Bill...was this Bill read a second time previously?"

Clerk Rossi: "The Bill had not been read a second time previously."

Speaker McPike: "All right. This Bill cannot be heard today. It's on Third Reading. Senate Bill 95. Is that on Second or Third Reading? Is that on Second or Third Reading?"

Clerk Rossi: "Senate Bill 95 is on Second Reading."

Speaker McPike: "All right, are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative

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

89th Legislative Day

October 29, 1993

Hartke."

Speaker McPike: "Mr. Hartke. Mr. Hartke."

Hartke: "Withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1."

Clerk Rossi: "Floor Amendment #2, offered by Representative Hartke."

Speaker McPike: "Mr. Hartke."

Hartke: "Amendment #2 makes the Bill a shell Bill."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Hartke."

Speaker McPike: "Representative Hartke."

Hartke: "Amendment #3 is in reality House Bill 1541 which passed in the Regular Session last July...or June, and was placed on the Governor's desk. The Governor amendatorily vetoed the Bill but due to gubernatorial noncompliance...gubernatorial noncompliance we did not call the Bill, so this Amendment contains the language of 1541 plus the Governor's Amendatory Veto language, and I move for the passage of the Bill...Amendment."

Speaker McPike: "Any questions? The question is, 'Shall Amendment #3 be adopted? All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Hartke."

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker. Amendment #4 is a land transfer from the Secretary of Trans....the Department

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

89th Legislative Day

October 29, 1993

of Transportation in Winnebago County for the late Representative Zeke Giorgi. The second provision of this is a transfer of land from the Department of Transportation in East Alton, Illinois, and the third is a conveyance by quick claim deed by the Department of Conservation for \$7800, in Douglas County, for Representative Johnson. I'd appreciate your support for Amendment #4."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' Mr. Dart."

Dart: "Will the speaker yield?"

Speaker McPike: "Yes."

Dart: "Are these to governmental transfers?"

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

Dart: "Are these to governments or individuals?"

Speaker McPike: "Mr. Hartke."

Hartke: "One is to Winnebago County, one is to the City of East Alton, and the other is to a private individual. I believe that is the one...Mr. Johnson's, in Monahan Broom Factory."

Dart: "Is there an appraisal on file?"

Hartke: "Yes there is. Appraisal on that one authorizes for \$7800 and I believe that has the governmental appraisal on it."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Weller."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. Floor Amendment #5 is sponsored by Representative Novak and myself. It authorizes the Kankakee County Board to lease surplus property and also

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

89th Legislative Day

October 29, 1993

has language in here which helps the cities of Arcola and Tuscola implement the Clean Water Act and also the City of Bensonville for the new Bensonville ditch project legislation that had previously been overwhelmingly passed by the General Assembly. I ask for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' Mr. Dart. Mr. Dart."

Dart: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Dart: "You said, the land being released to the government or to a private individual?"

Weller: "I'm sorry, I cannot hear you, Representative."

Dart: "Is this going to a governmental agency or a private individual?"

Weller: "The language in the...for Kankakee County?"

Dart: "Yeah, the land."

Weller: "My understanding is the language is drafted so they can lease either to a governmental agency or to private interests that may be interested in additional office space. Kankakee County has acquired a new county building a number of years ago. They have excess office space. They see this as an opportunity to gain some additional revenue. There's some demand for office space and they just need the statutory authority to lease."

Dart: "Are there appraisals on file?"

Weller: "Not aware of any need for an appraisal to be on file, Representative."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative

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

89th Legislative Day

October 29, 1993

Granberg."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Amendment #6 gives the...for a period of nine months...gives quick take powers to the state to locate and purchase a facility. Since last spring, we transferred the Crime Lab in Chicago to the state. They have requested this power for a period of nine months to procure a site for the new Crime Lab."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Black."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is changed to allow the Governor to accept exclusive legislative jurisdiction over the land that was formerly Chanute Air Force Base, and controlled by the Federal Government. This change is necessary because that base is now closed. Further more, a retrocession agreement on land in Pekin and one in Greenville, the United States Bureau of Prisons, has built a prison in Pekin and is building one in Greenville. This legislation or retrocession will give the Federal Government concurrent jurisdiction over the land, so that they may prosecute certain criminal acts in Federal Court which would relieve then the state of having to bear that cost. The last in this Amendment is the Village of Sheffield in Bureau County, is requesting a release of property. Now, this is .229 of an acre that has been declared excess by IDOT. The Village of Sheffield would like to place a sign on that

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

89th Legislative Day

October 29, 1993

right of way at the Intersection of Route 6 and Route 34.
Would be glad to answer any questions you have."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. All right, the Gentleman asks leave by use the Attendance Roll Call to have the Bill heard at this time. Hearing no objections...all right, the Gentleman asks leave to use the Attendance Roll Call so this Bill can be heard today. No objections, the Attendance Roll Call will be used. We'll take it out of the record for the time being, we'll get to this later today. Senate Bill 1024. This Bill has been read a second time. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Turner."

Speaker McPike: "Mr. Turner. Representative Currie in the Chair."

Turner: "Thank you, Mr. Speaker. Amendment #2 just simply deletes some language in this Bill and creates a shell Bill, and I move for the favorable adoption of Amendment #2."

Speaker Currie: "Representative Turner."

Turner: "Yes, Madam Speaker. This simply makes this a shell Bill, and I move for the favorable adoption of Amendment #2."

Speaker Currie: "Representative Turner moves adoption of Amendment #2 to Senate Bill 1024. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "Floor Amendment #3, offered by Representative Granberg."

Speaker Currie: "Representative Granberg."

Granberg: "Thank you, Madam Speaker. Amendment #3 is the same as House Bill 1816, which would allow the state to sell the LIS service to the private sector. There was no discussion or there was no dispute during the Regular Session. It incorporates the Amendatory Veto of the Governor and I would ask for its adoption."

Speaker Currie: "Representative Granberg moves to adopt on Amendment #3 to Senate Bill 1024, and on that, is there any discussion? Representative Black."

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

Speaker Currie: "He indicates he will."

Black: "Representative, I heard the word 'sell'. What are we giving the state permission to sell here?"

Granberg: "Representative, this would allow the state to sell the LIS information, information available on the LIS system. The Illinois Register and the Illinois Administrative Code. We would then be allowed to sell that information."

Black: "Okay, so basically all you're doing then is making LIS available through data processing to anyone who wants to pay to access the system? Is that it?"

Granberg: "Yes."

Black: "Do we have any idea as to what it costs...visavis what we'll charge, or will that be done by rule?"

Granberg: "Well, this is done in conjunction with the Secretary of State's office, Representative. They...the LIS...the people at LIS will establish the charges and the fees to make sure it pays for itself."

Black: "What...what does the Amendment have...do to the

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

89th Legislative Day

October 29, 1993

Legislative Printing Unit on the Daily Journal? Does it affect the Daily Journal at all? On the Amendment, if you'll look on Page 9, that's where I am, it's talking about the Legislative Printing Unit and the Daily Journal, number of copies, et cetera."

Granberg: "I'm sorry, Representative, but we couldn't hear you. There's a discussion..."

Black: "On Page 9, line 8, it...in underline it talks about daily and bound journals, but I don't see...the cost has been taken out on page 9, and then on page 10, it just simply says a reasonable fee, whereas the old language said what was \$50 per calendar year."

Granberg: "That...that fee could be subject to an increase but that would be decided by the Clerk of the House and the Secretary of the Senate."

Black: "Okay. Thank you."

Speaker Currie: "Further discussion? If not, all in favor of Amendment #3 to Senate Bill 1024, say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

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

Speaker Currie: "Representative Turner."

Turner: "Thank you, Madam Speaker, and Ladies and Gentlemen of the Assembly. Amendment #4 is an Amendment that amends the Pension Code and the Illinois Purchasing Act, to repeal the following positions which impose sanctions against South Africa. The Purchasing Act provision which provides state agencies from purchasing products manufactured or produced in South Africa, and the Pension Code provision which prohibits fiduciary with respect to retirement systems or pension funds from making any loans or investments with

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

89th Legislative Day

October 29, 1993

South Africa or any corporations organized under the laws of South Africa or any entity which makes investments with South Africa. And with that I might add, that I would encourage those same agencies, those fiduciary, financial institutions, and other donors, to provide such assistance as to the maximum extent practical to assist South Africa in developing or coordinating strategies to deal with the transition of nonracial democracy in South Africa, and to help the disadvantaged in South Africa provide ownership and managerial opportunities in terms of trying to turn things around in that country. And I move for the favorable adoption of Amendment #4 to Senate Bill 1024."

Speaker Currie: "Representative Turner moves 'do adopt' on Amendment #4 to Senate Bill 1024. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Levin on Amendment 5."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #5 simply is a cleanup with respect to the cigarette tax that was passed last spring. Just clarifying where the tax flows. It was requested by the Department of Revenue."

Speaker Currie: "On the 'do adopt' Motion, Representative Skinner."

Skinner" "Now, let me see if I have this straight. You're from the City of Chicago ... you're screaming about not having enough money for schools, and you're suggesting that we vote to take money out of the Common School Fund. Is that correct?"

Levin: "No, no. This does not make any substantive changes."

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

89th Legislative Day

October 29, 1993

Skinner: "Well, let's just read the language and let it speak for itself. To the extent that more than a hundred million dollars has been paid into the General Revenue Fund and the Common School Fund during the months of July, August, September, October of 93 from the cigarette tax. The Department of Revenue is hereby directed to adjust the distribution provided in this section to increase the next monthly payments to the Long Term Care Provider Fund, by the amount paid to the General Revenue Fund and the Common School Fund in the X of a hundred million dollars. It sounds to me like you're taking money out of the Common School Fund, Mr. Chicago Representative."

Levin: "Representative, this does not make any substantive change. It simply clarifies what the distribution is."

Skinner: "Well, I'll sure make sure your opponent has this language. I'm sure that your primary opponent would really be interested in your taking money out of the Common School Fund."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker, and Ladies and Gentlemen of the House. In all due respect to my colleague, this Amendment is not in any way, shape or form, taking money from the Common School Fund. This is language...I guess we should all stand up and hang our heads in shame. We made a mistake when we tried to do away with the Medicaid Tax, otherwise called the Granny Tax. We made a mistake in the language, and rather than have the increase cig: x flow to the Medicaid Fund, which was our intent, the increase in the cigarette tax was going to the Common School Fund. This clarifies that language so we can in fact, do away with the Granny Tax. It does not take one penny from the Common School Fund that would otherwise

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

89th Legislative Day

October 29, 1993

be there. You know, our jobs down here are tough enough without us having to send up some camouflage and smoke on an Amendment that is critical if we are to keep the Medicaid Tax from coming back to haunt us, and I rise in support of the Amendment."

Speaker Currie: "Representative Levin moves 'do adopt' on Amendment 5 to Senate Bill 1024. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

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

Speaker Currie: "Representative Granberg."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen. Amendment #6, allows for early retirement for Chicago Park District Employees. This is agreed to between the employees and the Park District. There is no impact on any state pension fund, and I would move for its adoption."

Speaker Currie: "Representative Granberg moves 'do adopt' on Amendment #6 to Senate Bill 1024, and on that Motion, Representative Skinner."

Skinner: "It is not clear from the language what pension fund this is in, and I didn't hear you say."

Speaker Currie: "Representative Granberg."

Skinner: "What pension fund are we talking about?"

Granberg: "Park District Pension Fund. No state pension fund."

Skinner: "We're going to allow park district employees the same scam we've allowed these other..."

Granberg: "..., some people think it's a scam. If the employees and the Board agree to it like we did with the state employees, then they can do that. That has been our policy if they can come to an agreement, and they came to an agreement. There is no impact on any state dollars.

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

89th Legislative Day

October 29, 1993

Skinner: "Well, let me tell you. The State Constitution says that we're going to have to pay pension funds, and if I...I just tried to get the researcher that is doing the research on this, but if my memory serves me correctly, about a year ago, I asked how much this was going to cost, this 5 + 5 program, was going to cost the downstate teachers fund. And it was \$220,000,000 of accrued lib...unaccrued liability. Somebody is going to have to pay that money, Representative. It's not going to be you and it's not going to be me, but it'll probably be our grandkids. I really question this early retirement program. I know that with one system we have not approached yet with a early retirement fund, the first two people to call me were elected local officials. Is it...wha...is it a park pension fund, is that the title of the fund?"

Granberg: "Park District. The Chicago Park District."

Skinner: "The Chicago Park District Pension Fund. This has nothing to do with downstate?"

Granberg: "No."

Skinner: "Do we care? I guess that's the question. If the Chicago Park District wants to let it's pension fund go under as badly as the downstate teachers pension fund, should we care, and I'm not sure."

Speaker Currie: "Further dis..."

Granberg: "Thank you, Representative. What this does is, it would allow them the same thing that we've done for others. They've come to an agreement, their pension fund is much better funded than ours, and I join with you in our offering liability to our state pension funds, and I welcome you as a cosponsor on my Bill that we start funding our pension systems, and I welcome you're...you're joining me."

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

89th Legislative Day

October 29, 1993

Speaker Currie: "Further discussion? Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm very disturbed. This is a part of a pension agreement that we don't know anything about. It supersedes the Agreed Bill process on pensions, and I'm very irritated that this be brought before the Body without bringing it to our attention, where we've worked all along that there is always an agreement on pension legislation that you bring it to us so we can discuss it. And now you're putting in an Amendment that we don't know anything about. Plus, everybody else in the state who wants agreements on pension stuff, we've told them 'no', it can only go through the Agreed Bill process. Now, I don't know why we're doing this Representative Granberg, but I think there should be some answer and I would like this pulled until we can talk it over."

Speaker Currie: "Representative Granberg, do you want to respond to that question?"

Granberg: "Certainly. Thank you, Representative Parke. I agree, we have...they have worked very well, you and the prior Chairman of the Pension Committee on the agreed pension process. It's my understanding that in the past, when there is an agreement between the parties on early retirement, on both parties, all parties involved, that that was normally the case, that if all parties agreed, then that Bill would be brought forward. It is my understanding that has now been agreed to, has recently been agreed to, and they came with this language. There is no impact on the state funds, and I would ask for its adoption."

Speaker Currie: "Further dis...further discussion? Representative Black."

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

89th Legislative Day

October 29, 1993

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

Speaker Currie: "He indicates he will."

Black: "Representative, maybe you can bring me up to speed a little bit on the Chi...this only effects the Chicago Park District Pension Fund?"

Granberg: "Yes, Representative."

Black: "And how is that funded?"

Granberg: "Representative, it's funded by employer and employee contributions solely within that system."

Black: "By...so in other words..."

Granberg: "Local tax."

Black: "...it would be funded by tax monies collected by the Chicago Park District, correct? And then a contribution from the employee as well?"

Granberg: "Local tax dollars, yes."

Black: "All right, local tax dollars, so we...the State of Illinois persay, has no state tax dollars or resultant liability in the fund, is that correct?"

Granberg: "Yes."

Black: "All right, now, one other question and...I'm trying to hear staff with one ear and you with the other. It would appear that this Amendment has one glaring error in it. I think there should be something about a mandates exemption in here and that is really confusing me, because our staff is indicating that there has been a drafting error that would be corrected by a subsequent Amendment, and I'm not sure that if this is not a state pension, why would there have to be a mandates language reference?"

Granberg: "Representative, I think that it seems you have raised a valid point, and if that is indeed the case, we will come up with a subsequent Amendment to take care of that

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

89th Legislative Day

October 29, 1993

discrepancy."

Black: "I...given that fact..."

Granberg: "They're finding out."

Black: "...and I appreciate your honesty in that. Given that fact and that seems to be come confusion that I'm picking up from staff on our side as to where this Bill was suppose to find a home, 1915 seems to come in the air, and that there may be a drafting error, could I ask you to take this Bill out of the record and let's get staff together and see what the confusion may be?"

Granberg: "Representative, I would be more than happy to accommodate you as always because we accommodate each other. What I would prefer to do, without your objection, would be to put this Amendment on and then have the staff get together, and if there is a problem, then we'll put on a subsequent Amendment."

Black: "Well, it's your call, and I appreciate your consideration. Thank you."

Granberg: "I always appreciate your consideration, Representative."

Speaker Currie: "Further discussion? Representative Saltsman."

Saltsman: "Yes, will the Sponsor yield? Representative Granberg, the Park District, who is the employer, and the pension system which is the annuitants of that system. Did they do this as a part of a wage agreement?"

Speaker Currie: "Representative Granberg."

Saltsman: "Was this part of their negotiations at sometime a package deal as a benefit?"

Granberg: "Representative, I believe they did, in fact, negotiate, this is part of the negotiating process."

Saltsman: "Do we have the word that the Park District has agreed to this Bill?"

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

89th Legislative Day

October 29, 1993

Granberg: "That's my..."

Saltsman: "They are the employer?"

Granberg: "That is my understanding, otherwise we would not move forward with this."

Saltsman: "Well, then that's the Agreed Bill List. This Agreed Bill List has been set up since I have been on the Pension Committee. I've been there 14 years longer than anyone else. If the Park District and their officials have agreed with the members of this system and worked out a negotiation, that is what we have did to stop from cramming mandates down peoples throats. They have volunteered for this. We do the same thing with the Chicago police, the Chicago fire, the Chicago laborers and so on, when that is part of what they have negotiated themselves because they have to pay the bill. Now, if we do one for downstate police and fire and its agreed with the Municipal Leagues, because we have so many pensions, that's what the Agreed Bill process is. You have covered the Agreed Bill process and I vote in favor of this legislation. When we get the technin...when we get the technicality cleaned up."

Speaker Currie: "Further discussion? Representative Maureen Murphy."

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

Speaker Currie: "He indicates he will."

Murphy, M: "Firstly, I would request of the Chair, pardon me, I would request of the Chair, a roll call in the event that this...the Representative does not withdraw this Amendment from the record or from consideration. Representative Granberg, the genesis of this urgent legislation that according to my colleagues on this side of the aisle, has bypassed the Agreed Bill List. Is there a particular

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

89th Legislative Day

October 29, 1993

individual or two who might be under fire that can take advantage of this early retirement bail out? Is this designed for the urgency right now? Could this not wait for a future Session?"

Granberg: "First of all, this is not a bail out. Secondly, it is not for any one individual. Thirdly, this is part of the Agreed Bill process because all the parties involved have agreed. That has been the policy here, and this continues that policy, and this affects the whole class, not for one person."

Murphy, M: "I still voice concern with the Agreed Bill process and I do not see the urgency of considering this Amendment today. Thank you."

Speaker Currie: "Perhaps the Chair should note that Representative Turner who is the Sponsor of the Bill, will ask if this Amendment goes on the Bill to hold the Bill on Second Reading. Representative Granberg to close."

Granberg: "Thank you, Madam Speaker, in closing. This was agreed between all the parties, is consistent with our policy to allow people once they agreed amongst themselves, to do this, and I would simply ask for an 'aye' vote."

Speaker Currie: "Representative Granberg moves 'do adopt' on Amendment #6 to Senate Bill 1024. All in favor vote 'aye', all opposed vote 'no', voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the Motion, 87 voting 'aye', 25 voting 'no', the Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Representative Turner, you wish to hold the Bill on Second Reading? So, we'll hold the Bill on Second Reading. House Bill 1117, on Second Reading. Do you want to read it?"

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "House Bill 1117, a Bill for an Act amending the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments, no Floor Amendments."

Speaker Currie: "Third Reading. This is an announcement from the Chair, and that is that when we adjourn this afternoon, we will come back next Wednesday at 3:00, that's Wednesday, November 3rd, at 3:00, and we're pretty certain to be here Wednesday and Thursday and we have no guarantees about what happens after that. But just for all of you to know that you'll be expected back here Wednesday, November 3rd, at 3:00 p.m. Do plan to stay at least one night. Representative Parke, for what reason do you rise?"

Parke: "Thank you, Madam Chairman, for an inquiry of the Chair. On 1117, it shows that it's on Third Reading. I don't remember...did you move it to Third...how did you move it to Third?"

Speaker Currie: "The usual way."

Parke: "Did you just...just caus..."

Speaker Currie: "We read it on Second, there were no Amendments, there were no Motions, and we moved the Bill right to Third. Just as we always do. Representative Phelps, for what reason to you rise?"

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to suspend the posting rules for the House Health Care Committee, so we can meet next Thursday at 9:30."

Speaker Currie: "Representative Phelps, moves...moves to suspend the posting requirements so that the Health and Human Services Committee may meet next Thursday on a subject matter hearing. I'm sure you've cleared that with the Minority Spokesman on the Committee."

Phelps: "Yes."

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

89th Legislative Day

October 29, 1993

Speaker Currie: "By leave...is there any objection? Hearing none, by leave of the Attendance Roll Call, the posting notice requirement will be suspended, and that Committee will meet next Thursday morning. Representative Parke, for reason do you now rise?"

Parke: "Thank you, I'm glad that you're recognizing that I have risen shortly before. On 1117, I will point out, that you did move it to Third the normal way, however, I want the Body to understand that was not part of the Agreed Bill process, and that, in fact, we have..."

Speaker Currie: "Representative, we're not discussing that Bill at this time."

Parke: "Well, I appreciate..."

Speaker Currie: "The Bill is on Third Reading."

Parke: "Will you come back to me when you're finished with this particular call..."

Speaker Currie: "This Bill is on Third Reading, but it's not before us. We have just moved the Bill to Third Reading."

Parke: "I know that, but we're not suppose to move legislation unless it's part of the Agreed Bill process, which it was not, and I wanted the Body to be aware of it and it's now in the record and I would appreciate 'time from the Chair.'"

Speaker Currie: "Representative, if this Bill is ever called on Third Reading, you'll have plenty of opportunity to address the merits of the Bill. The Bill is not under consideration."

Parke: "I'm not discussing the merits of the Bill. I'm discussing procedure."

Speaker Currie: "I think you're out of order. Agreed Resolutions. We're not adjourning, but Agreed Resolutions."

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

89th Legislative Day

October 29, 1993

Clerk Rossi: "Agreed Resolutions. House Resolution 1577, offered by Representative Burke; House Resolution 1578, offered by Speaker Madigan; House Resolution 1579, offered by Representative Ryder; House Resolution 1581, offered by Representative Mulligan; House Resolution 1582, offered by Representative Kubik; House Resolution 1583, offered by Representative Roskam; House Resolution 1584, offered by Representative Roskam; House Resolution 1585, offered by Representative Pedersen; House Resolution 1586, offered by Representative Pedersen."

Speaker Currie: "Representative Turner moves adoption of the Agreed Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 1580, offered by Representative Ryder, with respect to the memory of W. K. Mac Baise. House Resolution 1587, offered by Representative Morrow, with respect to the memory of Hervey F. Jenkins. House Resolution 1588, offered by Representative Morrow, with respect to the memory of Kristin Nicole Grace. House Resolution 1589, offered by Representative Morrow, with respect to the memory of B. C. Washington. House Resolution 1590, offered by Representative Morrow, with respect to the memory of Celeste D. Russell."

Speaker Currie: "Representative Turner moves adoption of the Death Resolutions, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Resolutions are adopted. Representative Black, for w' on do you rise?"

Black: "Thank you very much, Madam Speaker. I would relinquish...I was going to ask for a dismissal reading of the Journal, but I think Mr. Churchill...Representative Churchill has that, that he would like to be recognized for

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

89th Legislative Day

October 29, 1993

it."

Speaker Currie: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. I move that we dispense with the reading of the Journals, and that the following House Journals be approved. Seventy-Fourth through the 85th legislative days for the Regular Session, and the first through the 18th Legislative Days for the First Special Session of the 88th General Assembly."

Speaker Currie: "All in favor of the Motion, signify by saying 'aye', opposed 'no', the 'ayes' have it. The Motion is adopted and the reading of those Journals is dispensed with. We're not adjourning, but the Clerk will now read the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution 102, resolved by the Senate of the 88th General Assembly, the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, October 29, 1993, they stand adjourned until Wednesday, November 3, 1993, at the hour of 3:05 p.m."

Speaker Currie: "Representative Turner moves 'do adopt' on the Adjournment Resolution. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Resolution is adopted, but we are not yet adjourned. Introduction and First Readings."

Clerk Rossi: "House Bill 2536, offered by Representative Prussing, a Bill for an Act to amend the Nursing Home Grant Assistance Act. First Reading of this House Bill."

Speaker Currie: "Representative Daniels, for what reason do you rise?"

Daniels: "Just to ask if you could recognize Representative Leitch who has an announcement to make. Just an announcement."

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

89th Legislative Day

October 29, 1993

Speaker Currie: "Representative Leitch, for an announcement."

Leitch: "Thank you very much, Madam Chairman. We would like a conference upon adjournment. Republican conference."

Speaker Currie: "There will be a Republican conference in Room 118 on adjournment, but we haven't yet adjourned. Senate Bill 128."

Clerk Rossi: "Senate Bill 128, a Bill for an Act amending the Election Code. Second Reading of this Bill."

Speaker Currie: "We'll hold this Bill on Second Reading. We'll return now to consideration of Senate Bill 95. On Third Reading earlier, leave was granted to hear the Bill, although it had been amended today and returned to Second Reading, but leave had been granted and we were just checking some things up, so you want to read the Bill a third time, Mr. Clerk."

Clerk Rossi: "Senate Bill 95, the Bill has been read a third time previously."

Speaker Currie: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker and Members of the House. Senate Bill 95 as discussed a little earlier today, contained several provisions of land conveyances throughout the state, Winnebago County and Alton City, one in Douglas County I do believe by the Department of Conservation. It also contained some other provisions dealing with former House Bill 1541, which was amendatorily vetoed by the Governor. That language contains all of 1541, plus the Governor's language I believe, plus a couple of other Amendments, as out here, and I would appreciate your support for Senate Bill 95. I do believe it's all agreed to, but I'd be happy to answer any questions."

Speaker Currie: "Representative Hartke moves 'do pass' on Senate Bill 95. Is there any discussion? Hearing none, the

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

89th Legislative Day

October 29, 1993

question is...all...all in favor vote 'aye', opposed vote 'no', voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 101 voting 'aye', 10 voting 'no', and this Bill having received the required Constitutional Majority, is hereby declared passed. Introduction and First Readings."

Clerk Rossi: "House Bill 2537, offered by Representative Andrea Moore, a Bill for an Act to amend the School Code. First Reading of this House Bill."

Speaker Currie: "Representative Granberg now moves that the House stand adjourned until the hour of 3:00 p.m., on Wednesday, November 3rd. All in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The House stands adjourned."

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

FIRST SPECIAL SESSION

22nd Legislative Day

October 29, 1993

Speaker Currie: "We will now go into Special...into Special Session, will now come to order. Using the Attendance Roll Call of the Regular Session, a quorum is present and Representative Granberg...oh, I'm sorry. We need to read the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #3, resolved by the Senate of the 88th General Assembly, the State of Illinois at the First Special Session thereof, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, October 29, 1993, they stand adjourned until Wednesday, November 3, 1993, at 3:00 p.m. Adopted by the Senate October 29, 1993."

Speaker Currie: "Representative Granberg moves adoption of the Adjournment Resolution for the Special Session. All in favor say 'aye'; opposed, 'no', the 'ayes' have it, the Resolution is adopted. Representative Granberg now moves that the House stand adjourned from Special Session until next Wednesday, November 3rd, at the hour of 3:00 p.m. All in favor say 'aye'; opposed, 'no', the 'ayes' have it and this House stands adjourned."

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

OCTOBER 29, 1993

HB-1117	SECOND READING	PAGE	63
HB-2536	FIRST READING	PAGE	66
HB-2537	FIRST READING	PAGE	68
SB-0087	THIRD READING	PAGE	12
S.-0095	SECOND READING	PAGE	22
SB-0095	SECOND READING	PAGE	46
S.-0095	THIRD READING	PAGE	67
SB-0095	OUT OF RECORD	PAGE	22
SB-0128	SECOND READING	PAGE	67
S.-0128	HELD ON SECOND	PAGE	67
SB-0232	THIRD READING	PAGE	27
SB-0433	HELD ON SECOND	PAGE	27
S.-0433	RECALLED	PAGE	24
SB-0433	THIRD READING	PAGE	23
SB-0433	OUT OF RECORD	PAGE	23
SB-0450	SECOND READING	PAGE	2
SB-0450	SECOND READING	PAGE	23
SB-0450	THIRD READING	PAGE	24
S.-0881	SECOND READING	PAGE	23
SB-0881	SECOND READING	PAGE	29
SB-1024	SECOND READING	PAGE	51
SB-1024	HELD ON SECOND	PAGE	62
SJR-0102	ADOPTED	PAGE	66
SJR-0102	RESOLUTION OFFERED	PAGE	66

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND GARY MCCANTS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL ATTENDANCE	PAGE	1
REPRESENTATIVE CURRIE IN CHAIR	PAGE	51
AGREED RESOLUTIONS	PAGE	65
DEATH RESOLUTIONS	PAGE	65
ADJOURNMENT	PAGE	68