

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

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Speaker Daniels: "The House will be in Order. The Members will be in their Chairs. Speaker Daniels in the Chair. The Chaplain for the day is the Reverend Bruce Jacobs of the Forsyth United Methodist Church in Forsyth. Reverend Jacobs is the guest of Representative Duane Noland. Guests in the Gallery may wish to rise for the invocation."

Reverend Jacobs: "It is nice to be with you today. Before our prayer we would like to wish Happy Birthday to Representatives Krause and Biggins and so if you see them, you would want to extend those congratulations. And now that I have embarrassed them, let us pray. Eternal and loving God, God of Abraham, Isaac and Jacob. Father of our Lord and Savior Jesus Christ, God of Sara, Rebecca and Ruth and Mary mother of Jesus. We pause this morning to thank You for the gift of life, for this wonderful world, for this great country, for the great State of Illinois and the communities in which You have called us to live and to this place to serve and though great as they may be we know God that nothing is perfect and so we find these bodies and our lives often in the mist of much struggle and we stand before You ever in need of reform and know that no matter whether it is a company, a church, a home, a school, a state or that struggle in each of our hearts that the road to reform is often filled with misunderstanding and differences in ideologies and philosophies, often filled with prejudice and greed. But, through it all oh, God, You promise strength for the weak, rest for the labors, light for the way. Your unfailing sympathy and Your undying love. For those in leadership positions, Oh God, that can truly impact peoples lives. We would pray that You grant them in their doubts and uncertainties, the grace to ask You, what you would have them to do and what You would have

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them to be. They may be saved from all false choices and that in Your light, all of us may see light and that in Your strength and in Your straight paths all of us will not stumble. We pray oh God that You would help us to know that in our hearts that the only hope for peace in our world and country, state, communities, homes and in our lives is Your love and grace through Your son, Jesus Christ. Help us to see that our best years are not behind us, but ahead of us and until these ends we pray Your blessings now upon this body of leaders gathered here today, their time together this day and in all their days that their work maybe indeed fruitful in benefiting all those whom they represent. We ask it in the name of Your Son, your Lord and our Savior, Jesus Christ, Amen."

Speaker Daniels: "Thank you, Reverend Jacobs. We will be led in the Pledge of Allegiance today by our birthday lady and boy, Representative Krause and Representative Biggins."

Krause & Biggins - 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 Daniels: "Roll Call for Attendance. Representative Currie is recognized to report any excused absences on the Democratic side of the aisle."

Currie: "Thank you Speaker. Please let the records show that Representatives Fantin and Martinez are both excused today."

Speaker Daniels: "Thank you. Representative Cross is recognized for any excused absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. If the record would please reflect that Representative Meyer, Representative Kevin

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Hanrahan, Representative Tom Johnson, and Representative Al Salvi are excused today."

Speaker Daniels: "The record will so reflect. Mr. Clerk, take the record. There are 112 Members answering the Roll and a quorum is present. The House will come to Order. Ladies and Gentleman, Ladies and Gentleman. It gives me a great pleasure to introduce to you a new member of the House, Representative John Doody, Representative Doody, Representative Doody."

Doody: "Thank you, Mr. Speaker. It is a great privilege to be here."

Speaker Daniels: "The Clerk will now read in the Veto Messages."

Clerk McLennand: "The Messages from the Governor. To the Honorable Members of the Illinois House of Representatives of the 89th General Assembly, pursuant to article 4 section 9(B) of the Illinois Constitution of 1970. I hereby total Veto and return the following House Bills. House Bills 185, 320, 496, 781, 1810, 1876, 2226. Message from the Governor to the Honorable Members of the House of Representatives of the 89th General Assembly pursuant to the authority invested in the Governor, by article 4 of section 9(E) of the Illinois Constitution of 1970 and reaffirmed by the people of the State of Illinois by popular referendum in 1974 and conforming to the standard articulated by the Illinois Supreme Court and people ex rel Klingler VS Howlett in the 'Continental Illinois Bank and Trust Company VS. Zagel' and the People of the City of Canton VS. Crouch. And the people of the County of Cain VS. Carlson. The Gubernatorial action be consistent with the fundamental purposes and the intent of the Bill. I hereby return the following House Bills with specific recommendations for change. House Bills 544, 660, 679,

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House Bills 1002, 1070, 1106, 1149, 1202, House Bills #1221, 1267, 1498, 1693, 1696, 2070, 2141, and House Bill 2465."

Speaker Daniels: "Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #1 with the Veto Bills is being distributed."

Speaker Daniels: "The Clerk will now read the Veto Motions."

Clerk McLennand: "Veto Motions have been filed by Members in respect to all the Amendatory Vetoes and Total Veto on House Bill 320."

Speaker Daniels: "Motions will be assigned to the Rules Committee. Mr. Clerk, anything further?"

Clerk McLennand: "Resolution, House Joint Resolution #47 offered by Representative Churchill, Adjournment Resolution."

Speaker Daniels: "Rules Committee. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. The Republicans would like to request an immediate Caucus in room 114 until noon."

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "Yes, Mr. Speaker, the Democrats would also like to caucus in room 118."

Speaker Daniels: "There will be an immediate caucus of the Republicans in room 114 and the Democrats in room 118. Mr. Clerk, for an announcement."

Clerk McLennand: "Rules Committee will meet at 11:45 a.m. in Speakers Conference Room, Rules Committee Speakers Conference Room 11:45 a.m."

Speaker Daniels: "The House now stands in recess till noon, allowing perfunctory time for the Clerk. Republicans room 114, the Democrats room 118."

Clerk McLennand: "Republican Caucus immediately in room 114. Democrat Caucus immediately in room 118. Members are encouraged to attend these. Introduction First Reading of

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House Bills. House Bill #2510, offered by Representative Schakowsky. A Bill for an Act to Amend the Hospital licensing Act. House Bill #2511 offered by Representative Martinez. A Bill for an Act to Amend the Unified Code of Corrections. House Bill #2512 offered by Representative Black. A Bill for an Act to Amend the Code of Civil Procedure. House Bill #2513 offered by Representative Black. A Bill for an Act to Amend the Unified Code of Corrections. House Bill #2514 offered by Representative Gash. A Bill for an Act concerning Health Care after Child Birth. House Bill #2515 offered by Representative Winkel . A Bill for an Act to Amend the Public Utilities Act. House Bill #2516 offered by Representative Laurino. A Bill for an Act to Amend the Illinois Municipal Code. House Bill #2517 offered by Representative Klingler. A Bill for an Act to provide for Community notification of the release of certain sex offenders. House Bill #2518 offered by Representative Zickus. A Bill for an Act to Amend the Bill of Criminal Procedure of 1963. House Bill #2519 offered by Representative Black. A Bill for an Act to Amend the Property Tax Code. House Bill #2520 offered by Representative Salvi. A Bill for an Act in Relation to Government Finance. House Bill #2521 offered by Representative Leitch. A Bill for an Act to Amend the Criminal Code. House Bill #2522 offered by Representative Tim Johnson. A Bill for an Act to Amend the Compensation Review Act. House Bill #2523 offered by Representative Tim Johnson. A Bill for an Act to Repeal the Compensation Review Act. Introduction of First reading of these House Bills. House Bill #...Introduction of First Reading, House Bill #2524 offered by Representative Poe. A Bill for an Act to Amend the Illinois Pension Code. House Bill #2525

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offered by Representative Novak. A Bill for an Act in Relation to the Registration and Community Notification of the Release of Certain Offenders in the Amending named Acts. House Bill #2526 offered by Representative Black. A Bill for an Act to Amend the Unified Code of Corrections. House Bill 2527 offered by Representative Black. A Bill for an Act in Relation to Post Conviction Relief. House Bill #2528 offered by Representative Flowers. A Bill for an Act to Amend the Children and Family Service Act. House Bill #2529 offered by Representative Saltsman. A Bill for an Act to Amend the Counties Code. House Bill #2530 offered by Representative Dart. A Bill for an Act Concerning Senior Citizen Health Insurance. Introduction, First Reading of these House Bills.

Clerk Rossi: "Introduction of First Reading of House Bills. House Bill 2531 offered by Representative Black. A Bill for an Act to Amend the Fire Protection District Act. House Bill 2532 offered by Representative Woolard. A Bill for an Act to Amend certain Acts in Relation to Animals. House Bill 2533 offered by Representative Krause. A Bill for an Act concerning Long Term Care and Amending named Acts. House Bill 2534 offered by Representative Hannig. A Bill for an Act to Amend the School Code. First Reading of these House Bills. Introduction of First Reading of House Joint Resolution Constitutional Amendment #26 offered by Representative Skinner.

Clerk Rossi: "Be it resolved by the House of Representatives of the 89th General Assembly of the State of Illinois, the Senate concurring here in that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section

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1 of Article IV and Section 3 of Article XIV of and to add Article IVA to the Illinois Constitution to read as follows: ARTICLE IV. THE LEGISLATURE SECTION 1. LEGISLATURE - POWER AND STRUCTURE Except as provided in Article X, the legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives, elected by the electors from 59 Legislative Districts and 118 Representative Districts. ARTICLE IVA. INITIATIVE SECTION 1. INITIATIVE PROPOSAL Statutory and constitutional measures may be proposed by citizen initiatives in accordance with this Article. proposed statutory or constitutional measure and a good faith filing fee of \$100 must be submitted to the Attorney General. The Attorney General shall advise the petitioner as to proper form and language and, with the consent of the petitioner, may redraft the text of the measure as necessary or desirable to achieve its purposes. If the Attorney General determines that any provision of a proposed statutory measure would be invalid under this Constitution, the Attorney General shall return the measure to the petitioner accompanied by written reasons for the determination of unconstitutionality. A measure determined to be unconstitutional may not be forwarded to other State officers under subsection (c). If the Attorney General determines that the proposed measure authorizes or requires the expenditure or diversion of any State funds, not later than the 30th day after the date the measure is submitted, the Attorney General shall forward the measure to the Comptroller for the preparation of a fiscal note. Otherwise, the Attorney General shall forward the measure by that deadline to the Secretary of State. Not later than the 15th day after the date of receipt of a proposed

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measure from the Attorney General, the Comptroller shall prepare and sign the fiscal note, attached to it the measure, and forward the measure to the Secretary of State. In the fiscal note, the Comptroller shall outline the fiscal implications and probable cost of the measure each year for the first 5 years after its effective date and a statement as to whether there will be costs involved thereafter. Not later than the 10th day after the date of receipt of a proposed measure from the Attorney General or Comptroller, the Secretary of State shall issue to the petitioner approved copies of an initiative petition proposing the measure in the number requested. The Secretary of State may charge for each copy a reasonable fee to cover the cost of reproduction. The Secretary of State shall prescribe standards of form and design for a petition. Each part of a petition must include the full text of the proposed measure. SECTION 2. SIGNATURES An initiative petition must be signed by a number of registered voters equal to at least 4% of the total number of votes received by all candidates for Governor in the most recent gubernatorial general election in each of at least half of the congressional districts as well as statewide. SECTION 3. PRE-ELECTION JUDICIAL REVIEW Judicial review of initiative measures and initiative petitions before election may be provided by law. SECTION 4. VERIFICATION To be certified as valid, an initiative petition containing the required number of signatures must be filed with the State Board of Election not later than the 180th day after the date the approved copies are issued by the Secretary of State and not later than the 60th day before the date of the convening of a regular session of the General Assembly. The State Board of Elections shall

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review the petition to determine whether it is valid. The State Board of Elections may use any reasonable statistical sampling method as the basis for verification. However, the sample may not be less than 1% of the total number of signatures appearing on the petition. If the State Board of Elections determines that the petition does not contain the required number of signatures, the petitioners have 30 days after the date of that determination to obtain additional signatures. On determining that the petition complies with this Article, the State Board of Elections shall certify it as valid. SECTION 5. LEGISLATIVE REVIEW

The State Board of Elections shall deliver the certified initiative petition to the General Assembly on the date it next convenes in regular session following certification of the petition. If a certified petition proposes a statutory measure and an identical measure is enacted by the General Assembly and not vetoed by the Governor, or is vetoed and the veto is overridden, the enacted measure takes effect according to its terms. If the measure is not enacted, or is passed and vetoed without the veto being overridden, and subsection (c) does not apply, the Secretary of State shall submit the question of approval or disapproval of the measure to the voters of the State at an election to be held on the first Tuesday after the first Monday in November following adjournment of the regular session. If the measure is approved by a majority of those voting on the question, the statutory change proposed by the measure takes effect according to its terms. If a certified petition proposes a statutory measure and an alternative measure is enacted by the General Assembly and is not vetoed by the Governor, or is vetoed and the veto is overridden, the Secretary of State shall submit the

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question of approval or disapproval of each measure to the voters at an election to be held on the first Tuesday after the first Monday in November following adjournment of the regular session. If neither measure is approved by a majority of those voting on the question, neither measure shall become law. If only one measure is approved by a majority of those voting on the question, that measure becomes law on the next January 1 unless a later date is specified. If both measures are approved, the one receiving the most affirmative votes becomes law and the other has no effect.

SECTION 6. PROPOSITION DESCRIPTION
The Secretary of State shall prepare the ballot proposition for a measure proposed by initiative and an alternative measure proposed by the General Assembly. The proposition must be descriptive but not argumentative or prejudicial. The provisions of this Constitution and of laws that apply to publication of constitutional amendments proposed under Article XIV, Section 2, of this Constitution apply to the publication of measures proposed under this Article.

SECTION 7. AMENDMENT OR REPEAL
If a statutory measure proposed by petition becomes law, it may be amended or repealed within 5 years after it takes effect only on the record vote of four-fifths of the members elected to each house of the General Assembly.

SECTION 8. REPEAL OF LEGISLATION BY REFERENDUM
Bills enacted by the General Assembly may be repealed by referendum in accordance with this Section. A written request for a petition proposing the repeal of a bill enacted by the General Assembly must be submitted to the Secretary of State in a form prescribed by the Secretary of State with a good faith filing fee of \$100. The request must be filed not later than the 180th day after the date of final adjournment of the session in

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which the bill is enacted. Not later than the 10th day after the date of receipt of the request, the Secretary of State shall prepare and issue, in the number requested, approved copies of a petition proposing repeal of the bill. The Secretary of State may charge for each copy a reasonable fee to cover the cost of reproduction. The petition must include a citation of the bill, citations of any laws amended or repealed by the bill, and a statement, not argumentative or prejudicial, briefly describing the effect of the bill. To be certified as valid, a referendum petition must be filed with the State Board of Elections before August 15 following its issuance and must be signed by a number of registered voters equal to at least 4% of the total number of votes received by all candidates for Governor in the most recent gubernatorial general election in each of at least half of the congressional districts as well as statewide. On determining that the petition complies with this Section, the State Board of Elections shall certify it as valid. The Secretary of State shall submit the question of repeal of a bill for which a petition has been certified under subsection (c) to the voters of the State at an election to be held on the first Tuesday after the first Monday in November following certification of the petition. If repeal is approved by a majority of those voting on the question, the bill is repealed upon the date of the election unless a later date is specified. The referendum power extends, as provided by this Section, to any bill enacted during a regular or special session of the General Assembly. It extends to each bill in its entirety and not to a part of the bill. No bill identical or substantially similar to a bill repealed in accordance with this Section may be enacted within 5

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years after the effective date of the repeal. SECTION 9. FACILITATING LAWS Laws may be enacted to facilitate the operation of this Article. However, no law may be enacted to hamper, restrict, or impair the exercise of the power of initiative. ARTICLE XIV. CONSTITUTIONAL REVISION SECTION 3. CONSTITUTIONAL INITIATIVE This Constitution may be amended by initiative in accordance with Article. Schedule this Constitutional Amendment takes effect upon Approval by electors of this state. This is First Reading of this House Joint Resolution Constitutional Amendment #26. sufficient, the proposed amendment shall be submitted to the electors at that general election and shall become effective if approved by either three-fifths of those voting on the amendment or a majority of those voting in the election. Introduction of First Reading of Resolutions. House Joint Resolution #46 offered by Representative Wirsing."

Speaker Daniels: "The House will come to Order. Mr. Clerk, the Rules Committee Report."

Clerk McLennand: "Committee Report, Rules has met and approves for Consideration, the following Motions. Motion to accept Mandatory Vetoes on House Bills #544, #660, #679, #1002, #1070, #1202, #1221, #1267, #1498, #1693, #1696, the Bill is #2070, #2141, #2465. Motions to Override an Amendatory Veto on House Bills 544, 1106, 1149, 1267. offered by Representative Churchill. The Chairman for the committee on Rules. The Committee on Rules has met an to which the following Legislative measures were referred, action taken on October 20th, 1995, reported the same back, Due Approve for Consideration. House Joint Resolution #47. Conference Report #1 to Senate Bill 293. On the Order of concurrence House Bill, 211 and House Bill 375. On the Order of Second

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Reading, Senate Bill 503 and House Bill 2416 and on the Order of Third Reading Senate Bill 15."

Speaker Daniels: "Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Daniels: "Messages from the Senate."

Clerk McLennand: "Messages from the Senate from Jim Harry's secretary of the Senate. Mr. Speaker I'm directed to inform the House of Representatives that the Senate had Adopted the following Senate Joint Resolution and the Adoption of which I'm instructed to ask concurrence of the House of Representatives, to which Senate Joint Resolution #64, the Adjournment Resolution, adopted by the Senate October 20th, 1995. And Mr. Speaker, I'm directed to inform the House of Representatives that the Senate is...has acceded to the request of the House of Representatives for the first Conference Committee to consider the differences of the two Houses in regard to the House Amendment, to Senate Bill #19. I'm further directed to inform the House of Representatives that the Committee on Committees that the Senate has Appointed as such the Committee on the part of the Senate, Senators O'Malley, Cronin, Watson, Berman, Welch. Action taken by the Senate October 20th, 1995, Message, Jim Harry Secretary of the Senate."

Speaker Daniels: "The Chair would like to recognize the sister of Representative Wyvetter Young, Ruth Hill, who is here visiting us here today from O'Fallon, Illinois. Welcome to the General Assembly, Ms. Hill. Representative Novak, for what purpose do you rise, Sir?"

Novak: "Yes, thank you, Mr. Speaker. I would like to Move to the Order of Motions, please."

Speaker Daniels: "That is not an Order right now. We are going

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to make our Motions. Supplemental Calendar #2. We are now in Supplemental Calendar, we are not going to the Order of Motions. Supplemental Calendar #2. House Bill 660, Representative Cowlishaw. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 660. A Bill for an Act that Amends the Higher Education Students assistance Act, Amendatory Veto Motion, Approved for Consideration."

Speaker Daniels: "Representative Cowlishaw."

Cowlishaw: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. I Move to accept the Governors Amendatory Veto of House Bill 660. A Bill which passed this Chamber, 116 to zero and passed in the Senate 57 to zero. What this Bill did originally, was to replace one of the citizen members of the Illinois Students Assistance Commission, when that unaffiliated citizen Members term expired, with the Representative of the community college system in Illinois, the Governor wants to keep a Representative of the community college system on the Illinois Student Assistance Commission. They have never been represented there before and I think it is only right that they should be, however the Governor does not want to reduce the number of citizen members, coincidently all his Amendatory Veto does is increase the total number of members of ISAC by one, so that we will have the community colleges represented, but no reduction in the number of citizen members, because I think that the Governor has been very wise in this decision, I Move to accept the Governor's Amendatory Veto of House Bill 660."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Will the sponsor yield?"

Speaker Daniels: "She indicates that she will."

Hoffman: "It is my understanding Representative, that the

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original Legislation changed the composition of the Illinois Student Assistance commission, but not the size of the body. Is that correct?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "That is correct. The original Legislation retained the exact same numbers of members of ISAC, which currently has five unaffiliated citizens members, who are not there to represent any particular aspect of higher education. There has never been one individual specifically to represent community colleges. So, the Bill originally would have replaced one of the citizen, unaffiliated members with a Representative that is chosen by the community college system to represent the community colleges. The Governor believes that yes we ought to have a community college representative, but he does not want to reduce the number of five unaffiliated citizens, so we just added one to the total number of the ISAC members."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Is the Amendatory Veto supported by the Student Assistance commission, do they have any position?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Yes, Representative, I have met with their Representative and discussed this at some length and determined that in fact the Illinois Student Assistance commission as it is presently Constituted is in accord with an acceptance of this Amendatory Veto."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Just one more question or two more questions and I can ask them and maybe we can just get an answer real quick. I assume the Community College Board and the Community College Trustees Association is okay with this, this also? That it is the first question and the second one. When

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would the member be appointed to the commission?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Both the Community College Presidents and the Community College Trustees are very strongly in favor of this Legislation and have been all a long. I have also talked to them in regard to this Amendatory Veto. They are also in accord with it. The person, who would be a community college member could be appointed as soon as this legislation makes it way through both Chambers, because now it is not waiting for someones term to expire. It is a new position and so I know that ISAC as well as all the entities that represent community colleges would be ready to move on this right away, which is one reason I would like to move on it today."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, I see no problem and I will be supporting the Amendatory Veto."

Speaker Daniels: "Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Will the Sponsor yield?"

Speaker Daniels: "She indicates that she will."

Parke: "Thank you. Representative Cowlshaw, am I correct that this Bill was the Bill that also would have something to do with the makeup of the community system within the system of higher ed and that it was to separate out the community college system?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "No. Representative Parke, that was Senate Bill 549, this is House Bill 660 and absolutely all this Bill has every done is to have a community college representative on the Illinois Student Assistance Commission."

Speaker Daniels: "Representative Parke."

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Parke: "Thank you, Representative Cowlshaw."

Speaker Daniels: "Representative Black."

Black: "Yes, thank you very much Mr. Speaker. I Move the previous question."

Speaker Daniels: "The question is 'Shall the main question put?' All those in favor signify by saying 'aye' all opposed 'noe'. The ayes have it, Representative Cowlshaw to close."

Cowlshaw: "I urge a yes vote. Thank you Mr. Speaker."

Speaker Daniels: "The question is 'Shall the House accept the Governors specific recommendation for change with respect to House Bill 660? All those in favor signify by voting 'aye' all those opposed by voting 'noe'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 108 'ayes' and none voting 'noe' and none voting 'present'. This Bill having received the required Constitutional Majority, the Motion passes and the House accepts the Governors specific recommendation for change regarding House Bill 660. House Bill 1498, Representative Churchill."

Churchill: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. House Bill 1498 was the ethics package that we debated at length during the Spring Session on several different occasions and finally sent to the Governors office. The Governor has put a Amendatory Veto on the Bill and in its current status the Bill would continue to do the following things: 1) prohibit Legislators from excepting Honorarium. 2) discontinue food and lodging expenses after June 1st of each calendar year. 3) make certain ward and township committeeman file reports. 4) provide that the compensation of elected officers of school districts and

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home rule districts should be fixed at least 180 days prior to the beginning of their terms of Respective offices. The other issue that we had in the initial Bill was dealing with the purchasing contracts and open bidding requirements for the City of Chicago and for O'Hare Airport. Much of that language remains, but there was one section in the language that caused some problem for the Mayor of the City of Chicago and so the Governor created a Amendatory Veto, which deleted the language that impacted the Home Rule units, the mayor of the City of Chicago was concerned that the Bill has originally passed may stop Chicago from certain prequalifying things during construction and for other various programs and although I disagree with the interpretation of the Bill by the mayor, I have agreed to accept the Amendatory Veto deleting that provision. And so at this point I would move to accept the Amendatory Veto of the Governor on House Bill 1498."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, will the Sponsor yield?"

Speaker Daniels: "He indicates that he will."

Lang: "Representative, a couple of questions. There is a provision that requires disclosure of contributions by ward and township committeeman in Cook County. Is there any rationale for not applying this to the entire state?"

Speaker Daniels: "Representative Churchill."

Churchill: "That whole issue was discussed in the Spring Session, it has not been changed by the Amendatory Veto. At this point what I'm doing is trying to explain to you, the impact of the Amendatory Veto and how it would change the portion of the Bill. The rest of the Bill remains intact from the Spring session."

Speaker Daniels: "Representative Lang."

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Lang: "So, we are continuing the process that we went through to May 26th, where no questions will be answered, but let me try another question. The Governor vetoed the section of the Bill regarding the City of Chicago saying it was discriminatory, because no other Home Rule unit would be affected by the Bill. You do support that change by the Governor."

Speaker Daniels: "Representative Churchill."

Churchill: "As I said I don't necessarily agree with the interpretation of the original Bill as interpreted by the Governor or the Mayor of the City of Chicago, but I have agreed to accept the Governors Amendatory Veto."

Speaker Daniels: "Representative Lang."

Lang: "Well, haven't we had a whole litany of Bills during this last session, where people on this side of the aisle were making a lot of noise about how it only affected the City of Chicago and people on your side of the aisle were saying well that is not discriminatory. That is our responsibility as Legislators. Why the difference here? Do you have any idea why the Governor of this state chose this Bill to decide that Chicago should not be discriminated against, but didn't seem to care on other Bills?"

Speaker Daniels: "Representative Churchill."

Churchill: "I don't know why the Governor chose to do what he chose to do. He did accept the other Bills. He did accept the other Bills, he signed them, so he must have thought that was a pretty good idea on all those other Bills. In this particular case though, I believe that the Mayor specifically contacted the Governor. I'm not sure what that conversation was about, maybe you have a better idea, but at any rate the Governor decided that he would accept

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the request of the Mayor of the City of Chicago. This is in accommodation to the Mayor of the City of Chicago. As I said before, although I disagree with their interpretation of the original Bill, I think that they are incorrect, nevertheless I have decided to accept the Governors Amendatory Veto."

Speaker Daniels: "Representative Lang."

Lang: "Well, Sir is it fair to say then that your presenting a Motion on this floor to accept an Amendatory Veto and by your own words you don't know what the Governors rationale is. You don't know why he is doing this. Why he wants to do it, but yet you present this to us. You ask us to vote for this and I think it is a fine change, but I don't understand how you can stand on the floor Representative and ask us to vote for this and not know why the Governor made the change."

Speaker Daniels: "Representative Churchill."

Churchill: "I know what he did, perhaps I don't know why he did, but I know what the law will say now after we make this change and I accept that change."

Speaker Daniels: "Representative Lang."

Lang: "Well, you don't know why he did it, but do you care why he did it? Do you think it is important for us to know why a Bill that passed this Chamber and these and the Chamber across the Rotunda and went to the Governor's desk was changed by the Governor. If we had some integrity in the Legislative process, your Bill must have meant something to you. How do you rationalize coming to us and asking us to accept this change and not telling us why the change should be made? Should we just accept whatever changes the Governor wants to make at his request?"

Speaker Daniels: "Representative Churchill."

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Churchill: "In this particular case, yes."

Speaker Daniels: "Representative Lang."

Lang: "Well there maybe other Bills that we debate today and other days that I'm going to ask you if you feel the same way about that, thank you."

Speaker Daniels: "Representative Churchill."

Churchill: "I think the change has been discussed and I would move for the acceptance of the Amendatory Veto House Bill 1498."

Speaker Daniels: "You heard the Gentlemens Motion. The question is 'Shall House Bill 1498, we accept the specific recommendations of the Governor for change with respect to the said House Bill. All those in favor signify by voting 'aye' all those opposed by voting 'nay'. The voting is open. Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 110 'ayes'; 1 'noe' and none voting 'present' and this Motion having received the Constitutional Majority, the Motion passes and the House accepts the Governors specific recommendation for change regarding House Bill 1498. House Bill 679. Read the Bill, Mr. Clerk. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I Move to accept the Governors considered recommendation for change. This Bill passed out of the House 102 to 1 and it passed out of the Senate 56 to zero. The changes suggested by the Governor were technical and consistent with the entire Revenue Act. It levels out the Act so, that we know exactly so, the vendors know exactly how much sales tax they are paying for food consumed off the premises and for food consumed on the premises, which

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is the high rate and which is the low rate, which caused confusion not only for the Department of Revenue, but caused great expense for the collection process for collecting sales tax vendors. The changes were merely technical in nature to conform the language to rest of the provisions of the Revenue Act and I ask for your 'aye' vote."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. Will the Sponsor yield?"

Speaker Daniels: "He indicates that he will."

Dart: "Representative, I had that this Bill was originally opposed by numerous groups, such as the City of Chicago. Are they still opposed to this? Is the City of Chicago still opposed to this Bill?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "No, it does not."

Speaker Daniels: "Representative Dart."

Dart: "I also had that the Municipal League was opposed to this at one point. Have they since changed their position or where do they stand on this now?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "They have no opposition to it whatsoever. It clarifies the entire issue for every tax collecting agency including the Department of Revenue, which is strongly in favor of clarifying the issue."

Speaker Daniels: "Representative Dart."

Dart: "Were they opposed to the Bill as it originally was and are now in favor because, it has been cleaned up with the Amendatory Veto and did they come on board the Bill, after it was cleaned up prior to leaving the House?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "To my knowledge there was never any opposition, there

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was never any opposition from anyone, in fact the Department of Revenue, who was initially opposed to it, but after sitting down and working out the language with them, they found out it's going to save them and the taxpayers of Illinois a lot of money in the tax collection process."

Speaker Daniels: "Representative Dart."

Dart: "What was the definitional of change that was made in regards to the off premise...what was the definitional change that you made in regards to the off premise consumption?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Well the changes that were made were to make it consistent with the rest of the Act and the...under the current statute not all food for human consumption is taxable at the low rate. Only food for human consumption which, is to be consumed off the premises where food is sold. In the language that was originally proposed in one place did not include that second phrase consumed off the premises where the food is sold. This just clarified it and made it consistent, because it was another provision of the Revenue Act dealing with sales tax that used that very language. They just reinserted that language that was pulled out inadvertently."

Speaker Daniels: "Representative Dart."

Dart: "Wasn't there some confusion as to how you were going to determine what was off premise and what was not and if so, was that being addressed by this?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "No, the Act as it was before this Bill would leave the Department of Revenue to conduct between eight and twelve weeks of watching, doing between an audit to determine whether the food that was purchased at the vending machine

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was consumed in fact off the premises or whether it was consumed on the premises is a very expensive process. The language just nearly clarifies what...and brings it into conformity with the rest of the Revenue Act."

Speaker Daniels: "Representative Black, Representative Black, Representative Dart, Representative Wojcik."

Wojcik: "Mr. Speaker, I Move the previous question."

Speaker Daniels: "The question is 'Shall the main question be put?' All those in favor signify by saying 'aye' opposed 'noe'. The 'ayes' have it. Representative Wennlund. The Gentleman Moves for the acceptance of the Governors specific recommendation for change with respect to the House Bill 679. All those in favor signify by voting 'aye'; opposed by voting 'noe'. The voting is open. This final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 109 'ayes', none voting 'noe', none voting 'present'. This Motion having received the required Constitutional Majority. The Motion passes and the House accepts the Governors specific recommendation for change regarding House Bill 679. House Bill 1070. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I Move that the House accept the specific recommendations for change that were made by the Governor. They were technical in nature. This Bill passed out 110 to nothing. It passed out of the Senate unanimously and the only change that was made in the Bill was the language at one point said land and or monies or both and that monies or both were added by the Governors lawyers that recommended those specific recommendations for change. The Municipal League supports it and all parties that I know of support the legislation. The realtors

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support it and they all support the acceptance of the Governors recommendation for change and I ask for your favorable vote."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Representative...I'm sorry will the Representative yield, Mr. Speaker."

Speaker Daniels: "He Will."

Lang: "Representative, I know you made a explanation of what this Amendatory Veto does, but I don't think anyone on this side of the aisle heard it. Can you run that by us again?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Yes, in one part of the Bill it dealt with donations of land and or money and then again later in the Bill it referred only to land. The Governor inserted the words or money, so that if a developer contributed by upon an execution of an annexation agreement land and or money they are deemed to have been... and what it does is clarifies, that because there is no provision in the statute today, what happens when an annexation agreement, which is silent on the issue of contributions of land or money or silent on the issue of when it expires in fact expires and maybe a developer did not make contributions as he agreed to do in the agreement. It gives the municipalities the right to go back and enforce it, because there is nothing in the statute that deals with issue of what happens when an annexation agreement, which doesn't provide otherwise, but naturally expires and doesn't deal with the issue of what happens about its expiration with respect to contributions and land or money, which are the words that the Governor added in the second part of the legislation. It clarifies the entire issue, because statute is totally silent under 111.51 of the municipal code and this clarifies it for everybody.

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Everybody supports this. The Municipal League supports it, the realtors support it, and the developers support it and the home builders too."

Speaker Daniels: "Representative Lang."

Lang: "So, the only change is really technical, because this was mentioned in one part of the Bill and not in the other. Is that correct?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "That is exactly correct, Representative Lang."

Speaker Daniels: "Representative Lang."

Lang: "Representative, does this Bill have an immediate affective date?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "No, it does not."

Speaker Daniels: "Representative Lang."

Lang: "Well, maybe you can tell me then, although I don't find any problem with your Motion. Can you tell me why we are here today to do this? We have a veto session coming up. Why are we all here to deal with this, if this is just technical and can get done any time. Why are we doing this today, Sir."

Speaker Daniels: "Representative Wennlund."

Wennlund: "Well, the importance of it is that we bring it and make the legislation effective as soon as possible. The Chicago Bar Association strongly supports this Bill and recommends that we act on it as soon as possible and that is why we are considering it today, Representative Lang."

Speaker Daniels: "Representative Lang."

Lang: "What is the effective date of the Bill, Sir?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "There is none stated in the Legislation, so it will be January 1 of 1996."

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Speaker Daniels: "Representative Lang."

Lang: "Do we not have six regular days of Veto Session scheduled between now and January 1, 1996, whereby we could have taken this up?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "That is correct, but this will give the Senate adequate amount of time to also accept the Governor's specific recommendations for change."

Speaker Daniels: "Representative Lang, do you have any questions on the Bill?"

Lang: "Mr. Speaker, this is relevant to the Bill."

Speaker Daniels: "No, Sir an amending Member may call a Motion when he desires. Further questions on the Bill?"

Lang: "Well, I could try to think of some, but since I have none, I will just sit down, Sir."

Speaker Daniels: "Thank you, Sir. The Gentleman, Representative Wennlund Moves for the Adoption of the Amendatory Veto by the Governor to House Bill 1070. The question is 'Shall the House accept the Governors specific recommendation for change?' All those in favor signify by voting 'aye'; opposed by voting 'noe'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 109 'ayes' and none voting 'noe' and having received the required Constitutional Majority the Motion passes and the House accepts the Governors specific recommendation for change, regarding House Bill 1070. House Bill 1106. Representative Winkel."

Winkel: "Thank you, Mr. Speaker. I rise in support of the Motion to override the Governors Veto of House Bill 1106. House Bill 1106 goes to a statute proposal that would protect Chief Illiniwek as the symbol of the University of Illinois

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at Urbana - Champaign. It is a promise that I made to my constituents. I think it is important that we maintain this honor and revered symbol at the University of Illinois. That is precisely why I have introduced this Legislation and I realize that there are certain philosophical differences that concern this proposal, but I would remind the Members that we did openly and fairly debate those philosophical differences just a few short months ago and I can tell you that after that full and open debate, on those philosophical differences this Bill passed out of this Chamber with 80 votes on a strong bipartisan support. I am here today to ask that we have that same spirit of bipartisan support of this measure that would protect an honored and revered symbol at the University of Illinois. I don't want to see this measure fall down into a political question it hasn't been a political question, hopefully not today. It has been something that we have debated philosophically and we can have our differences. I would propose that we once again show the support of this honored revered symbol at the University and move and support my Motion to override the Governors Veto. I hope that nobody switches their vote today and I...Mr. Speaker I would put that question."

Speaker Daniels: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Will the sponsor yield for a question?"

Speaker Daniels: "He indicates that he will."

Pugh: "Representative Winkel, aside from the philosophical differences that you eluded to, would you say that there are some inherent flaws in the Legislation that caused your Governor to want to add an Amendatory Veto to this Bill?"

Speaker Daniels: "Representative Winkel."

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Winkel: "Well, Representative certainly I respect the Governor, I respect his opinions and I realize that the Governor and I have certain philosophical differences that have come to light over this Legislation. The Governor has made a single word change and he has changed the word 'shall' to 'may' in this Legislation. By changing that word from 'shall' to 'may', the Governor has effectively changed the entire thrust of this Legislation, now again that is a philosophical difference, we simply disagree on that. I respect the Governor's opinion in this matter, but I respectfully disagree with him. If the ultimate goal of this legislation is to protect Chief Illiniwek, putting the word may in this Legislation completely defeats that central purpose, by leaving the word 'shall' in the Legislation as originally passed on a bipartisan vote in this Chamber, we do not afford this sort of protection that I think that we need in order to maintain the honored symbol of Illiniwek at the University of Illinois. So, no I disagree entirely that it is inherently flawed. I think that when it passed out of this Chamber with 80 votes on a bipartisan basis, it was a fine Bill and it achieved its purpose of protecting Illiniwek as a symbol."

Speaker Daniels: "Representative Pugh."

Pugh: "Representative, Representative Winkel, I applaud you for having the courage to step forward to wear a jacket that your Governor feels that he shouldn't wear, because when you look at the purpose of the legislation, Sir, we are looking at the actual prostitution of a culture, now your saying that you are protecting the Chief. The Chief has not asked you to protect him, as a matter of fact, the native American Indian has not asked for your..."

Speaker Daniels: "Excuse me, Representative Pugh, Representative

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Pugh. Ladies and Gentleman, Ladies and Gentleman,
Representative Pugh."

Pugh: "Do we start the clock again?"

Speaker Daniels: "I won't start it again, but I will give you
five seconds more."

Pugh: "It was ten seconds that was taken off the clock."

Speaker Daniels: "Alright I will give you ten."

Pugh: "Thank you, Sir. Representative Winkel, I applaud your
courage and your tenacity relative to your will to protect
the Indian, Sir., but the native American has not asked for
protection in this matter as a matter of fact they would
rather not be included and maybe if we thought about
changing the mascot to something of a lesser nature than
the Chief, which the highest individual of the Native
American Tribe that it would be more feasible piece of
legislation, but getting back to the who's going to wear
the jacket. If we look at the shape that Americas in with
the racial divide that is being brought forth as a result
of recent occurrences is it your responsibility? Are you
willing to wear the jacket of racism in this issue, your
willing to be looked at as one of the individuals that is
drawing or sticking the pike into the racial divide that is
separating this Nation that will ultimately be bringing it
down. You are saying there is basically a philosophical
difference, Sir. I submit to you and I maintain that it is
not just a philosophical difference, it is a ideological
difference that is based on a higher principal than we are
allowed to discuss on the House Floor. We are talking
about a race of people. We are not talking about just a
Indian or a Native American, we are talking about a race
people that we have not thought enough to protect when this
was there country, when they roamed this earth, so why do

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you feel the need, Sir, and this is a question, why do you feel."

Speaker Daniels: "Okay, go ahead."

Pugh: "From whence does your need to protect the Native American come now? When we had the opportunity when they physically roamed the earth as physical individuals as physical human beings to protect them and we did not. What prompts you to protect their image at this point?"

Speaker Daniels: "Representative Winkel."

Winkel: "Representative, the motivation for my submitting this Legislation in the first place arose last Fall, when the University of Illinois had a chancellor appointed committee that unanimously recommended that Chief Illiniwek be retired as a symbol. I realized at that point that under the current state of the law that there was a movement, a strong movement afoot by a very few, a vocal few on the campus to remove a honored and time, honored symbol from the University of Illinois. The motivation was to protect that symbol. It is a symbol that I seek to protect. It is a symbol that has long been...It is a symbol Sir, it is a symbol, sir that has long been honored at the University of Illinois and as a matter of fact, I think that it is my duty to my constituents to accurately and to reflect their views in this subject, they are overwhelmingly in favor of protecting this symbol as well as the hundreds of thousands of alumni in this state wish to protect that symbol. Now, my other duty, I think is to conscience. And I can tell you Representative, Representative Pugh. I can tell you that the descendents of the Illini, who were once here that you are referring to, there are the Peoria Tribe and they now reside in North East Oklahoma and they have seen the portrayal of Chief Illiniwek. They have seen the video

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tapes and their commentary on that, is that they are in full support of the use of that symbolism by the University of Illinois. They in fact consider it a great honor, Sir. Not any sort of degrading symbol, but rather they see it as a great honor that a great world class university, like the University of Illinois would choose that symbol to remind people that the Illini as a tribe did once roam these prairies that we now call Illinois. It is a reminder of the past about the Illini done in a very honored and respectful way and certainly I have no problems of conscience if the descendents of the Illini think that it is a honored symbol, so I'm reflecting the views of the Peoria Tribe, the descendents of the Illini, the real Illini and I'm also reflecting the views and by my Motion of the people that attended the University of Illinois, the alumns, of which you have hundreds and probably your district as well as every Member of this Floor. There are hundreds of thousands of alumns that feel very strongly about protecting Chief Illiniwek as well as tens of thousands of others that genuinely feel that it is an important issue, that we don't want to see this symbol retired. Those are my motives."

Speaker Daniels: "Representative Davis, Representative Monique Davis."

Davis, M: "Thank you, very much. Well, first of all I would like to say that a group of Native Americans were in this Body and they were protesting the continued use of Chief Illiniwek as your symbol or your mascot or whatever you choose. Some of those were direct descendents of the Illiniwek Tribe. They were direct descendents and they live in Peoria Illinois, however my argument to support the Governor and not override his Veto lies in the fact that

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the Illinois General Assembly should have the roll of supplying appropriations for public Universities. We should also make appointments and confirmation of those appointments on our governing boards, but we should not as the Governor has so eloquently stated, we should not attempt to micro-manage universities from this body. That is not our role. Other universities at some point in history, may decide to change what we perceive to be tradition and as each one of those instances come up or occur, should we in the General Assembly feel that we being omnipotent to those students that attend that particular time and we should pass laws that tell those universities what to do? That is the reason that we have governing boards. That is the reason that those Members are appointed and confirmed. We cannot and should not pass Legislation in this body to overrule those powers that they have. Now, you stated Representative that one Chancellor had made a decision to immediately halt the use of Chief Illiniwek, because it was repulsive and offensive to a group of people. Now, for us in this body to feel that we are...that we do not care about the feelings of those people. We feel if you feel that because you are of a different race than those people that the race, the desire of that particular race is not as significantly important as your own. I think in the year 1995, when there is an attempt to mend bridges and heal scars of racism, that we do not want to override the Governor's veto. We do not want to override his Amendatory Veto. I think we want to vote no on this Bill and keep our state intact and remain respected by other universities across the country. I don't think that we want to micro-manage and have intrusive, intrusive behavior in reference to this kind of

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legislation. I believe the governor acted with the intent of one who is concerned with all the citizens in the State of Illinois and not just a select few. I believe the Governor has certainly made the correct decision in saying that it is not our role nor our responsibility to decide what traditions should continue to be honored at universities. Those trustees and those members that have been confirmed on those boards. We should trust their judgement and in this case, I believe that we should certainly vote no in reference to overriding the Governors Amendatory veto. The only vote is a noe vote to give support to the Governors intellect, to let him know in some cases. especially this one. We believe that he has acted in the best interest of all the citizens of the State of Illinois and not just a hand picked few. you can have a real good time at those football games without harming a group, a race of people. We should vote no on this Amendatory Veto. We should vote no on the override attempt."

Speaker Daniels: "Representative Stephens."

Stephens: "Ladies and Gentlemen, Thank you Mr. Speaker. I think that our country has grown weary of having to respond to the cry of racism every time a different issue comes up. The gentleman's Bill is simply a strike in the name of tradition. He does it with all do respect and I suggest that we get on the business of the state to override the Governors Veto and deal with the other issues before us and lets quite crying racism every time an issue comes before us."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would like to yield my time to Representative Pugh."

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Speaker Daniels: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Representative Granberg, thank you very much. We talk about...Representative Stephens spoke to the fact about the cry of racism, you don't have to cry racism. The racism permeates this piece of Legislation. When we are talking about taking an individual who happens to be the most revered member of a culture and denigrating them to a mascot and mascots usually are represented in the form of dogs, in the form of cats or cattle or some form of animal. I think that it is appalling that we would do this to the Native American after we have typically abolished them from the face of the earth. There is no more buffalo, there is no more Native American, who is next? Who's next? Who is going to wear this jacket? Who is going to wear this jacket and it is racist. It is a racist piece of Legislation and the racism, there is a smell of racism stinks and it stinks throughout the Chamber and unless we address it, it is going to continue to stink and become putrid. You talk about philosophical difference in the merely changing a piece of Legislation from shall to may...The Governor is the Governor of the Republican party. The Governor is your Governor, Representative Winkel and he sees that there is a problem with this Legislation. This piece of Legislation, if it is going to be, if the determining factor is going to be made, than it should be made at the college level, it should be made at the university level. The university should determine whether or not. Why don't they want to carry it? Why don't they want to wear the jacket? Why don't the Governor want to wear the jacket of racism? Who wants...why doesn't...why doesn't the university want to take the responsibility for caring...for making this

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decision? What about local control? What about local control? Are we in the business of taking local control? Are we in the business of taking the voice of the people or are we going to represent the voice of the peoples. Some things have to be delegated to the people and I insist that this is one of those instances."

Speaker Daniels: "Was that a question, Sir?"

Pugh: "There was a question in my, my dialogue."

Speaker Daniels: "Representative Winkel."

Winkel: "Representative, I think probably the best way that I can probably convey my point to you about the feeling that Chief Illiniwek has with the real Illini descendants, let me read to you a transcript, this is 'Charles Daws', he is a Chief, he says quote, "To say that we are anything, but proud to have these portrayals, would be completely wrong. We are proud, we are proud that the University of Illinois is the major institution in the state. A seat of learning and they are drawing on that background of our having been there and what more honor could they pay us?" Another Chief 'Don Giles' of the Peoria Tribe, the real descendants of the Illini, went on to say, quote, "Since we did come from that area, I feel that it is a good way for the public to be aware of Native Americans." They have no problems, Sir, whatsoever with our using this portrayal of Chief Illiniwek. They certainly don't consider it a racist symbol. They consider it an honor. That was a quote, Sir. That is what he said. He is the Chief of that tribe, not you, nor anybody else here that I have heard from today. They're the ones, who's voice really should count most I think in this debate. Now, the other voice that I think that counts in this debate to get to the other part of your question, Sir, is the people in the State of Illinois,

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obviously the flagship university, the University of Illinois belongs to them, it belongs to the people of the State of Illinois. They are the ones that support this great university. They are the ones that tool and pay the tax dollars that go to support and fund this great university and large part and certainly they should have a voice and the symbolism used at this great flagship university and that is precisely what we are doing here. What better place to debate this issue on these philosophical differences than the General Assembly. We have alumns and other people who are generally interested in this issue. They are located all over this state, in your district and in mine and virtually every other district. They are in every district, Sir."

Speaker Daniels: "Representative Johnson."

Johnson, Tim: "Thank you, Mr Speaker and Members of the House. To Governor Edgar, who never took a position initially on this issue while we respectively disagree, at least there has been no change of position. With respect to Representative Pugh, I'm sure you have strong philosophical views that haven't varied since the debate last Spring and to that I respect you, while I disagree with you and while I disagree with the message of the Amendatory Veto. This issue is quite simple. The Legislature on numerous occasions has acted in areas of this nature, to put at rest, to put a finality to issues and this is the opportunity for us, for once and for all to put an issue to rest that is a great significance to the people of Illinois. I would surmise that if you surveyed your district that anywhere between 90 and 95% of any given Legislators districts, the people support the maintenance of Chief Illiniwek as the honored symbol of the University

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of Illinois. The centuries old tradition that it inspires not only graduates, but people all over the country and is really unique in universities and higher educational systems and in college athletics and colleges generally. As Representative Winkel alluded to the descendants of the original Illini Tribe, who are now located in Northeast Oklahoma, unanimously support maintenance of Chief Illiniwek as a honored symbol of the University of Illinois, with all due respect to those who have portrayed it as the contrary is not only not a racist symbol, it is a symbol that is one that has grown to have great respect, not only to the Native American Community, but as Representative Winkel indicates among the citizens generally, whom we also represent. Now, let me talk about, for a moment politics. I believe yesterday or maybe the day before Representative Winkel's opponent announced his opposition to Representative Winkel for this coming election, which he has every right to do and at least four times, if not more in that press conference she eluded to the fact that Representative Winkel and I, I suppose and others are wrong on this issue and that she does not support the Chief and she does not support this Bill and that is certainly her right to do. Last Spring when the Roll Call went up, there were 18 votes on the Democratic side of the aisle and I respect those 18 individuals, who supported Representative Winkels Bill, as such as an important piece of Legislation. I would presume and hope that all 18 of those individuals would continue to support Representative Winkel's Bill as they did last Spring. If there are those among those 18, who changed their position, who have somehow had a inspiration, that this Bill is no longer good public policy for the State of Illinois. It is

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not philosophical as Representative Pugh is. It is not as philosophical as Governor Edgar is. It is pure politics and I certainly hope and pray that, that is not going to be the case. People on a issue of this philosophical significance ought to vote and should vote and I presume will vote the same way that they did last year and if they don't it's an indication that the local candidate who now opposes Representative Winkel, who is quote "a target" has convinced colleagues and leadership on the other side of the aisle that this is not a philosophical issue anymore, that it is a political issue. The fact of the matter is this a philosophical issue. The University of Illinois, an overwhelming percentage of the people in the State of Illinois and an overwhelming percentage of the people in the Native American community as well as throughout this state support this honored symbol and I urge everyone in this Chamber, who supported it before, in fact urge everyone to join with Representative Winkel in this bipartisan effort to establish and maintain and make certain once and for all that Chief Illiniwek, the long time centuries old tradition is maintained and the issue is once and for ever put to rest. I urge a 'yes' vote on Representative Winkel's Motion."

Speaker Daniels: "Representative Pugh, you have a minute to respond, your name is mentioned in debate."

Pugh: "Thank you, Mr. Speaker. A journalist from a local paper, asked me just how many people would this...would my constituency really care about this issue and after I thought on it for a minute, my response was, of course they do. When you look at the individuals that the University of Illinois is responsible for putting out into our communities in the form of teachers, in the form coaches

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and graduates, in the form of social workers, all of these people will have a coldness toward a Native American. They will feel that a Native American is less than a human being and this alters their belief in mankind, so it is up to us as individuals whether or not we want to take on..."

Speaker Daniels: "Time is expired, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I Move the previous question."

Speaker Daniels: "The question is 'Shall the main question be put?' All those in favor signify by saying 'aye'; opposed 'noe'. The 'ayes' have it. Representative Winkel, do you wish to close, Sir."

Winkel: "Mr. Speaker, I urge a yes vote on my Motion to override the Governors Veto of House Bill 1106."

Speaker Daniels: "Representative Winkel has Moved to override the Governors Veto. The question is 'Shall House Bill 1106 pass notwithstanding the Veto of the Governor?' All those in favor signify by voting 'aye'; opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 61 'ayes', 49 'noes' and 2 voting 'present'. The Gentlemens Motion fails. House Bill 1693, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I bring before you House Bill 1693, which in effect establishes a Small Business Safety Loan Program. the Governor has chosen to change one word in the Bill. The word 'shall' to 'may' and I concur with the Governor's Amendatory Veto and I would urge the House to vote in favor of Concurrence."

Speaker Daniels: "Any further discussion, there being none, the Question is 'Shall the House except the Governors specific recommendation for change with respect to House Bill 1693.

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All those in favor signify by voting 'aye'; opposed by voting 'noe'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 111 'ayes'; none voting 'noe' and this Bill having...this Motion having received a Constitutional Majority, the Motion passes and the House excepts the Governor's specific recommendation for change regarding House Bill 1693. House Bill 2070, Representative Krause."

Krause: "Thank you, Mr. Speaker. On House Bill 2070, I Move to accept the Amendatory Veto of the Governor. This Bill passed the House 115 to nothing, with one voting present. Very briefly, House Bill 2070 makes those otherwise eligible persons under age 18 years of age, receiving special education services, automatically eligible to participate in the Department of Mental Health's, home base support services upon reaching majority. Very briefly, the Governor makes two changes, he recommends language that the Department of Mental Health will address to establish a plan to allocate services, equitably to all individuals and secondly adds the language that it will be subject to the availability of funds appropriated for this purpose. Again, as I said, I Move to accept the Amendatory Veto."

Speaker Daniels: "Representative Schakowsky."

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

Speaker Daniels: "She indicates that she will."

Schakowsky: "Thank you. I wanted to point out what appears to be a fairly major technical flaw in the Amendatory Veto. The Governor says he intends to eliminate the entitlement aspect of the Bill by requiring services to be provided subject to the availability of appropriations. It is on page 18, line 6 of the Bill, but he does not Amend the

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provision that requires the Department of Mental Health and Developmental Disabilities to include the Appropriations for these services. So, without that section being Amended, it seems that the remaining language on page 1 appears to require funding and in fact restores the entitlement and if that is valid, it seems to me that maybe this Bill needs to be corrected instead of accepting the Amendatory Veto."

Speaker Daniels: "Representative Krause."

Krause: "Yeah, I think Representative that the line item, as long as it just contains one dollar, I believe based on what he has said here, the Amendatory Veto should be accepted."

Speaker Daniels: "Representative Krause."

Schakowsky: "Thank you, but we appropriate much more than one dollar to the Home Based Services Program."

Speaker Daniels: "Representative Krause."

Krause: "I think that is a separate line item from that one."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "No, actually it is a general line item and what this seems to say is that we are going to have to provide money out of that appropriation."

Speaker Daniels: "Representative Krause."

Krause: "Representative, I think that you and I have gone back and forth on that. I think that what has been done here is satisfactory. I think that it will be provided for and that there is a separate line item for that to handle this matter and I would ask for support and to accept the Amendatory Veto."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Well, with all due respect. It seems to me that this language is in fact flawed. I guess there is no point in going back and forth on it, but it seems to me that the

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Amendatory Veto is in its self contradictory. Let me just ask you this, how many people are currently on the waiting list for the Home Based Support Services Program for mentally disabled adults? And what is going to happen to those people are currently on those waiting lists?"

Speaker Daniels: "Representative Krause."

Krause: "My understanding from staff, is that it is about 3,000."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "And so what is going to happen to those people on the waiting list since the Bill automatically gives eligibility to Special Education Students on their 19th birthday."

Speaker Daniels: "Representative Krause."

Krause: "You know that when you read through the message of the Governor, he strives here to establish a plan to allocate services equitably to all individuals within the Department, subject to the availability of funds and I think that is the way he dictated it shall proceed."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "The problem that I have is that though the Governor states that, that is to be his intent and I know that is your intent as well, now that we do it equitably. That is not what the language of the Bill says, because does not this Bill give priority, priority to this new eligibility category over other adults who may otherwise be eligible and whose applications are processed after the effective date of the Bill?"

Speaker Daniels: "Representative Krause."

Krause: "My understanding is, is that there is a separate line item that will cover the 3,000 as well as an additional line item."

Speaker Daniels: "Representative Schakowsky."

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Schakowsky: "Well, that is the intent, but right now that is not what is in fact the case as I understand it, so you know I understand that this...well, let me ask you, is that...is that in fact your intent? That there not be a preemption of those people who are waiting lists."

Speaker Daniels: "Representative Krause."

Speaker Krause: "Yes, that is correct in carrying out the intent as laid out in the Amendatory Veto, that is what I would expect."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Well, just so that we have legislative and so you are saying that you do not want to see anyone preempted? Could you explain that further?"

Speaker Daniels: "Your time has expired. Representative Krause, you wish to answer that question?"

Krause: "Representative, I know what you are raising and I think that what we would do is go along with the exact language as it is in the Amendatory Veto Message and it lays out, I think that basis of the intent of the changes that are being made here."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I Move the previous question."

Speaker Daniels: "The question is 'Shall the main question be put?' All those in favor signify by saying 'aye'; opposed 'noe'. The ayes have it. Representative Krause now Moves that the House accept the Governors specific recommendation for change with respect to House Bill 2070. All those in favor signify by voting 'aye'; opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 108 'ayes', none

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voting 'noe' and having received the required Constitutional Majority the Motion passes and the House accepts the Governors specific recommendation for change regarding House Bill 2070. Mr. Clerk. House Bill 2141, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 2141, I would like to Move to Accept the Amendatory Veto of the Governor. The original or the main Bill was to allow counties to have a tax sale on any business day rather than only on a Monday like this current statute. Revenue Committee added some other items to that. It retains the clean up language calling the Senior Citizens tax freeze rather than it is a assessment freeze rather than a Tax Freeze. The Amendatory Veto would be one that would take out the provision that was going to allow a taxing district to abates real property that they could collect that if the business moved out of the district or did not meet the terms of the abatement agreement. There was concern in the business community that they were an Illinois business. They simply have a portion of their jobs in that Enterprise Zone and then just relocate even within the same town, but out of the Enterprise Zone that they would have to pay that back. That would be a bad message to send to business. The other portion that the Governor used as a Amendatory Veto was dealing with the provisions on historical societies accepting property and the Governor wants a provision that it be local governments decide whether or not to accept that."

Speaker Daniels: "Representative Flowers."

Flowers: "Mr. Speaker, inquiry of the Chair, please."

Speaker Daniels: "After the debate. Is this on this Bill?"

Flowers: "No."

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Speaker Daniels: "After the debate."

Flowers: "Thank you."

Speaker Daniels: "Any questions, Representative Scott."

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

Speaker Daniels: "He indicates that he will."

Scott: "The changes in the historical, could you explain that one more time, Representative Moffitt. The changes dealing with the Historical Society, please."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Yes, Representative. The Governor was concerned that, that shouldn't be that the State would set, but it was by statute that property accepted by historic society would become tax exempt. He felt that, that should be local government deciding that. If we don't put that local provision in there, he felt that it was an unfunded mandate forcing local government to declare something tax exempt."

Speaker Daniels: "Representative Scott."

Scott: "Thank you, could we run into a situation now though where we've got local governments deciding that an organization that is exempt federally and exempt from the State, somehow is not a charitable organization. I mean don't you run into the possibility that you are going to have very conflicting results for some of these organizations?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, I think theoretically, what the example you gave is possible, but there is statutory definition of what is charitable and this leaves the final decision in the hands of local government, which I think a lot of us feel that we should give as much control as we can to local government. So, I think the hypothetical example that you gave, could exist, but I would not expect to do... to be a problem."

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Speaker Daniels: "Representative Scott."

Scott: "Well, let me follow up one more time. Say we have got a charitable organization that is recognized both federally and realizing that it is different federally than it is in the state. The definition is different, but say that there is something that meets the state definition of a charitable organization. We are saying to local governments, you have the ability to say no that is not a charitable organization, but if there is already a state law that says there is. We are giving them a power that if they exercise it could wind up with a local government being in court trying to defend a decision that is already contrary to state law. That doesn't seem to make a lot of sense to give that kind of power."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, this is a rather narrow constraints here on what would qualify. That exempts the historical society property from property taxes when the property is exclusively used for charitable and educational purposes and not leased to or otherwise used with the view to profit. So, it is a narrow scope. It's property, it's property that has come under the control of the historical society. So, I mean, I don't think it opens the door up that would be so few cases that like that, you know the question you are raising. Excellent question, but I just don't see it as a problem. It is narrowly defined. It is just locally property, it is property that would be owned locally that is in question."

Speaker Daniels: "Representative Scott."

Scott: "So just for the record, to clarify it then, you see local governments roll as more of one to decide whether the property that's going to be used, is being used for

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charitable purposes as it would make a determination in terms of zoning and other things, more so, than an actual determination that this is, in fact, a charitable organization?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Local government doesn't have to define it. They are simply deciding whether or not to accept it as a tax a property. So they have that decision whether or not to accept it."

Speaker Daniels: "Representative Scott."

Scott: "And the change with regard to the tax assessment freeze. Could you explain that one more time real briefly for me, please?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Certainly, that was often times referred to as a Senior Citizens Tax Freeze and it wasn't taxes that were being frozen, it's assessments, so it's clean-up language, simply calling it by the right title because you can freeze assessments but because rates change, taxes could change, so it certainly would be, it's not a correct description to call that a Senior Citizens' Tax Freeze. Assessment freeze is what it really was and that is what it should be called. So it's clean-up language to call it, give it the correct term.. I know when that was passed, a lot of seniors thought their actual taxes would freeze, and that is not what the legislation did. So we feel this describes it correctly. Might even call it truth in labeling."

Speaker Daniels: "Representative Scott."

Scott: "Thank you I agree with you on that one. Thank you very much for your answers, I appreciate it."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I move the previous

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question."

Speaker Daniels: "Question is, 'Shall the main question be put?' All in favor say 'aye'; all those opposed 'no'. The 'ayes' have it. Gentleman, Representative Moffitt has moved that the House accept the Governor's specific recommendation for change with respect to House Bill 2141, all those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes'; none voting 'no'; having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendation for change regarding House Bill 2141. House Bill 1696, Representative Winkel."

Winkel: "Thank you, Mr. Speaker, I rise to move for the acceptance of the specified changes in House Bill 1696, on collegiate plates."

Speaker Daniels: "Is there any discussion? Being no discussion, the Gentleman moves that the House accept the specific recommendations for change to House Bill 1696. All those signify by voting 'aye'; opposed by voting 'nay'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion there are 112 'ayes'; none voting 'no'. Having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendation for change regarding 1696. Representative Flowers."

Flowers: "Mr. Speaker, inquiry of the Chair, please."

Speaker Daniels: "State your inquiry."

Flowers: "When we left Session, the last day of Session was May

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26th and on the calendar was House Resolution 28. Could you please tell me what is the status of that Resolution? And why is it that it is not on the calendar for today's date?"

Speaker Daniels: "The Resolutions that were on the calendar were all returned to Rules. It's in Rules Committee. Representative Flowers."

Flowers: "Speaker, excuse me, pursuant to what rule, please?"

Speaker Daniels: "Representative Flowers House Resolution 28, was referred to Rules on March 8th, 1995, and it's been in there ever since. If you want to exempt it from Rules then you need to go through the Rules Committee to do that. Representative Flowers."

Flowers: "Speaker, it's House Joint Resolution 28. House Joint Resolution 28."

Speaker Daniels: "I thought you said 'House Resolution 28'. HJR 28. We'll have to get back to you on that, Representative Flowers. Further discussions. Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #2, Senate Bills Third Reading. Senate Bill 15. Senate Bill #15, a Bill for an Act to amend Workers Compensation Act. Third Reading of this Senate Bill."

Speaker Daniels: "This Bill will be brought back to Second Reading. Mr. Clerk, the Adjournment Resolution."

Clerk McLennand: "Senate Joint Resolution #64, offered by Representative Churchill, resolved by the Senate of the 89th General Assembly of the State of Illinois. The House of Representatives concurring herein. Then when the Senate adjourns, on October 20, 1995, it stands adjourned until Wednesday, November 1, 1995, at 11:00 A.M. Then when the House of Representatives adjourns on October 20, 1995, It stands adjourned until Tuesday, October 31, 1995, at 10:00

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A.M.. When it adjourns on that date, it stands adjourned until Wednesday, November 1, 1995, at 12:00, noon. Adopted by the Senate October 20, 1995. Jim Harry, Secretary of the Senate."

Speaker Daniels: "Representative Churchill moves that House Rule 3-6a be suspended to allow the immediate consideration of the Adjournment Resolution. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Churchill now moves the adoption of Senate Joint Resolution #64. All those in favor signify by saying 'aye', opposed by saying 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion passes. Mr. Clerk, committee announcements."

Clerk McLennand: "Committee announcements. Commerce, Industry and Labor Committee will meet at 2:00 P.M., in room 114. The Elections in State Government Committee will meet at 2:00 P.M., in room 118."

Speaker Daniels: "Representative Churchill now moves that the House stand adjourned until November 1, at the hour of noon. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Allowing time for the Clerk. The House now stands adjourned until Wednesday, November 1, 1995, at the hour of 12:00 noon, with Perfunctory Session on Tuesday, October 31, 1995. There may be committees in October 31, 1995, so make your plans accordingly. House stands adjourned."

Clerk McLennand: "The House Perfunctory Session will be in order. Introduction of Resolutions. House Resolution #56, offered by Representative Hartke. House Joint Resolution #48, offered by Representative Gash. Introduction of First Reading of House Bills. House Bill #2535, offered by Representative Skinner, a Bill for an Act to amend the

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Property Tax Code. House Bill #2536, offered by Representative Brunsvold, a Bill for an Act to amend the Pharmacy Practice Act of 1987. House Bill #2537, offered by Representative McGuire, a Bill for an Act to amend the School Code. Introduction First Reading of these House Bills. These Bills and Resolutions are referred to the Rules Committee. Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in Perfunctory Session on Tuesday, October 31, at 10:00 A.M. The House will reconvene in Perfunctory Session on Tuesday, October 31, at 10:00 A.M."

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