

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
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TRANSCRIPTION DEBATE

73rd Legislative Day

November 01, 1995

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 Pastor David Gibbs of the United Presbyterian Church in Stanford, Illinois. Pastor Gibbs is the guest of Representative Bill Brady. Guests in the Gallery may wish to rise for the invocation."

Pastor Gibbs: "Let us pray. Dear God, I ask that You would bless this Body gathered here today. Put Your great and strong arms of love and justice around them, to help them do Your work. Give them wisdom and give them a spirit of energy to do Your work in good and due order. We also, today, remember those young people whose lives were lost in the Fox River Grove incident. Be with them and their families. Be with everyone here that is gathered from busy and hectic schedules, even troubled family life. Help them to focus on their work. Be with them in Jesus' name. Amen."

Speaker Daniels: "Thank you, Pastor Gibbs. We will be led in the Pledge of Allegiance by Representative Verna Clayton."

Clayton: " - 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. In the Speaker's Gallery, if I may have your attention. Members of the House. Members of the House, if I may have your attention. In the Speaker's Gallery are the Aroma Park Lions Little League 1995, State Champions, from Representative Phil Novak's district. Congratulations on your State Championship title, and welcome to Springfield. Representative Currie is recognized to report any excused absences on the Democratic side of the aisle."

Currie: "Thank you, Speaker. Actually I have two very happy

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announcements today. One is that Representative Martinez is not excused. Representative Martinez is with us and I know you will all welcome him back. The second piece of news is about an absence and I hope the record will reflect that Representative Schoenberg is not here today, but the reason he is not here today, is indeed a very happy one. He and his wife, Lynne Sered, have a new baby in their family. A little girl, Michal, born October 30th, 5lbs.. 4ozs.. So I know you'll all welcome the new Schoenberg child."

Speaker Daniels: "Representative Martinez, welcome back. Representative Cross is recognized for any excused absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. I'm pleased to report that we're all here on the Republican side. Thank you."

Speaker Daniels: "With leave of the House the journal will so indicate Representative Currie's remarks and Representative Cross'. Mr. Clerk, take the Record. There are 117 Members answering the Roll and a quorum is present. Committee Reports."

Clerk McLennand: "Committee Report from Representative Tom Johnson, Chairman on Committee on Judiciary for Criminal Law, to which the following Bill was referred, action taken on November 1, 1995. Reported the same back with the following recommendation. Do pass as amended, House Bill 2517."

Speaker Daniels: "Supplemental Calendar announcement."

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

Speaker Daniels: "House Bill 1002, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 1002 was a Bill that registered ticket brokers in the

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State of Illinois. This Bill passed the House by a vote of 102 to 8, passed the Senate 55 to 1 to 0. The Governor's office and the Governor offered some agreed language. We worked with them on this language. We had some concerns that the Bill, as it was presented, excluded out-of-state ticket brokers from operating in the State of Illinois. We worked on the language and inserted it and that's what resulted in the Amendatory Veto. I would move to accept the Governor's Amendatory Veto and ask for an 'aye' vote. Thank you"

Speaker Daniels: "Representative Lang."

Lang: "Parliamentary Inquiry, Mr. Speaker."

Speaker Daniels: "60 votes. State your inquiry."

Lang: "Thank you, Mr. Speaker. The question is, how many votes will this Amendatory Veto take to pass?"

Speaker Daniels: "60."

Lang: "I refer the Speaker and the Parliamentarian to an Illinois Supreme Court case called Mulligan vs Joliet Regional Port District, 123, Ill. 2nd, 303. On page 317 of that case, it says 'we hold that a Bill that is subject ..the subject of an Amendatory Veto under Article 4, section 9e the Illinois Constitution is not passed for purposes of determining its effective date until the final vote, approving the Governor's recommended changes as taken to the General Assembly.' Since this Bill has an immediate effective date, and since Bills at this time of the year that have an immediate effective date require 71 votes, so should this Bill and all Amendatory Veto Motions to accept where there is an immediate effective date, and I would ask the Chair to so rule."

Speaker Daniels: "Under Article 4, Section 90, of the Constitution, specific recommendations may be accepted by a

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Majority vote. In the opinion of the Chair, the Motion before us requires 60 votes for passage. Representative Lang."

Lang: "I would move to overrule the Chair."

Speaker Daniels: "The gentleman moves to overrule the Chair. The question is shall the Chair be overruled or sustained? Shall the Chair be sustained? All those in favor of sustaining the Chair, signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 71 'ayes'; 38 'noes', and the gentleman's Motion to overrule the Chair fails. Representative Saviano, further discussion. Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker, Members of the House. I would just ask for an 'aye' vote here. This is a good Bill. It had some technical cleanup work in the Governor's office and I thank you for your approval on this matter."

Speaker Daniels: "The question is, shall the House accept the Governor's specific recommendations for change with respect to House Bill 1002. 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? Take the record, Mr. Clerk. On this question there are 115 'ayes'; an extraordinary Majority. This Motion having received the necessary Constitutional Majority, an extraordinary Majority, the Motion passes and the House accepts the Governor's specific recommendation for change regarding House Bill 1002. House Bill 1106, Representative Winkel."

Winkel: "Thank you, Mr. Speaker. I move to accept the Governor's specific recommended change to House Bill 1106. Any

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discussion? Representative Lang."

Lang: "I assume if I make the same parliamentary inquiry I will get the same answer, Mr. Speaker. Is that correct?"

Speaker Daniels: "Yes, Sir. That is correct."

Lang: "Then may I ask the sponsor a question? Will the sponsor yield?"

Speaker Daniels:: "He indicates he will."

Lang: "Chief, where are you? Hi, Chief. Chief, let me ask you this. The Governor made a change in this Bill that you did not accept previously, and that you now accept and as I understand it, that change would allow the University of Illinois trustees to make this decision. Is that correct?"

Speaker Daniels: "Representative Winkel."

Winkel: "The Bill as we originally passed it out of this chamber, would have been mandatory in nature and I much prefer that. The Governor changed one word from shall to may and by that change, the language now reflects the current state of the law. And for that reason, at least we have something on the books that affords some tangible, at least written, protection to the Chief and that's why now I support this Motion to accept."

Speaker Daniels: "Representative Lang."

Lang: "Well, so in other words, I was correct. The Governor now said that 'your Bill's okay. but we should allow the University of Illinois' trustees to make that decision, one way or the other.' Is that right, Sir?"

Speaker Daniels: "Representative Winkel."

Winkel: "Representative, certainly this sends a strong message to any future board of trustees, to the present board of trustees at the University of Illinois. That it is the legislative intent of this chamber that we put some statutory measure on the books, that offers some protection

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for the chief and that we retain Chief Illiniwek as the honored symbol at the University of Illinois at Urbana, Champagne."

Speaker Daniels: "Representative Lang."

Lang: "Well I think there are many who would dispute what your conclusion just was, but it's clear that the Governor said that the University trustees should have the decision making power here. isn't that the law today? Don't the University of Illinois trustees today have the right to make this decision?"

Speaker Daniels: "Representative Winkel."

Winkel: Representative, if you want to debate that issue, take that back to your district and debate it. I can tell you that in my district the people overwhelmingly want the board of trustees to retain Chief Illiniwek as the honored symbol at the University of Illinois."

Speaker Daniels: "Representative Lang." Lang: "Well I see nothing has changed since the Spring Session. You folks don't want to answer questions, so instead of asking you questions, to the Bill, to the Motion, Mr. Speaker."

Speaker Daniels: "To the Motion."

Lang: "The Governor of this state, rightfully, and I agree with my Governor when he is correct, which is rare, but in this case he was correct. the Governor of this state rightly said this a responsibility of the University of Illinois trustees, but all this Bill does is reiterate what the law says today, Ladies and Gentlemen. The law today without this Amendatory Veto, without House Bill 1106, gives the University of Illinois trustees the right to make this decision. So now Representative Winkel, the Chief, has a Bill to do what the law already allows us to do. In addition, the Republican side of the aisle, Representative

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Rutherford, I think, is working on something called 'Common Sense Day'. Let's not put legislation on the book that is a waste of time, that is worthless, that has no meaning, that is duplicative. What is this if it is not duplicative? What is the purpose of this legislation? Once the Governor took the guts out of it, all he did was change the Bill to one that reiterates the current state of affairs. This Bill doesn't change the law. We could pass this Bill and nothing will have changed. So I would then expect Representative Rutherford and others who are so keen on 'Common Sense Day' on the Republican side of the aisle, to be voting 'no'. What's the purpose of adding a Bill to the statute books of the State of Illinois that doesn't do anything? Chief, you had an opportunity to do something. You couldn't get it done. And now, so you won't go back to your district empty handed, you want to go back to your district with a piece of legislation that does nothing. And the current law does exactly what this legislation does. So come on all you folks that interested in 'Common Sense Day', all you folks that interested in taking garbage out of the statute books. Don't add garbage to the statute books. Don't add this. Tell the Chief to go back to his district and work with those constituents that he thinks so much support this issue, to go talk to the U. of I. trustees. Let them do their job. Let's not put statutes on the books that are worthless or a waste of paper."

Speaker Daniels: "Representative Curry."

Currie: "Thank you, Speaker and Members of the House, I rise in opposition to Representative Winkel's Motion. I opposed him when he offered the override Motion, for I think the Governor was right. This is a decision that should not be made by us, but should be made by the trustees of the

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University of Illinois, working in conjunction with students, faculty and alumni. But there is something about the Governor's Amendatory Veto with which I do not agree. And that is his view, he says, 'contrary to the views of some, Chief Illiniwek is an appropriate, respected and respectful symbol for the University of Illinois'. Judging from the tenor of the debate on this Bill when it first came before us, on the override Motion that we discussed ten days ago, I would urge, Speaker and Members of this House, that it is not clear that everyone in this community, that everyone in this state, believes that the Chief indeed is an appropriate and respected symbol. Without adoption of the Amendatory Veto, The Chief will continue to be as long as the University of Illinois trustees permit it, will continue to be such a symbol. but there is no excuse for the people in this chamber to go on record, taking a position, on the underlying issue whether or not that symbol makes sense. We could as easily be looking at legislation that lists the entirety of symbols that may be appropriate for the University of Illinois trustees to declaim. We haven't done that there is no excuse for doing this. Without passage of this Bill, the Chief will be as long as the trustees permit it. A symbol with which some of us would disagree. Passage of this Bill is only to enshrine what for many is not an appropriate symbol and it does so without making a substantive difference in the question whether that symbol persists. It does so to the tune of substantial taxpayer dollars to pass a law, to put it on the books, that is not going to make a particle of difference. You want to save money, you want to save your taxpayers, you want to recognize diversity of opinion across the population of the State of

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Illinois. The right vote on this Amendatory Veto Motion is a 'no' vote."

Speaker Daniels: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this legislation. But first I must commend Representative Winkel for having the tenacity and perseverance and the guts to ...push forth this idiotic piece of legislation. I think that if we have the the idea or the it's already mandated that the that the University makes the decision according based on administrative rules. Why do we need this legislation? If we are talking about and I reiterate something that Representative Lang mentioned was, was common sense. If we're sent by the people to do common sense kind of things, this piece of legislation, although it might make might make history in your community, Sir, it does not make sense. This piece of legislation, if the universities are currently responsible for determining who is going to be their mascot, what is the purpose of this legislation? Is it for the purpose of good press release? Is it for the purpose of further denigrating the symbol of the Native American. And lastly, Sir, when you talk about respecting and revering ah... a group of people. How in one tone do you talk about respecting and revering a group of people when you're reducing them to a symbol. I submit to you that this piece of legislation is flawed, it's senseless and although it might make history in your community, it does not make sense."

Speaker Daniels: "Representative Winkel to close."

Winkel: "Thank you, Mr. Speaker, I urge a 'yes' vote on the Motion to accept the Governor's recommended changes to House Bill 1106. Thank you."

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Speaker Daniels: "Question is, shall the House accept the Governor's Specific recommendation for change with respect to House Bill 1106? 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? Take the record, Mr. Clerk. Representative Flowers."

Representative Flowers: "Mr. Speaker, I would like the vote to reflect me voting 'no'."

Speaker Daniels: "You need unanimous consent. Does the Lady have unanimous consent of the House to change her vote from an 'aye' to a 'no'? Unanimous consent is granted. Mr. Clerk, change her vote to a 'no'. With unanimous consent of the House. This question, this Motion there are 82 ...We are only going to do it once. Representative Blagojevich."

Blagojevich: "Mr. Speaker, I would seek the same ah...ah... accommodation to be able to change my vote from a 'yes' to a 'no'."

Speaker Daniels: "No. There's an objection. This question, this Motion there are 82 'ayes'; 29 'noes'; 4 voting present. And this Motion having received the required Constitutional Majority, an extraordinary majority, the Motion passes and the House accepts the Governor's specific recommendations for change regarding House Bill 1106. Majority Leader, Churchill in the Chair. Representative Churchill in the Chair."

Speaker Churchill: "Amendatory Veto Motions. House Bill 1202. Representative Wait. Representative Wait. The Chair recognizes the gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker. This is House Bill 1202 that deals with the trucks. Basically ah... what this Bill would allow to slide the rear axles back three feet. This

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was going to apply throughout the whole state, but the Governor felt that it was unfair to require to the local communities without their say so. So under the present law the local officials would still have to designate the routes and decide if they wanted to have ah.. ah.. on the local roads. This basically guarantees local control. With the Amendatory Veto currently, now IDOT is in support of it. Municipal League, DuPage Mayors, managers, county engineers, and the township officials. I would simply appreciate a favorable vote on this Mandatory Veto."

Speaker Churchill: "The Chair recognizes the gentleman from Effingham, Representative Hartke."

Hartke: " Thank you very much, Mr. Speaker, Members of the House. When this piece of legislation originally came up, I supported this piece of legislation, because it was to fix a problem that we have in the rural area, dealing with the transportation of many products from the country to the market place. It would have extended some axle lengths and so forth. This Amendatory Veto takes out that provision. It takes out that provision and makes things illegal for those individuals. They have been doing it in the past. It doesn't make any sense to not make them legal because it has been happening. The only thing that it is going to do is opening them up, subject to fines and so forth on our local roads. There is a fear out there that this will be abused and many of our local roads will be taken up and I can appreciate the township officials' position on that Bill. I would have liked to personally have completely overrode the Governor's Veto but being we have no action right now to do that and it will probably not be called for that vote since this is called first. I guess we have to accept half a loaf and so I would say 'well, let's look at

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it next year, look for legislation to come to try to finish what the Governor took out of this good piece of legislation'. So I stand in support of the Amendatory

Speaker Churchill: "The Chair recognizes the Lady from DuPage, Representative Pankau"

Pankau: "Thank you, Mr.. Speaker. When this Bill came to the floor, to my knowledge, the only known opposition to it was from DuPage Mayors and managers. They have been in contact with all of us and now favor the Amendatory Veto. So I rise to also ask you to accept the Amendatory Veto on this Bill. Thank you."

Speaker Churchill: "There being no further...I'm sorry. The gentleman from

Bureau, Representative Mautino." Mautino: "Thank you. Question of the Sponsor."

Speaker Churchill: "Please proceed."

Mautino: "Representative Wait, what will be the effect in the rural areas. Some of our downstate truckers, I understand that the Amendatory Veto will make them, make their operation illegal for example if they were going out to haul corn. These changes in the Amendatory Veto itself will cause them to be out of compliance?"

Speaker Churchill: "Representative Wait."

Wait: "What this does is basically revert to what the current law is. If they are legal now, they'll be legal. If they're illegal currently, they'll still be illegal. But it still would allow the local communities, the local uh...roadship uh...township road commissioners if they want to designate those uh...for different levels semis, they would still be allowed to do that. But it leaves it in local control."

Speaker Churchill: "Representative Mautino."

Mautino: "Yes, Mr. Speaker, could uh...with the volume of noise

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in here, I could not hear the answer. I'll go on to...I don't believe I had an answer to that question. The original Bill, itself, fixed this problem we had where the guys had been operating out of compliance and our downstate farmers who would be hauling grain would then be in compliance. The Governor's Amendatory Veto has basically turned that back and puts them out of compliance. So they would be operating illegal and then you're leaving it to the road commissioners to enforce it. Is that kind of what we're looking at here?"

Speaker Churchill: "Representative Wait."

Wait: "Yes, this would put it back in local hands, just the way that it is now. If the local road commissioner feels that they should have...the roads can hold uh...uh... longer trucks where they slide the wheel base back. They would still be allowed to do this. It does not change that one iota."

Speaker Churchill: "Representative Mautino."

Mautino: "So, then instead of fixing the problem, we're going to have our farmers basically running illegal. I think that was part of the intention under the current law. As far...does this make Walmart's fleet illegal that's running? Would they, would they be out of compliance as well?"

Speaker Churchill: "Representative Wait."|Wait: "Well, currently if they are legal, they would be legal. This does expand it though on a Class 1 and Class 2 roads and within a mile of those roads. So it does expand it.:

Speaker Churchill: "Representative Mautino."

Mautino: "Who is in uh...Who did oppose this Bill? Who was in opposition to the original Bill?"

Speaker Churchill: "Representative Wait."

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Wait: "To the original Bill, basically, it was the municipalities, the DuPage mayors uh...were basically the ones opposed to it because they felt some of these intersections were not large enough for these large semis to get around and uh... but now also I'll say the township officials were against it and so were the municipal leagues. But now with this Amendatory Veto, all those people now are in favor of it. Like I say, the municipal league, the DuPage mayors and county engineers and township officials now are in favor of it with the Amendatory Veto."

Speaker Churchill: "Representative Mautino."

Mautino: "Are the midwest truckers happy with this Bill? Are they in favor and support of it?"

Speaker Churchill: "Representative Wait."

Wait: "Uh... basically the Illinois Transportation Association is neutral and the midwest truckers would rather have the original legislation but are somewhat satisfied with overall progress, and hopefully we can come back next year and address some specific problems that the midwest truckers have that would address it maybe just for downstate, where we wouldn't have the problems or the opposition from the DuPage mayors."

Speaker Churchill: "Representative Mautino."

Mautino: "So then the DuPage county mayors and everyone will be happy with this but then the farmers downstate Illinois will still be out of compliance. Why don't we just vote for the override on this Bill instead of having to come back and fix it?"

Speaker Churchill: "Representative Wait."

Wait: "Well, the farm Bill, for example, they... and we know they're pro-active but they did not take a position on this Bill. I know there have been some other Bills out there to

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maybe address this specific problem but right now we think that this is meaningful step forward and that's why I'm moving for acceptance on this Bill."

Speaker Churchill: "Representative Mautino."

Mautino: "I didn't uh...wasn't able to hear the complete answer there. I do have some concerns I think that maybe the Farm Bureau. I hadn't heard from them on it. Some of their members may be affected and I think we may want to take a little time and look at this Bill before accepting something that going to put our people out of compliance. Thank you." Speaker Churchill: "There be no further discussion, the Chair recognizes Representative Wait to close."

Wait: "Yes, as lead Sponsor on 1202, I'd simply recommend that we accept the Governor's Amendatory Veto and I'd certainly appreciate your vote. This goes a long way in curing a lot of problems that we have with the truckers. It's a compromise position and I'd simply ask for your favorable vote. Thank you."

Speaker Churchill: "The question is, shall the House accept the Governor's specific recommendations for change with respect to House Bill 1202? All those in favor, signify by voting 'aye'; all those opposed signify by voting 'naye'. The voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 106 voting 'aye'; 9 voting 'no'; and 1 voting 'present'. This Bill having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendations for change regarding House Bill 1202. House Bill 1221. The Chair recognizes the gentleman from Lake, Representative Salvi."

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Salvi: "Thank you, Mr. Speaker. This is House Bill 1221, it is a very simple Bill. You may recall, it prohibits discrimination in the process of adoption. It says that will not look at your race or the race of the child in the process of adoption. We will not discriminate against the child nor will we discriminate against the parent in adoption. There are thousands of wonderful children stuck in the system, in the DCFS system with no place to go. And there are thousands of loving, qualified families who are willing to adopt these children. Unfortunately, because of racism, because of discrimination based on the color of a person's skin. Unfortunately, these adoptions are not allowed, unfortunately, social workers too often say 'no, we're not going to allow you, you qualified family to adopt this child. We'd rather the child rot on the streets because of the color of your skin'. We all I think can agree that that's wrong and this Bill simply says 'we will not allow discrimination in the process of adoption'. Now, the Bill had additional provisions that I think some of those provisions were good. I felt that the additional provisions would have helped in some other areas but the Governor, I think, correctly looked at the Bill and the Governor was told by the federal government that those additional provisions that reformed the Department of Children and Family Services, were in violation of the federal law, called the Multi-ethnic Placement Act. I looked at that and I think the Governor was right. Those additional provisions that did not affect the basic premise of the law, did violate the Multi-ethnic Placement Act, the federal act which says that you can never delay, for any reason, on the basis of race the adoption of a child. And so I have agreed to the Governor's Amendatory Veto and I

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move that we accept that Amendatory Veto and allow the basic, fundamental aspect of the Bill to go forward which is that we cannot discriminate on the basis of race in adoption.'

Speaker Churchill: "Is there any discussion? The Chair recognizes the lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am the Sponsor of Amendment #5 to House Bill 1221, and I fought long, and I fought hard on this issue and for anyone to say today that race doesn't matter, is not true and the fact of the matter is this Bill and what the Governor has done has diluted the purpose of this Bill. This summer, I was summoned by the Governor's office to come and work out a workable plan to address the issues, to address the changes. I've never had the pleasure of sitting down talking with the Governor to direct...about this issue specifically. I spoke with his staff people. They gave me the challenge, they said, 'you go back to HHS, work out the differences and we will support this legislation'. Well, guess what, Ladies and Gentlemen of the House, I did just that. I have a letter here dated August 1, and it's to the Governor of Illinois and it says State Representative, Mary Flowers, has sent us the attached letter providing language that she proposed, substituting for the language in House Bill 1221 that we previously identified as being a violation of the Multi-ethnic Placement Act. We have received the proposed changes and find that this will now comply. I have this here in my hands, Ladies and Gentlemen. What the Governor did to this Bill is a insult to anyones intelligence. I worked very hard. I do know that any child is better off in a loving home as opposed to an institution. DCFS said

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that could not upon the termination of a child within three months, place a child in a loving home. This Bill was...what the Governor has done with this Bill was to make it convenient for DCFS who is going around destroying all kinds of families. Race does matter. This Bill had a recruitment plan. HHS says that we should have a plan of action. It states in their records that they sent to the Governor's office, and I want to read to you that, 'there should be an plan to move the kids out of the system. There should be no child waiting on parent, there should be parents waiting on children. We are confused about what is going on here. I would appreciate your 'present' vote or either your 'no' vote on House Bill 1221, because it was not bargained with in good faith, and I don't back down off of a fight, and I was willing to fight the fight and walk the walk and talk the talk but I was given that opportunity and I resent that. Thank you."

' Speaker Churchill: "Further discussion. The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Since you've taken the Chair, Sir. I'd like to ask you to rule on the requisite number of votes to accept this Amendatory Veto. It is our opinion, based on the Supreme Court case of Mulligan verses the Joliet Regional Port District, the case that Representative Larry Wennlund argued, successfully, and based on Representative Wennlund's legal expertise...I'm sorry, he lost the case, I'm sorry, Larry. Based on Representative Wennlund's petition before the court, we would submit that it would require 71 votes and I would ask you, Mr. Speaker, to so rule."

Speaker Churchill: "The initial question is as to the number of votes required for this Bill, the Motion requires 60 votes

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for passage. Further discussion. The Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr.. Speaker. I echo a lot of the concerns that were raised by Representative Flowers in regards to this Bill. This Bill was the uh...the culmination of a lot of peoples hard work and a lot of people put a lot of time and effort into it. The Governor's Veto Message, although it maintains a lot of the Bill in here, is disingenuous in numerous ways and for that reason I would have to agree with Representative Flowers in being concerned about favoring this. As I mentioned, there were a lot of people who put a lot of time in this. I know Representative Salvi and Representative Flowers spent hours on it. I talked with them at times about this Bill as well and they put a lot of hard work into it. The Governor's Veto Message, though, undercuts a lot of what the Bill stood for, a lot of what was at the heart of this and at the heart of this was to try to get children adopted quicker. To try to make sure that we are moving children out. The Governor, in his message, makes some reference to this creating further adoption barriers. I ask you, what bigger barrier do we have than that disaster called DCFS. That's the biggest barrier. We all know that and have we done anything to try to change that? Anything to try to reform that? No, as a matter of fact, now we are going after relatives and we're trying to do everything we can to discourage them from getting involved with the situation. So it's, it's a bit curious to see the Governor talking about barriers to adoption. His agency, his department is the biggest barrier we have. The second part of it that what I find rather amusing, is his reference to the Multi-ethnic Placement Act and a risk of losing foster care money as a

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result of it. For starters, Representative Flowers mentioned, she got a letter saying that is not the case, that is just not true, that's not right. Secondly, if I recall correctly...I seem to recall our Governor taking trips down to Washington and telling people over and over again how we've got to give more power to the states and stop with all the red tape and these requirements of the federal government. And so he's down there pushing for block grants. Well, guess what? He's getting his wish and he's going to be able to have all this money to do what we do best around here which is to lose it or misspend it. And the Multi-ethnic Placement Act we don't risk any loss of money there and more importantly for those who have been following what's been going on at the federal level, they're block granting that all now. So we can't lose it under that. So that also is an impossibility. So his message is disingenious and has in it different things that simply are not true. As Representative Flowers mentioned, this is something that touches a lot of people's hearts and means a lot to a lot of people. But unfortunately what this represents is a step backwards and for that, I, too, will be voting 'present'."

Speaker Churchill: "Further discussion. The Gentleman from Effingham, Representative Hartke."

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

Speaker Churchill: "He indicates that he will, please proceed."

Hartke: "Representative Salvi, I admire you for what you are trying to do. Al, I have a question to ask you. Representative Flowers indicated that during the process, after the Bill was passed and there was some concern whether the Governor was going to sign the Bill,

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Representative Flowers went to length to try to find a solution to proceed problem. Were you aware of that action that she was taking with the Governor?"

Speaker Churchill: "Representative Salvi."

Salvi: "Yes, yes, I was. I was aware of it and I was a part of it."

Speaker Churchill: "Representative Hartke."

Hartke: "Do you feel in your heart that, that her position, and so forth, could have also solved the problem and still made this a very viable and effective Bill?"

Speaker Churchill: "Representative Salvi."

Salvi: "It didn't matter to me to the extent that the thing that was important to me was the heart of the Bill which is still there. The difference is expressed very eloquently by Mary Flowers to the Governor regarded an Amendment that I did not have a problem with. The Governor, however, pointed to the fact that it violated Multi-ethnic Placement Act, which is Carol Moseley's, Carol Moseley Braun's Bill. And I was hoping that they would be able to resolve their differences. I know that they were going back and forth. And I know that ultimately the Governor's office felt that they were not able to accommodate Mary Flowers, that her suggested language was not acceptable to the federal government. Until she came up with language that would have altered the Amendment, that would have substantively changed the Bill, that the Amendment that she originally attached to the Bill. And so, based on that, it's my understanding that the Governor felt that it was best to simply Amendatorally Veto the Bill. It did not affect the heart of the Bill which as you know I have been working very hard on. And, therefore, I just am willing to accept the Governor's Amendatory Veto."

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Speaker Churchill: "Representative Hartke."

Hartke: "Well, I'm sure uh...you're a student of this process here and if the Governor had Amendatorally Vetoed the Bill by adding language that would have possibly changed the intent and the substance of the Bill, it would have been a constitutional question of separation of the, of the offices here of the Governor and the General Assembly. However, I would hope that at some point in time that you and Mary will be able to get together on a new piece of legislation next year. Uh...I just wish there was a way that it could be worked out now. To you and I six months or a year are very important because of timing. The timing you agree is very important, not only in politics but also when young children's lives and adoption is much better than being hung out with, you know, in limbo, so to speak. So I would ask and hope and pray that you and Mary would get together next year, jointly offer Mary's solution to the problem so that we can solve this. You and I are both interested in what happens with DCFS and the kids and so I think it's important that we look at it from that perspective. I don't want to vote 'no' on this at all, I don't want to vote 'present'. I want to see this go, for the kids, but I think it could have been better. I think we ought to resolve ourselves to that position."

Speaker Churchill: "Further discussion. The Lady from Cook, Congressman Davis."

Davis: "Well we'll take that any time and thank you very much. Will the Sponsor yield for a few questions?"

Speaker Churchill: "He indicates he will, please proceed."

Davis: "Representative, I understand that the Governor's Amendment eliminates the language that limits the efforts to find people of similar faith similar ethnicity. Exactly

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how does the Governor's Amendment address that? Is he saying there is no time limit or one does not have to seek those kind to adopt the people, Representative?"

Speaker Churchill: "Representative Salvi."

Salvi: "The Bill still says, as I understand it, that even with the Governor's Amendatory Veto, the Bill still says that the department shall make special efforts for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children for whom foster and adoptive homes are needed. Special efforts shall include contacting and working with community organizations, religious organizations that may include contracting with these organizations, utilizing local media and other local resources in conducting outreach activities. So Representative the Bill still calls for making special efforts to find families of the same race for the children."

Speaker Churchill: "Representative Davis."

Davis: "But if they want to do it for one day, in other words, if they say well we're going to put out some feelers for today and they're not successful, they don't have to continue to seek people of similar ethnicity. Is that correct? The following week they could just send that child off to ah.. totally new culture and a totally new environment. Representative, what about the section that requires...okay what about the section that requires the department to recruit minority staff so that the department will have people who represent the children that we're talking about or who understand the special needs or problems that certain children have."

Speaker Churchill: "Representative Salvi."

Salvi: "I'll answer your first question, first. The Bill with

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Mary Flowers' Amendment on it originally did provide, not only for special efforts generally to recruit African-American families but also to specifically look for African-American families for African American children. However, the Multi-ethnic Placement Act, sponsored by Senator Carol Moseley-Braun, prohibits specifically finding same race families for children and so the Governor had to veto that because it would have violated the Multi-ethnic Placement Act, sponsored by Senator Carol Moseley-Braun. There cannot be any delay for finding a specifically same race family for a child. That is the federal law. That's the part the Governor crossed out and I think that he was correct in doing that. Now with regards to the second thing you asked for, Representative, I don't believe that ...that there ever was a provision with regards to finding minority staff or having a specific amount of minorities in the staff. I believe that was discussed but I did not ever agree to having that in this Bill."

Speaker Churchill: "Representative Davies."

Davies: "It was a part of that, but to the Bill, Representative, I would merely state that it's strange that we want to abide by the federal law that Carol Braun has passed but we don't want to abide by the voter rights...voter rights..the Voter Registration Law. That's also federal law. We going to choose which federal laws we're going to support here? Now the Voter Registration Law is also a federal law so if we're going to abide by a federal law of this legislation, let's abide by a federal law on the Voters' Rights and the Voter Registration legislation and we saw with the O. J. Simpson trial that we view things very frequently, differently. African-American children should not be with people who are really opposed to their way of life or their

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culture. It will be psychologically damaging to African-American children to be with people who really don't respect, love or care about them. These are children. These are not puppies, these are not cats or kittens, these are human beings. And they grow up, and they grow up and they have a particular way of looking at things, a culture, a religion, and to snatch them away from that would be

Speaker Churchill: "Further discussion. The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. There was one issue in this original Bill that I brought up that was overlooked when the Bill was passed out and I was told would be addressed. And it's my understanding that part of the Amendatory Veto would address that problem. The main problem was that the time period when it started the clock ticking to look for a similar race or ethnic background child was when the parents' rights were terminated, not when the child is originally placed. A child may be in placement for any number of years. In my district, I had one family that had sisters for seven years before the parents' rights were terminated. That is not the appropriate time to start looking for a child of similar background, religion, ethnic, race, whatever because by that time the child is probably already bonded with the family. So to start that process all over again, opens a whole new can of worms. What you want to do is look for a similar family at the time the child is placed in the foster care, not later on because that family may be their permanent family. And this was pointed out both in debate to DCFS and to the Governor's office. I thought that that would be a part of the Amendatory Veto which is my understanding that it does

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address that provision of the Bill which I thought was very unfair to a child and would possibly create multiple 'Baby Richard' situations. So I think that is a very important factor. To go back to the original Bill would put that back in and would eliminate the fact that the child is probably been in that foster home for a long time. So I think that the proper time to look for that is at the placement in foster care, not somewhere down the line because it takes us too long to terminate parents' rights in some issues."

Speaker Churchill: "Further discussion. The Gentleman from Cook, Representative Lang."

Lang: "Thank you. Mr. Speaker, the Body is even more chaotic than usual. Could we get some order before I proceed?"

Speaker Churchill: "Ladies and Gentlemen, please pay attention to Representative Lang."

Lang: "And now I have a Parliamentary Inquiry if I could be so kind, Mr. Speaker."

Speaker Churchill: "You mean I gotta be quiet so you could do that?"

Lang: "Oh, absolutely. I think the Body should hear the Parliamentary Inquiry."

Speaker Churchill: "And what is your inquiry, Sir?"

Lang: "Well I was listening to your discussion with Mr. Granberg regarding his question as to how many votes this Bill would take to ah...how many votes this Motion would take to accept. And I heard you as the prior Speaker in the Chair indicate that it would take sixty, but I didn't hear any ruling as to why it would take sixty and I would like to inquire it from the Parliamentarian when he's done chewing as to why this only takes sixty when there are two Supreme Court cases on point which I could read to you in total if

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I needed to but....Um...and why when one of those case was lost by a member of your side of the aisle who knows very well what the ruling in those cases were, I would think we're entitled to a ruling as to why the Chair believes this only takes sixty votes."

Speaker Churchill: "The ruling has been made, as you requested. The ruling has been made. Representative Lang."

Lang: "Thank you. Well, I do want to read this into the record then, Mr. Speaker and then you're entitled to make any ruling I suppose that you want. 123 Illinois, Section 303, Mulligan verses Joliet Regional Port District, page 317. 'We hold,' and this is the Supreme Court of the State of Illinois, Sir. It's not you, it's not me, it's not even Mr. Wennlund who lost this case, it's the Supreme Court of the State of Illinois who interpret the constitution that you are uphold to...uh.. sworn to uphold. 'We hold that a Bill that is subject of an Amendatory Veto under Article 4, section 9e, of the Illinois Constitution of 1970, is not passed for purposes of determining its effective date until the final vote approving the Governor's recommended changes as taken in the General Assembly'. In addition, People ex rel. Klingler v. Howlett, 50 Ill., Section 242 in 1972 case. It states very clearly uh... they're interpreting another case called Morgan, Board of Education verses Morgan which is a 1925 case. And that defines the time that a Bill is passed as the time of the last legislative act necessary so that the Bill would become law. That would be today. If these Bills requiring, if these Bills require or would allow for an immediate effective date, Sir, the immediate effective date at this time of the year cannot occur without 71 votes. If today is the day that the last legislative act is taking place, pursuant to these

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Supreme Court cases, then ,Sir, if you would deny this Parliamentary Inquiry and if you would certify that this only needs sixty votes, you would be in violation of these two Supreme Court cases. These two Supreme Court cases would indicate that passing this Motion with sixty votes is in violation of the Constitution of the State of Illinois. And if you, Sir, as the ...as the Speaker at the moment would choose to rule in that way, you would be violating the Constitution. I don't think you want to do that. We took an oath at the beginning of this term to uphold the Constitution and I think you have a duty and a responsibility, Sir, to uphold that Constitution. And I would ask you to reconsult the Parliamentarian to rethink your position on this."

Speaker Churchill: "Thank you, Representative Lang. We certainly want to be within the confines of the Constitution under Article 4, section 9e of the Constitution. Specific recommendations may be accepted by a majority vote. In the opinion of the Chair, this Motion before us requires 60 votes for passage and practical reality in the event that the decision were to be overturned, the real question is when does the Bill take effect and we believe that 60 votes is all that is required for it to take immediate effect. Representative Lang."

Lang: "I would move to overrule the Chair."

Speaker Churchill: "Ladies and Gentlemen, the Question is, Shall the Chair be sustained? All those in favor will vote 'aye'; and the opposed will vote 'naye'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the Record. On this question there are 65 voting 'aye'; 49 voting 'no'; and 1 voting 'present', and the Chair is sustained. Is

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there further discussion? The Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "He indicates he will. Please proceed."

Schakowsky: "Um...I don't know if this was asked but this is a part that really concerns me and I'd appreciate your clarification. I understand that the Governor's change would eliminate the provision that requires notice to specify persons who are caring for the minor after the termination of parental rights. It seems to me to be a non-controversial point that the people who are caring for a child and the way the Bill originally, the language was, notice shall be given 'to any adult to whom the minor is currently residing. Any adult with whom the minor has resided for one year or longer in the past, and any adults who have maintained a relationship or exercised visitation with the minor as identified in the agency case plan'. So it spells out very clearly who should be notified about the availability of this child and certainly it would give really the first crack to people who have demonstrated concern. Why would we want to eliminate such a common sense element from this legislation?"

Speaker Churchill: "Representative Salvi."

Salvi: "Representative, I supported that provision. I was the Spon...I am the Sponsor of this Bill. I support the goals of the provision that you just read. But I've been told by the Governor's office and by lawyers who do... who have analyzed this Bill. That, that language as well was violative of federal law. Now, if we could pass this Bill with the original language plus all of the other reform that you discussed and Representative Flowers discussed, that would be great. But whether or not there are punitive

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measures in the federal law whether or not the federal government can come down on us and take some money away, doesn't matter to me. The fact of the matter is, there is a federal law that we would be violating if we went forward with that language and so I, therefore, am willing to accept the Governor's Amendatory Veto."

Speaker Churchill: "Representative Schakowsky.

Schakowsky: "You keep reiterating the fact or the supposed or..or the allegation that this would violate somehow the Metzenbaum Moseley-Braun Act. I know it was already called to your attention but why do we continue to disregard a letter from the U.S... Department of Health and Human Services that says that 'we have reviewed the proposed language and find that it would comply with NEPA'. If we think we can be in compliance, why don't we go for it?"

Speaker Churchill: "Representative Salvi."

Salvi: "Again, that language that they were looking at, was not the language in this Bill. The language in this Bill would clearly have violated the federal law. The Department of Health and Human Services said so, there was no hesitation or question about that. The language that they are referring to in that letter, Representative, has to do with language that Representative Flowers, in good faith, drafted during the Summer after the Bill had passed. That was not the language that the Governor was dealing with. The Governor's office, as I understand it, felt that that new language that Representative Flowers suggested, while it wouldn't have violated federal law, would have substantively changed the whole purpose of this Bill. It would have made it a completely different Bill. And I agree with that. The issue is not whether or not Representative Flowers can come up with language that

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wouldn't violate the Health and Human Services uh...or the Multi-ethnic Placement Act. I'm sure she can, and she did. The issue we were presented with was whether or not this particular Bill and the purposes of that provision in this particular Bill violated Carol Moseley-Braun's Act. It does and there is nothing that we could have done to adjust it, to change that fact and so the Governor crossed that one section out that puts a time limit on finding uh...same race families. I think that was a reasonable decision, a prudent decision by the Governor. I support that decision."

Speaker Churchill: "Representative Shakowsky."

#Schakowsky: "I just think it's interesting that side of the aisle is now concerned with what the feds are do...."

Speaker Churchill: "If there be no further discussion, Representative Salvi to close."

Salvi: "Thank you, Mr. Speaker. The issue today is no different than the issue that was presented before this Body when the Bill came originally, and that is, should there be discrimination, should we sanction discrimination on the basis of race in the process of adoption? The answer to that question is, no. I would have liked to have had additional reform in this Bill as drafted by Uh...Representative Flowers, however, that provision violated federal law. The Governor very prudently crossed that out. I support that decision. The Bill now as Amendatorally Vetoed, simply says, that we will not accept discriminating against people based upon the color of their skin or their race. I urge you to accept the Governor's Amendatory Veto on House Bill 1221. Thank you."

Speaker Churchill: "The question is, shall House accept the Governor's specific recommendations for change with respect

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to House Bill 1221. All those in favor, signify by voting 'aye'; all those opposed, signify 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? Mr. Clerk, take the Record. On this Motion there are 64 voting 'aye'; 11 voting 'no'; and 40 voting 'present'. And on this Bill, having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendations for change regarding House Bill 1221. Ladies and Gentlemen, today we welcome a delegation from the National Association of Chairmen of Prefectural Assemblies of Japan. The purpose of their visit is to acquire information about state emergency preparedness as it relates to flood disasters. Members of this delegation are participating in a program sponsored by the National Conference of State Legislatures. They will be touring several states to learn how they respond to natural disasters. Welcome to the House of Representatives. And also today, November 1, is ROTC Appreciation Day. In the Speaker's Gallery, we have the faculty advisors and cadet commanders from Illinois colleges and universities. Please welcome them. The next Bill will be House Bill 1267. The Chair recognizes the gentleman from Adams, Representative Tenhouse."

Tenhouse: "Mr. Speaker, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1267, has passed the House of Representatives provides for the state board of education to establish a school to work teaching and training institute to assist educators for preparing students for a school to work. And uh...the Governor's Amendatory Veto specifically eliminates the state board of education's role in administering the school to work institute and also the

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board that had been set up under the Bill has been changed and the jurisdiction will now come under the Illinois Human Resource Investment...Investment Council which will oversee the institute with the Governor's Veto. So at this point in time, I would certainly entertain any questions and I would ask the Members of the Body to accept the Governor's recommendations for the Amendatory Veto."

Speaker Churchill: "Representative Tenhouse, you are specifically asking for the second Bill on the Calendar which is a Motion to accept. Is that not correct?"

Tenhouse: "That is correct. We had asked to accept the Governor's recommendations on the Amendatory Veto."

Speaker Churchill: "Thank you, is there any discussion? The Gentleman from Cook, Representative Dart,"

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

Speaker Churchill: "He indicates he will. Will you please proceed."

Dart: "Representative, what was the reason why the Governor made these changes?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "I think the uh...Governor felt that uh...since we already had the Illinois Human Resource Investment Council in place, that would be basically duplication because it would be very similar they felt in terms of the composition of the uh...the makeup of the group. And that's the reason that they thought that rather than establish another their...the Governor's recommendation rather than establish another thirteen member commission that we should accept uh..er..go ahead and let the jurisdiction come under this IHRIC."

Speaker Churchill: "Representative Dart."

Dart: "The uh...today the group that now is going to have this,

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have they agreed to accept this and have the ability to do this?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "The uh...there are several groups that were involved in formulation on this issue but the two lead groups, basically three lead groups. There is a Illinois Manufacturing Association, Illinois Vocational Association, and Illinois Educational Association um...I don't think they're overly, let's just say we're not thrilled simply because with an independent group you would have a chance to deal specifically with this, but I do have a letter here specifically stating that they would accept the Governor's Amendatory Veto and ask that I proceed with that as opposed to the total override."

Speaker Churchill: "Representative Dart."

Dart: "Will they have the ability to take care of this though because in the original form with the independent group, it seems....you said they would have had the independence but they also would have had the time and the ability. By pushing this in with another group, though, are they going to be able to have the ability, physically, to do it, though?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Representative Dart, that is a concern that I had. Frankly, one of the reasons I filed both Motions. Uh...I wanted to make sure that individuals who were somewhat comfortable with the fact that or that we had some comfort level here otherwise I would have pursued a total override. I don't think we're ah...in speaking to the the constituent groups that are involved, I don't think they're thrilled but I think they have been insured by the Governor's office that they will be represented on this council and I think that

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they felt that that gave them enough assurance and as a result, they are willing to accept the Amendatory Veto."

Speaker Churchill: "Representative Dart"

Dart: "And so the result is, are they going to change the composition of then of the board to accommodate these people, though?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Yes, because one of the things under the Illinois Human Resource Investment Council there's a lot of flexibility in terms of there's no specific number set. It just gives percentages and basically says well for instance, let me read it here 'the directors of DECA, Department of Employment Security, Superintendent of the State Board of Education, and the Executive Director of the Illinois Community College Board, must be on the council. These five members may not constitute more than 60% of the total membership. At least 15% but not more than 60% of the members must be representatives of business, industry and agriculture including those representing private industry councils with Illinois, within Illinois. At least 15% but not more than 60% must be representatives of organized labor, nominated by recognized state labor federations. And the council must also include at least one representative of the following: Local public education, post secondary institution, a secondary or post secondary vocational education institution and a community based organizations. And again, representatives from these entities may not make up more than 60% of the members. Permissively the IHRIC may also include additional members selected from the following groups: Local welfare organizations, units of local government, public housing groups, state legislators, state and local programs that

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receive federal resource funds and special education groups'. So there's a lot of flexibility. Um...certainly the competition is going to be a lot broader than we would have seen under the original Bill."

Speaker Churchill: "Representative Dart."

Dart: "The on other thing I was interested in, in your original Bill you had provisions in there for the members of the council. There was requirements as far as qualifications for people that were going to be on this. I don't see any uh....the council that's going to take this over now, is there any assurance what so ever that the qualifications which you had in the original Bill which made eminent sense are going to be carried over into this council so that these people though they do have the lattitude to appoint them they are going to appoint qualified people or is this a commitment you received or how exactly is that going to have handled?"

Speaker Churchill: "Representative Tenhouse"

Tenhouse: "Again, this is a commitment that was received not only to myself but also especially to the Illinois Vocational Association of Illinois Manufacturers and that assurance has been made, I think."

Speaker Churchill: "Representative Dart. Further discussion. The Chair recognizes the Lady from Cook, Representative Davis."

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

Speaker Churchill: "He indicates he will, please proceed."

Davis: "Representative Tenhouse, I'm going to give you a quote from the 1991 State of the State Message from Governor Edgar and the quote is as follows: 'We must insure that there is no doubt that state officials are acting on the behalf of all Illinoisans, not themselves, their friends or

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other special interests'. Now my question is, based on that statement, how do we as legislators react to the Governor making each and every one of the appointments to this council."

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Well, I think when you get to the other, ultimately, even though organizations are going to making recommendations. I think even under the other, we would have seen the Governor ultimately making the presentations as far as the people representing us the committee. I think the other point that needs to be brought out there, too, is if you remember on the House floor the reason this Bill passed unanimously in the Senate, it had some controversy here at the late night if you remember some of the late nights we put in, Representative Davis. Uh...the Minority Leader got up and spoke very eloquently on the fact that this was duplicative and we had another commission that was going to be created. I don't know whether the Governor took this into account, or not, but if you remember in terms of the text of that discussion that we had on the House floor back when it was on Third Reading."

Speaker Churchill: "Representative Davis."

Davis: "Representative Tenhouse, will be the over sight of the commission? Is it...will it be just one person?"

Speaker Churchill: "Representative Tenhouse."

Davis: "Will only the Governor oversee this group?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "The staff informs me that it is an independent group that's an Illinois Human Resource Investment Council."

Speaker Churchill: "Representative Davis."

Davis: "It's an independent group and they will only be

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responsible to the Governor. Is that correct? The Governor will appoint them and they will not have responsibility to report to any other group or any other persons?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "It's our understanding that they will report to the Governor."

Speaker Churchill: "Representative Davis."

Davis: "Representative, isn't that in direct conflict to what we've been talking about when we talk about local control and we talk about waving other mandates and then when we come to such an important group who will monitor such an important activity? We are going to have one person appoint this group, one person./ They will be responsible to only one person. Now the group we're talking about here, they're going to be working, they are going to be an oversight for the Illinois Coalition for Workplace Training. Now as the legislative group that I represent, we would like to make sure that our community takes part in that workplace training. We would like to make sure that those state dollars are used by all Americans in the State of Illinois, and not just a few. Now, Representative Tenhouse, how can you assure us there will be some fairness in the appointments? How can you assure us that all communities in the State of Illinois will be given some opportunity for workplace training?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "I guess, Representative Davis, you make a very persuasive argument there's no doubt about that. But as we look at this issue, I think we also have to understand that we have been assured certainly the same concerns that you raise were at the center of the reason that I filed both

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Motions on one to override as well as one to accept the Amendatory Veto. Only with the assurances that the groups that have really been the lead on this and their willingness to accept the fact that they're comfortable with the Governor's comments and the Governor's staff's recommendations, that's the reason we are pursuing this as an Amendatory Veto."

Speaker Churchill: "Representative."

Davis: "I appreciate your indulgence in answering these questions and I know it does bring sweat to your brow. Because what we are about, is not about one man rule and one man leadership, even though that's what this Bill does, we may offer our support."

Speaker Churchill: "Further discussion. The Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "He indicates he will, please proceed."

Lang: "Representative, I have some great concerns about what the Governor has done here and I'm frankly surprised that you don't. He seems to have stripped all of the local involvement out of this Bill and turned it into another area where the Governor can appoint people at his whim to do his will. Now you have been one for local control. You voted against mandates. You voted to take away mandates from schools. You voted for a number of things to provide for local control, so I kind of like an explanation as to why you think it's a good idea to take away local control or local involvement from this group and give it to the Governor."

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Again, a very compelling argument. But again when you turn around and look at this whole situation, I think you

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have to look at the fact that we have assurances that in fact they're in the comfort level, yeah, I mean I would much rather see it be independent, but if you will remember correctly, Representative, you are one of the people who lead the charge on the floor who complained about the fact that this was an independent group when this original Bill was introduced as House Bill 1267. So I guess I find it a little bit hard to understand, too, in terms of...you know it looks to me like it should be one way or the other."

Speaker Churchill: "Representative Lang."

Lang: "Well I may have said independent, Sir, but I don't think I ever said we shouldn't have local control. Has it occurred to you that in this last year, we now allow or are going to allow the Governor to appoint the University of Illinois Trustees. That he's going to appoint board members to all of the universities in this state where we'll go from some twenty some odd board members to about eighty board members. That under another Bill we're going to have, he's going to want to appoint new commissioners to the Commerce Commission, then under another Bill he's going to want to reappoint all of the arbitrators for the Workers Compensation System. Where does this start and stop, Sir? Boards and Commissions all over this state are being usurped by the Governor of this state. You stand here as a legislator who proposed local involvement and local control in this Bill and yet for some reason, you don't want to stand up to the Governor. You want the Governor to take over this organization as he's taken over all of these other groups. As if we continue to let him, he will do. Why do you want to let the Governor take over one more organization in the state of Illinois."

Speaker Churchill: "Representative Tenhouse."

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Tenhouse: "The same answer as we had before. I think we have to take this issue by issue. Uh...again if I would have had my druthers, I would have rather seen it been an independent body under the State Board of Education. But, again, under the circumstances and the way this was and the assurances given by the Governor's office. The people, including myself, are comfortable with this proposal and are willing to accept the Amendatory Veto."

Speaker Churchill: "Representative Lang."

Lang: "Well, I didn't really hear the answer. You generally on this floor when you don't the answer it means the speaker does not want you to hear the answer. But I think we know that the answer was that well the Governor said that we're going to pass this so we're going to go ahead and pass this this way. I think it's an atrocity frankly that we continue to turn over the reins of government to the Governor. Why don't we all just pack up and go home and pass one shell Bill allowing the Governor to do whatever the hell he wants to do with every board and commission in the State of Illinois."

Speaker Churchill: "There being no further discussion, Representative Tenhouse to close."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. True, there are some issues here that have been raised that all of are not thrilled about, but I think that the point is, this is an issue that's been before this Body for several years. It's enjoyed bipartisan support from members of both sides of the aisle and it's time that it happened and certainly as we move ahead and what the acceptance of this Bill by educators and industry alike it's uhh...I would ask for a favorable vote, so I would ask for your 'aye' vote on this Motion to accept the Governor's

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changes."

Speaker Churchill: "The question is, shall the House accept the Governor's specific recommendations for change with respect to House Bill 1267? All those in favor signify by voting 'aye'; and the opposed vote 'naye'. The voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, are you okay? Okay. Mr. Clerk, take the Record. On this question there are 97 voting 'aye'; 17 voting 'no'; and 1 voting 'present'. This Bill having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendations for change regarding House Bill 1267. The Chair now recognizes Representative Hughes for a Motion to nonconcur on House Bill 211. Representative Hughes."

Hughes: "Thank you, Mr. Speaker, I move to nonconcur with Senate Amendment number 1 to House Bill 211 in respectfully request that a conference committee be appointed."

Speaker Churchill: "You heard the Motion. All those in favor, signify by saying 'aye'; any opposed say 'naye'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. The House nonconcurs with Senate Amendment number 1 to House Bill 211. Ladies and Gentlemen, the Chair is prepared to adjourn but before we do that, we have an announcement from Representative Brunsvold. The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Democrats would request a caucus immediately in room 118. I'd like all Democratic members to proceed to 118 quickly so we can get our business completed. That's it, Mr. Speaker."

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Speaker Churchill: "The Democrats will caucus immediately after adjournment. The Clerk is wandering around the floor asking Members to provide him with times when they would like to...alright we'll go with Representative Wojcik. Do you have an announcement Representative Wojcik?"

Wojcik: "Thank you, Mr. Speaker, yes, I would like to announce to the Republicans not to forget the Clerk's dinner this evening. It's at six o'clock, the food will be delicious and the camaraderie wonderful."

Speaker Churchill: "The Chair was recommending to the Members that you discuss with the Clerk or the Assistant Clerk your personal demonstration of the computer programs and they have time slots for you so you should get to the Clerk or the Assistant Clerk and get yourself on one of those time slots. Representative Black now moves that the House stand adjourned until Thursday, November 2, 1995, at the hour of 12:00 noon. All those in favor, signify by saying 'aye'; any opposed say 'naye'. Representative Black."

Black: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I have an inquiry of the Chair."

Speaker Churchill: "Inquire away."

Black: "Yes, I demand an immediate investigation into what the...my colleagues on the other side of the aisle have done with Representative Terry Deering. there was somebody in Representative Deering's chair today, but I know Representative Deering and I've worked with Representative Deering and that wasn't Representative Deering. Now I demand an immediate investigation to find out what the Democrats have done with Terry Deering and I would trust we could get that answer by the time we go into session tomorrow. This is an outrage."

Speaker Churchill: "I believe he is hiding under his desk,

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Representative Black. Okay, the 'ayes' have it and the House now allowing Perfunctory time for the Clerk, stands adjourned until Thursday, November 2, 1995, at the hour of 12:00 noon." Clerk Rossi: "(sic Perfunctory Session will come to order). Introduction of First Reading of House Bills. Introduction - First Reading of Bills. House Bill 2547, offered by Representative Erwin, a Bill for an Act concerning supplemental appropriations. House Bill 2548, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Pension Code. First Reading of these House Bills. Introduction of First Reading of Resolutions. House Joint Resolution 60, offered by Representative Cross and House Joint Resolution #61, offered by Representative Lang. Rules. Discharge Motions with regard to House Joint Resolution 48, House Joint Resolution 55, House Joint Resolution 56, House Joint Resolution 57, House Joint Resolution #58, House Joint Resolution #61, and Floor Amendment #3 to House Bill 2416, are referred to Rules."

Clerk McLennand: "Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene on Thursday, November 2, 1995, at the hour of 12:00 noon."

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