

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

152nd Legislative Day

June 30, 1994

Speaker Giglio: "The House will come to order. The Chaplain for today is the Rabbi...Rabbi Berry Marks of the Temple Israel in Springfield, Illinois. Rabbi Marks is a guest of Representative Curran. The guests in the gallery may wish to rise for the invocation. Rabbi."

Rabbi Marks: "Eternal Spirit of the Universe, gratefully humbly we acknowledge You to be the author of our life in being who sustains and provides for Your creation, the source of guidance who teaches us to distinguish right from wrong and inspires us to strive for the attainment of the just and peaceful society. The challenges that confront us are many. The resolution difficult and complex and our resources limited. Help us, we pray, to persevere in the fulfillment of our responsibilities and to discharge our duties with fortitude and with wisdom. Guide us our rights so that we do not falter. Keep us from complacency that is oblivious to the sufferings of others from the sinicism that tells us that nothing we do can make a difference and from the dogmatism that dismisses out of hand the arguments of others without carefully weighing their merits. May the effect of the deliberations that take place in this chamber and the measures that are proposed here and adopted into law better the lives of this state's citizens. Your light and Your presence, we pray, may they always be with us to instill us with purpose and with hope. And let us say, Amen."

Speaker Giglio: "We'll be led in the Pledge by Representative Wojcik."

Wojcik 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."

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

Kubik: "Thank you, Mr. Speaker. Let the record reflect that all Republican Members are present today."

Speaker Giglio: "Representative Dunn informs the Chair that there are no excused absence on the Democratic side. Mr. Clerk, take the record. The record indicates there are 118 Members present, a quorum is present. The House is ready to do its business. Representative Moseley, in the Chair."

Moseley: "Just for purposes of introduction, we have with us today a member of the Green party who is a Representative in the National Parliament in Switzerland. He's been visiting the United States. He is very interested in agriculture and nutrition. He has visited several of our farms and it's Representative Rudy 'Bowman'. I'd just like to let him say hello to you and we'd like to welcome him to Springfield. Representative Bowman."

Rudy Bowman: "Thank you. I'm sorry my English is not very perfect. I usually speak Swiss-German in our country, but I have a wonderful time in your country and I wish you all the best. Thank you very much."

Moseley: "Thank you. Representative Giglio, in the Chair."

Speaker Giglio: "Committee Reports."

Clerk Rossi: "The Committee on Rules has met in pursuant to Rule 14(a)4 and 14(a)6 recommends consideration and the following Bills be placed on the Order of Second Reading, Senate Bill 542. On the Order of Conference, Senate Bill 398 and Senate Bill 1365. In addition, rules met in pursuant to Rule 14(a)4 recommends consideration and the following Bills be placed on the Order of Conference, Senate Bill 1191 and Senate Bill 1267. Signed Frank Giglio, Chairman."

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Speaker Giglio: "Supplemental Calendar Announcements."

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

Speaker Giglio: "Well, Ladies and Gentlemen, we have a distinguished guest in our midst today. We'd like to welcome our former Clerk of the House, Mr. Jack O'Brien. Right over here on the right hand side, Mr. O'Brien. Representative Tom Johnson, for what purpose do you rise, Sir?"

Johnson, Tom: "Point of personal privilege. I would like to introduce to the Legislature here today one of the progressive mayors from my area and in King County, Mayor Fred Norris from St. Charles. Fred."

Speaker Giglio: "Supplemental Calendar #1 on the Order of Conference Committee Reports, appears Senate Bill 1365. The Gentleman from Cook, Representative Kubik."

Kubik: "Mr. Speaker."

Speaker Giglio: "Yes."

Kubik: "Could we get back to this in about two minutes? I want to make sure that...I don't have the file with me at this point. So if I could...if we could get back to this in two minutes, please."

Speaker Giglio: "Representative Kubik, are you ready, Sir?"

Kubik: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The First Conference Committee Report on Senate Bill 1365...what the Conference Committee Report does is to adopt the language of the legislation as it passed the House with the exceptions...with the exception of the provisions of House Bill 3331 which was sponsored by Representative Flinn, contained in Amendment #1. It also requests that we recede from House Amendment 2. In addition, the Conference Committee inserts some new language into the Bill which is agreed language and I will

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explain that. There are two provisions that are going to be inserted. The first would allow the reduction of assessments by the Property Tax Appeal Board to remain in effect for the remainder of the quadrennial or until the property is sold. This was a provision in Senate Bill 1211. In addition to that, we are...we are extending the tax exemption period from 12 months to 18 months for watercraft or aircraft that are used for demonstration purposes. This was a glitch that we needed to clean up due to a Bill that we passed last year. This language was requested by the Retail Merchants Association. The Conference Committee becomes the Bill. Most of the...all of the provisions, with the exception of the two that I mentioned, have passed both Houses. This is an agreed Conference Committee by all of the parties. I'd be happy to respond to any questions anyone might have and would appreciate your support of Senate Bill 1365."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker. I rise in support of Conference Committee Report on Senate Bill 1365. The Gentleman is absolutely correct. This is an agreed Bill. The two provisions that are being added to this Bill are both provisions that came out of the House Revenue Committee and enjoyed unanimous support. So, there's really nothing at all in this Bill which we have not seen before, at least that the Revenue Committee has not seen before and...urge the adoption of this Conference Committee Report."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Conference Committee Report and I rise on behalf of Senator Ralph Dunn in the

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Senate, Senator Tom Dunn in the Senate and Representative John Dunn in the House because contained in this Bill is Senate Bill 1211 which we really had hoped to send to the Governor as a Dunn to Dunn-Dunn-Dunn Bill, but I guess this is the best we can do and we'll take what we get. Thank you very much."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference...shall adopt the First Conference Committee Report to Senate Bill 1365?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and 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 118 voting 'yes' and 0 voting 'no'. And the House does accept the First Conference Committee Report to Senate Bill 1365, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations, Third Reading appears Senate Bill 487. Representative Woolard. Out of the record. Representative Kotlarz, Senate Bill 1311. Out of the record. Representative Ryder on House Bill 1915. Are you ready, Sir? On the Order of Conference Committee Reports. The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to adopt the Second Conference Committee Report on House Bill 1915. I would indicate to the Members that this represents the agreement that has been accommodated between the architects and the interior design folks. The language is agreed by both. We believe that it does completely satisfy the parties in order to establish the necessities that causes controversy. Those necessities being who it is that is able to indicate items for health-life-safety surveys. It is to the best of

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my knowledge and I present it as being agreed language. I would be happy to answer any questions that the Members of the General Assembly may have about this issue. And I would move to adopt the Second Conference Committee Report, Mr. Speaker."

Speaker Giglio: "Any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Ryder. I just want to confirm. The First Conference Committee Report to House Bill 1915 was found objectionable by the interior designers. That language was modified, deleted for the Second Conference Committee Report and that removes any and all opposition to the Bill."

Ryder: "That is correct."

Granberg: "Thank you."

Speaker Giglio: "The Lady from Kane, Representative Lindner. Further discussion? Hearing none, the question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 1915?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 117 voting 'yes' and 0 voting 'no' and 1 voting 'present'. And the House does accept the Second Conference Committee Report to House Bill 1915, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar #1 under Motions appears SJR 173. Representative Ronen moves pursuant to Rule 77(a) to discharge a Committee on Health Care and Human Services from further consideration and advance to the Speaker's Table. Any discussion? Representative

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Parke."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Chair. Has this been agreed to by both sides of the aisle on this? Okay, thank you. You've answered my question."

Speaker Giglio: "Representative Krause."

Krause: "Just briefly that I do support the Motion to discharge and bring out the Joint Resolution."

Speaker Giglio: "All those in favor signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it by the Attendance Roll Call. The Lady from Cook, Representative Ronen on SJR 173."

Ronen: "May I speak to the Resolution. This... I'm not sure why Representative Hoffman's name is on it. Shall I just proceed?"

Speaker Giglio: "How's that, Representative Ronen? The Lady from Cook, Representative Ronen."

Ronen: "Thank you, Mr. Speaker. Senate Joint Resolution 173 was initiated in January of 1994. A bipartisan coalition of Members from the House and the Senate met in 'Canteeny' to discuss issues related to child development. The Conference was sponsored by Voices for Illinois Children, the Illinois Alliance for Quality Early Childhood Settings and the Robert McCormick Tribune Foundation. The result of that Conference was to create this work group. The Resolution would create a group to advise the General Assembly on the design and implementation of a statewide comprehensive Early Childhood Care and Education Program. This is a measure that will help us to develop programs that are more effective and the group will be comprised of a culturally, geographically and professionally diverse group to advise this General Assembly. I move 'do pass'."

Speaker Giglio: "Any discussion on the Resolution? The Lady from

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Lake, Representative Clayton."

Clayton: "Will the Sponsor yield for question?"

Speaker Giglio: "She indicates she will."

Clayton: "Okay. Representative Ronen, is this a result of the weekend that was sponsored by the McCormick Foundation where we discussed all the various issues for Early Childhood Development?"

Ronen: "Yes, it was Representative."

Clayton: "Then in your Resolution, this also points out that the McCormick Foundation will continue to fund this work group and there will be no cost to the state?"

Ronen: "Yes, you're absolutely correct. There is no cost at all to the state. Voices for Illinois Children is promoting the work group with the help of the Robert McCormick Tribune Foundation."

Clayton: "Thank you very much. With that in mind I certainly do put my full support behind this Bill."

Speaker Giglio: "The Gentleman from McHenry, Representative Skinner."

Skinner: "I wonder if the Lady would yield for a couple of questions."

Speaker Giglio: "Proceed."

Skinner: "How many members are going to be on this task force or work group?"

Ronen: "Thirty-two members."

Skinner: "I'm sorry."

Ronen: "Thirty-two members, Representative."

Skinner: "Your Resolution says 46 persons on page 3, line 3...line 2. Where do you get 32?"

Ronen: "On page 2, last line. The work group shall be composed of 32. Perhaps you are reading the wrong Resolution, Representative."



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Skinner: "I'm reading Senate Joint Resolution 173 which is what we are considering here today. Perhaps you are reading the wrong Resolution, Representative."

Ronen: "You might be correct."

Skinner: "Has the Lady found the correct Resolution yet or should we take it out of the record?"

Ronen: "Representative, you are correct."

Skinner: "There are going to be 46 members on this work group. So, it's just going to be an intimate little group."

Ronen: "Well, I think we're... Yes, actually...a representative group. We're looking for a broad based group that can advise us on a very complicated problem. Representatives from the General Assembly, from the public and private sector, from state agencies."

Skinner: "Would you be surprised to know that there might be 30,000 families that home-school their children?"

Ronen: "I'm sorry, I didn't hear you."

Skinner: "Would you be surprised if we could determine the number of children who are home-schooled that it might be in the range of 30,000 children?"

Ronen: "I'm not sure I understand what you're saying, Representative."

Skinner: "Well, I don't see any home-schoolers in this Resolution that's going to be on the work group, a title of which is, 'Early Childhood Education.'"

Ronen: "I think, Representative, you'll note that each of the legislative leaders and the Governor appoint a representative. They are not precluded from appointing somebody from that category."

Skinner: "Well, all I see in here are representative... What I primarily see in here is people who are predisposed, who have government solve all problems. I don't see any

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representatives of Muslim schools for example, of which there was a feature story in the Tribune within the last three weeks. Don't you think this minority might have something to contribute to the topic of early childhood education?"

Ronen: "As I said before, nobody has precluded from being appointed to this task force. I think if you were...had joined us in 'Canteeny', it was a bipartisan group, Representatives from the House on both sides of the aisle, both sides of the aisle of the Senate, sponsored by the Robert R. McCormick Tribune Foundation. So, it was a very diverse group looking at the issue in a comprehensive way as possible. One of the things we determine to do as a result of that conference was to develop this work group to keep...to continue the discussions and the dialogue. The issues that you raised could be raised and discussed in the context of that work group."

Skinner: "Why do you need official state sanction to...for a project which is being privately funded?"

Ronen: "Would you prefer the state fund it, Representative?"

Skinner: "I would prefer not to have the state's quasi sanction. I mean what we are doing here..."

Ronen: "Would you have the...what we're doing here..."

Skinner: "That wasn't a question, that was a beginning of a statement. What we're doing here is asking a bunch of social workers, professional educators, every professional day care association I think you could find in the state, every do-good group that has previously come out with recommendations that state government interfere more in the lives of families to go out and come back with a solution. Now, I'm not going to be surprised when they come back and say, we ought to have public day care centers throughout

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the country, throughout the state. And every school district ought to be running public day care centers, that we ought to have tax increases without a referendum in order to finance them. I'm amazed that one of the largest, one of the largest early education efforts in the entire state, that is Sunday School classes on the part of all sorts of Christian and other religions are not included in here. We have extremely small groups that are going to have representation here but huge groups like my church for example, the Methodist Church will have no one who is an expert in early education guaranteed to be on this board. They must petition the Governor for one of the three or four spots he'll have to offer. Now, I'm sure everybody's going to vote for this because we can't vote against kids. But by voting for this, what you're probably voting for is more government intervention in the lives of families and goodness knows, government intervention since the 1930's has not led to a stronger family or safer neighborhoods."

Speaker Giglio: "Further discussion? The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in support of this Resolution. I attended the Success Starts Young 'Supposium'. I think it was a very important meeting that we had there. I believe a program such as this can be a good investment in the future of the State of Illinois. Dollars spent early can provide a big return at a later date. The... Probably the return on the dollars that we would spend on a program such as this would be a tremendous investment. Keep in mind, this group would just come back with recommendations. It would not be binding, they'd come back with recommendations to the General Assembly and then we'd have the option of what, if

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any, we'd want to implement. I think it's a step in the right direction to try to intervene early to prevent some small problems from becoming some big ones. So, I hope... I'd urge everyone to vote in favor of this Resolution."

Speaker Giglio: "The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I too, rise in support of this Resolution. I attended the Conference and I think everyone came away with a lot of insight and a lot of caring. Also, one of the discussions that I think we need to consider as a state, the changes are going to be made at the federal level that perhaps will impact our State in many different ways. Anytime you get a group of caring people together, professionals, lay people, people that are interested in what's going on with children, I think it's always enlightening. It always amazes me that people can get up and say that something is not worth anything when they haven't bothered to pay attention or attend what happened to make an honest critique of it. So, I too, urge your support of this and stand in support of it and hope that everyone will vote for it."

Speaker Giglio: "The Gentleman from Cook, Representative Pedersen."

Pedersen: "Excuse me, Mr. Chairman. That's Pedersen."

Speaker Giglio: "Excuse me. Representative Pedersen."

Pedersen: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I agree with Representative Skinner. I've been here long enough to see how these things work. We have all kinds of groups that are just anxious to intervene in family life and put their imprint on the future generations. We have all kinds of private institutions that ought to be doing this and religious institutions that teach values. And you know when the

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government does it, we don't want any of those values. So, in any event, I think what we're really talking about here is another attempt to give state approval to what comes out in these studies. I think maybe they just ought to be doing it on their own and then come on over and tell us what they think and we'll take a look at it. So, I urge a 'no' vote."

Speaker Giglio: "The Lady from Cook, Representative Ronen to close."

Ronen: "Thank you, Speaker, Ladies and Gentlemen of the House. State government officials, service providers, advocates and tax paying families recognize that Illinois needs a better, more coordinated, high quality early education program. None of these groups alone, however, are able to create, implement or adequately fund such a comprehensive statewide program. This collaborative work group involving key stake holders would examine the options available to Illinois and recommend a plan of action that's developed through a consensus building process. We can only be the better for this process. I move 'do pass'."

Speaker Giglio: "The question is, 'Shall Senate Joint Resolution 173 pass?' And on that question, all those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all vote who wish? Balanoff, 'aye'. Have all voted who wish? Representative Steczo votes 'no', Mr. Clerk. Representative Dunn, 'aye'. Have all voted? Have all voted? Mr. Clerk, take the record. On this question, there are 104 voting 'yes', 8 voting 'no' and 6 voting 'present'. And the House does adopt Senate Joint Resolution 173. Page 55 of the Calendar under Motions, appears House Resolution 3046. The Gentleman from Cook, Speaker Madigan."

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Madigan: "Mr. Speaker and Ladies and Gentlemen, I move that we discharge the Committee from further consideration of this Resolution."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I would object to that Motion and ask the Chair to rule how many votes it will take for that discharge."

Speaker Giglio: "The parliamentary..."

Parke: "And I would ask for a roll call also under 55(c) and I'm joined by at least five of my members and ask for a verified roll call."

Speaker Giglio: "The number required to pass this Resolution, Representative Parke, is 60."

Parke: "Sixty?"

Speaker Giglio: "That's the Motion."

Parke: "Why? Under Rule 77(b), discharge from committee should take 71 votes."

Speaker Giglio: "The Motion is on the Calendar, Representative Parke and it takes 60 votes."

Parke: "Can I... Can you have the Parliamentarian rule on House Rule 77? We see (b), the Motion must be rating and shall be carried on the Daily Calendar for the Legislative Day under the Order of Motions. Subsection (b) may be suspended only by a Motion adopted by 71 votes."

Speaker Giglio: "Representative, we're not suspending the rule. We're following the rule."

Parke: "Then we'll have a roll call on that, Mr. Speaker."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Skinner."

Skinner: "Here we are on June 30th and we've basically admitted

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failure. We're not going to be able to pass a budget. So, what would be the best thing to do to obfuscate what is happening and try to convince the press that something really is happening instead of nothing is happening? Why don't we have a Resolution on labor management issues and have a screaming fight? That will do it, right? That will confuse all the reporters..."

Speaker Giglio: "Representative Skinner, do you want to address...do you want to address the Motion?"

Skinner: "I am addressing the Motion. You just won't let me finish my paragraph. My concluding statements are usually at the end of the paragraph, not somewhere during the middle. The point I'm trying to make..."

Speaker Giglio: "The point is to address the Motion to whether you favor the Motion..."

Skinner: "If you would stop interrupting me, Mr. Speaker, in your mild mannered fashion..."

Speaker Giglio: "I'm trying to be cooperative..."

Skinner: "Perhaps I can keep my train of thought going in the same direction."

Speaker Giglio: "Representative Skinner, I'm trying to be cooperative where there's a Motion on the Floor..."

Skinner: "You'd be most cooperative just by stopping talking."

Speaker Giglio: "Representative Madigan."

Madigan: "I would renew my Motion and I also would like a roll call vote."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of House Resolution 3046 vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 66 voting 'yes', 48 voting 'no' and the... Representative Parke."

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Parke: "Thank you, Mr. Speaker. If this receives the required number, I would like a verification of the roll call."

Speaker Giglio: "Alright, there are 66 voting 'yes'. The Gentleman asked for a verification. Mr. Clerk, poll the absentees."

Clerk Rossi: "Poll of those not voting, Representative Black, Representative Frias, Representative Weaver and Representative Wojcik."

Speaker Giglio: "Poll the Affirmative."

Clerk Rossi: "Poll of those voting in the affirmative. Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Gash. Giglio. Giles. Giolitto. Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Lou Jones. Shirley Jones. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moore, Eugene. Morrow. Moseley. Harold Murphy. Novak. Ostenburg. Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Rotello. Saltsman. Santiago. Schakowsky. Schoenberg. Sheehy. Steczko. Stroger. Turner. von Bergen-Wessels. Woolard. Younge. and Mr. Speaker."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I would ask that you check on Representative Flinn, please."

Speaker Giglio: "Representative Flinn. How's the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Flinn is voting in the affirmative."

Speaker Giglio: "Is the Gentleman in the chamber? Remove the Gentleman from the roll call."

Parke: "Thank you, Mr. Speaker. Would you check on



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Representative Dunn, please?"

Speaker Giglio: "Representative Dunn. Representative John Dunn. Is the Gentleman in the chamber? How is he recorded, Mr. Clerk?"

Clerk Rossi: "Representative Dunn is voting in the affirmative."

Speaker Giglio: "Remove the Gentleman from the roll call."

Parke: "Yes, Representative von... Representative Wessels."

Speaker Giglio: "The Lady's in her chair."

Parke: "I'm sorry, I could not see her. Representative H. Murphy, please."

Speaker Giglio: "Representative Murphy. How is the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Harold Murphy is voting in the affirmative."

Speaker Giglio: "Is the Gentleman in the chamber? Remove Representative Murphy from the roll call. Does Representative Wyvetter Younge have leave, Representative Parke? Leave is granted."

Parke: "Representative Shirley Jones, please."

Speaker Giglio: "Shirley Jones, Representative Jones is in the back."

Parke: "Thank you. Representative Dan Burke."

Speaker Giglio: "Representative Burke. How does the Gentleman record, Mr. Clerk?"

Clerk Rossi: "Representative Burke is voting in the affirmative."

Speaker Giglio: "Is the Gentleman in the roll call...in the chamber? Representative Burke in the chamber? Remove the Gentleman from the roll call."

Parke: "Representative McGuire."

Speaker Giglio: "Representative McGuire is..."

Parke: "I see him."

Speaker Giglio: "...at his seat."

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Parke: "Representative Capparelli."

Speaker Giglio: "Representative Capparelli is..."

Parke: "I see he's over there now. Representative Santiago."

Speaker Giglio: "Representative Santiago. How is the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Santiago is voting in the affirmative."

Speaker Giglio: "Is the Gentleman in the chamber? Remove the Gentleman from the roll call. And does Representative Steczo have leave, Representative Parke? How about Representative Pugh?"

Parke: "Yes, Sir."

Speaker Giglio: "Okay."

Parke: "Representative Stroger."

Speaker Giglio: "He's in the center aisle."

Parke: "Representative Prussing."

Speaker Giglio: "Representative Prussing. She's in the center aisle."

Parke: "Thank you. Is Representative Hicks?"

Speaker Giglio: "Representative Larry Hicks. How's the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Hicks is voting in the affirmative."

Speaker Giglio: "Is the Gentleman in the chamber? Remove Representative Hicks from the roll call."

Parke: "Representative Gash."

Speaker Giglio: "Representative Gash is in her seat."

Parke: "Thank you. I don't see Representative... There, I see him. Representative Mautino."

Speaker Giglio: "Representative Mautino. He's in the back."

Parke: "Thank you. Representative Blagojevich."

Speaker Giglio: "Blagojevich is sitting over with Representative Ronen."

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Parke: "Oh. Okay."

Speaker Giglio: "Does Representative Martinez have leave, Representative Parke?"

Parke: "Yes, certainly."

Speaker Giglio: "Leave is granted."

Parke: "Representative Novak."

Speaker Giglio: "Representative Novak. How's the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Novak is voting in the affirmative."

Speaker Giglio: "He's in the rear of the chamber."

Parke: "Oh, I see him. Thank you."

Speaker Giglio: "Representative Schoenberg wants leave. Does the Gentleman have leave?"

Parke: "Yes, he does."

Speaker Giglio: "Further questions? Representative Parke?"

Parke: "Is Representative Frias there?"

Speaker Giglio: "I don't believe... How's the Gentleman recorded, Mr. Clerk?"

Parke: "Oh, he's not voting? Thank you. Representative Schakowsky. Oh, I see her. No, nevermind, she's eating food."

Speaker Giglio: "Further questions?"

Parke: "Thank you, Mr. Speaker, for accommodating us."

Speaker Giglio: "On this question, there are 60 voting 'yes', 48 voting 'no'. And House Resolution 3046...the Motion carries. Representative Madigan on the Resolution."

Madigan: "Mr. Speaker, will the Clerk read the Resolution?"

Speaker Giglio: "Read the Resolution, Mr. Clerk."

Clerk Rossi: "House Resolution 3046. WHEREAS, Caterpillar Inc. is the largest manufacturer in the State of Illinois, and vitally contributes to the State's economy; and WHEREAS, since September 1991, 14,000 employees of Caterpillar Inc.

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represented by the United Auto Workers ("UAW") have been working without a contract; and WHEREAS, relations between Caterpillar Inc. and the UAW in recent months have been extremely adversarial; and WHEREAS, in April 1992, Caterpillar Inc. ended a 163-day strike by its employees when the company threatened to hire permanent strike replacements; and WHEREAS, since the conclusion of the strike, the National Labor Relations Board has issued more than 90 unfair labor practice complaints against Caterpillar Inc.; and WHEREAS, in 1993, the Occupational Safety and Health Administration charged Caterpillar Inc. with 45 violations of safety standards and recommended that over \$350,000 in fines be levied against the company; and WHEREAS, Caterpillar Inc., in violation of federal labor laws, has threatened to permanently replace employees who struck over alleged unfair labor practices by the company; and WHEREAS, Caterpillar Inc. has rejected a proposal by the UAW for binding arbitration by an impartial judge; and WHEREAS, from 1986 to 1990, Caterpillar, Inc. established a widely admired employee involvement program that resulted in improved productivity and a total cost savings to the company of more than \$50 million; and WHEREAS, Caterpillar Inc. has ended its employee involvement program and adopted an attitude of confrontation and hostility towards its work force; and WHEREAS, the most valuable asset any company has is its positive relationship with its employees; and WHEREAS, it is in the interests of the company, its employees and the people of the State of Illinois that Caterpillar Inc. and the UAW work to restore an atmosphere of cooperation and trust in the work place; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ILLINOIS, that the House of Representatives urges that

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Caterpillar neither threaten to permanently replace nor hire new employees to replace striking Caterpillar workers and that Caterpillar Inc. and the United Auto Workers promptly settle their labor dispute and agree upon the terms of a new collective bargaining agreement, and be it further RESOLVED, that suitable copies of this preamble and resolution be presented to Caterpillar Inc. and the United Auto Workers."

Speaker Giglio: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, the Resolution speaks to the very unfortunate strained relations between Caterpillar and its employees as represented by the United Auto Workers. This unfortunate dispute in my judgement speaks to a basic right in our society, because I feel that if you're an unskilled worker, wherever you may be, whether it's in a factory, in a field, wherever, if you're unskilled and if you feel that you want to come together with your fellow employees in a group and bargain collectively concerning wages, conditions of employment, you ought to be able to do that. That's precisely how the law reads. However, in reality, if the company can dismiss you because you attempted to avail yourself of your rights under collective bargaining, then you don't have that right to collective bargaining. What this Resolution simply does is to offer encouragement to the company and the union to resolve their differences but it does speak specifically to the question of permanent replacements, because it's very simple, if you can be permanently replaced because you're out on strike, trying to improve your conditions and wages of employment, then you don't have a right to strike, you don't have a right to bargain collectively. And for those reasons, I would recommend an 'aye' vote for this

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Resolution."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor of this House Resolution yield for some questions?"

Speaker Giglio: "He indicates he will."

Parke: "Thank you. Speaker Madigan, you have put out a House Resolution to address an issue that's certainly important to a lot of men and women in the work force of our state. But if you're going to put out a Resolution, I would think that we would want this Resolution to reflect what is really correct and that we make sure that it's correct so that the process of keeping government out of the work place is maintained. It says here in the...in the Resolution that there were safety...there were 45 violations of safety standards that recommended over 350,000 in fines. It is our understanding that those fines were significantly less than that in the tune of not even \$10,000. Do you know if this section is correct or could there have been an error in drafting on that?"

Madigan: "Well, to the best of my knowledge it is correct, but I'm not in the position to state affirmatively that there is not an error in drafting."

Parke: "Well, it's our understanding that a...under \$10,000 in fines and therefore, this is way out of proportion. In addition, it says here that you're concerned about Caterpillar not hiring back the workers. But, in fact, aren't they allowed to hire permanent replacements during this or any dispute? Aren't they... Isn't that a current law allowed to do that?"

Madigan: "Yes."

Parke: "And Caterpillar certainly has indicated they don't want

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to do that because it takes a lot of time and energy to hire a skilled work force, that those union members are skilled work forces. So, I would think that they would have the right to do that."

Madigan: "Under the law, Caterpillar has a right to do it and it's my recollection that at an earlier strike, they began to hire permanent replacements."

Parke: "Well, haven't... It's my understanding over 3,000 working men and women of the union movement have gone back to work and so therefore, they don't need to hire those replacements. It also states here that binding arbitration was rejected by Caterpillar. Is that your understanding that they have gone to court and they have refused to accept binding arbitration as you said in this Resolution?"

Madigan: "Again, Mr. Parke, to the best of my knowledge the Resolution is factually correct."

Parke: "Well, it's our understanding that, in fact, Caterpillar has not rejected binding arbitration as you have stated in this Resolution. And that they have not gone to court and have not had adjudication of this decision in court. So therefore, this Resolution is not correct, unless you can tell us what the court proceeding was and what the ruling of the judge was on this, then this is not correct. In addition it states in here, do you think that this, according to this Resolution, that we're saying that this is an unfair labor practice? Is that what you want us to believe by passing this Resolution?"

Madigan: "I don't understand your question."

Parke: "Is this a strike over unfair labor practices?"

Madigan: "That's the union position."

Parke: "Okay, but it has not been decided that that in fact is the case through the courts. So, it's still something to

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be decided, whether or not this is true."

Madigan: "Correct."

Parke: "Then why do we want to pass this Resolution? It says so in here that it is."

Madigan: "I want to pass the Resolution to show my support and the support of those who will vote for this for the right of a worker to join together in a group and to bargain collectively for wages and conditions of employment."

Parke: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, it is our contention, those of us that will vote against this, that, in fact, government should not intervene in a strike. That, in fact, this is not an unfair labor practice, that this is allowed under law and that, in fact, I understand that Members of the other side of the aisle would like to show their solidarity with the union movement. I think that's commendable. But I think we have laws in this state that govern this. The laws are clear that Caterpillar, in fact, is within their rights to go about it according to the law, and what we would want to see instead of us passing a Resolution like this is to encourage the labor movement and the leadership of Caterpillar to work together to find a solution that is fair to all the people of Illinois and all the employees of Caterpillar so that we don't have to move in that direction. All I see this as is a further incentive to urge on this continued strike and we would like to not have had this for it. But since it is here, we would ask that we do not support this and that we allow the negotiations to continue without the pressure of the state."

Speaker Giglio: "Further discussion? The Gentleman from Sangamon, Representative Curran."

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



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House. The preceding Speaker from the other side of the aisle suggested that by this Resolution, somehow the General Assembly and the state would be involving itself in this strike. Where it is exactly the opposite is true. Right now, the State of Illinois and local governments can and do, do business with Caterpillar and other similar institutions even if they avail themselves of the ludicrous right to permanently replace somebody even though they cannot fire them. What this Resolution does is encourage United Auto Workers and the Caterpillar to work together but also to encourage Caterpillar not to permanently replace legitimate striking workers. The preceding speaker even eluded to the difficulty in whether, I think probably referring to the senselessness of permanently replacing legitimate striking workers. This Resolution supports the concept of eliminating the right to permanently replace striking workers. This Resolution supports the concept of us encouraging Caterpillar to reasonably deal with its United Auto Worker workers so that we can have a resolution of this strike so that economic development can go ahead in this State until that this unfair, unwise strike, encouraged by the resistance from Caterpillar, can then be brought to an end. So, I encourage a vote for this Resolution."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, in your Resolution you mentioned the rights of workers to come together and bargain. That right is still protected under federal law, is that not the

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case?"

Madigan: "Mr. Black, if I could give a two part answer. Part number 1, yes. The language of the federal law provides that people can come together and bargain collectively but I would add that so long as they can be permanently replaced because they're on strike, that in reality they don't have the right to bargain collectively."

Black: "Well, let's take a look at the second part then. On line 20 it says, 'Whereas Caterpillar Inc. is in violation of federal labor law...in violation of federal labor laws has threatened to permanently replace employees who struck' et cetera. In fact, is it a violation of federal labor law to threaten to replace your workers?"

Madigan: "No."

Black: "I didn't think so. Thank you very much. Thank you very much..."

Madigan: "Mr. Black, Mr. Black."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, to the Resolution. Let me just point out, and I feel very strongly, that if the Sponsor of the Resolution wants to send a joint letter to the President and CEO of Caterpillar and to the President of the United Auto Workers International and that Local, I'll join with him and I'll sign that letter urging both the company and the union to go to the bargaining table and resolve this dispute. Many in this chamber would join him in signing such a letter. What we have here is unfortunately, in the tenor of the entire Session, a Resolution that is political, one-sided, accusing one side of being wrong and the other sign of being right. The ultimate hypocrisy in this Resolution, we stand less than eight hours, eight and a half hours from the end of our budget year. We have 80,000 employees who

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are in danger of not getting paid because the budget will expire in approximately eight and a half hours. We don't pay our bills. The Resolution can go on and on. If the Gentleman really wants to bring the company and the union to the bargaining table, I will accompany the Sponsor of the Resolution to Peoria at any time he wants, where we will visit the president and the Chairman of the Board of Caterpillar and the president of the UAW Local and urge them as we should. Urge them in a bipartisan way to come back to the table. It's too important an issue to politicize. It's too important an issue to try and make political hay out of it. If we want to turn our energies and attention to something today, let's pass a Resolution that says, 'Representatives of the State of Illinois, pass a budget. Pay your employees, pay your bills.' Let's stop all this ridiculous posturing and get on with the business that we're here to do. And I stand ready. I stand ready. Mr. Speaker, I will go with you day or night, I'll drive or I'll hitchhike with you to Peoria. I will go with you to speak to the Chairman of Caterpillar and the President of the UAW and I will beg just as convincingly as you will. I will beg them to go to the table and settle this ridiculous, asinine labor dispute that is tearing the very fabric of one of our great cities. In fact, three cities across the state apart, is wrecking the lives of good, decent UAW employees and threatening the health and vitality of one of the outstanding corporate citizens of our state. A pox on both their houses. A pox on both their houses. If you're willing to do that, I will go with you. I will not join in another sham Resolution that means absolutely nothing when you, Sir, should be in the back room negotiating a budget to take care of the very people

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who sent you here."

Speaker Giglio: "Representative Lang. House will come to order.  
Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.  
First, I would suggest...I would suggest to the previous  
speaker that if he does drive with Speaker Madigan to  
Peoria, that there are some very fast drivers in the  
General Assembly who would probably like to go with and  
maybe Mr. Salvi should be your driver. To the Resolution,  
Mr. Speaker. This Resolution involves the rights of 14,000  
working men and women in the State of Illinois. It  
involves the abuses of an employer who has been accused  
time and time again of unfair labor practices. The law  
allows for strikes for such activities. We should be  
upholding the rights of those workers, those men and women  
who work at this company, to abide by the law and to do  
what's allowed by the law for them to do. Further,  
further, the actions by Caterpillar here amount to a new  
violation of federal law. These employees have the right  
to strike. They have a right to strike under these  
circumstances. For us to get involved may not be something  
we'd like to do. We aren't telling them how to settle  
their dispute. But we have a right and a responsibility to  
protect over 14,000 people and to say, get it done. We  
have a right to say to this company, don't threaten to fire  
these people, don't threaten to permanently replace them,  
because you don't have a right to do that. You don't have  
a right to do that legally. You don't have a right to do  
that ethically and you surely don't have a right to do that  
morally. These employees have a right to do what they're  
doing. And we have a responsibility to protect this large  
number of working men and women in their jobs and to give

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them the power to do what the law allows them to do, which is address their grievances. Further more, this Body last year passed a Strike Irreplacement Law. The philosophy of this House of Representatives, this Body is that the company in question cannot do what they have threatened to do to these 14,000 working men and women. Now, once we have made the public statement by over 60 of us which is required by the Constitution, and that our philosophy is that this company can not do this, we now have a further responsibility to make a public statement that this company is doing something that violates the wishes of the Illinois House of Representatives. We have already said that our philosophy is that you cannot permanently replace workers who have gone out on strike legally. Once we have said that, it is our responsibility, even those that voted against that Bill last year, it is our responsibility to uphold the action of this House. This House said, 'You can not do this to these people.' And therefore, for us to allow this company to threaten to do it would be a violation of the trust that the people of the State of Illinois have in us, because we have passed legislation that says they cannot do it. And so, Mr. Speaker and Ladies and Gentlemen of the House, these 14,000 working men and women depend on us, depend on us to say to this company, 'This is not right.' It certainly is not right legally but maybe more important, they should not have the moral right to do this and for us to vote 'no' on this Resolution would be a violation of our moral and ethical right to uphold the action this House took last year. Accordingly, Mr. Speaker, Ladies and Gentlemen, this should receive a resounding 'green' vote."

Speaker Giglio: "The Gentleman from Logan, Representative Olson."

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Olson: "Thank you, Mr. Speaker. Before I address the Resolution, I would like to correct the previous speaker. We did not pass legislation in this chamber that outlawed striker replacement. As I remember, the law we passed in this chamber, it said the State shall not purchase anything from a company that hires striker replacements. There's quite a difference in that from what he presented it and that makes all of his remarks wrong. And don't start the clock because you didn't run a clock on him. Now, the United Auto Workers, the United Auto Workers are made up of two separate groups. There are the members of the UAW and there is the leadership. United Auto Workers at the Peoria factory make \$14.00 in change per hour. I'm told the benefits are about the same, brings the total investment of the company and a worker at Caterpillar to about \$35.00 an hour. That's quite a wage, and I think there are a lot of the members of the union at Caterpillar are very satisfied with their employer, their benefits, their wages and everything. But we have a union leadership at Caterpillar because they didn't get from Caterpillar what they got from John Deere and other companies, they look bad if they don't match up. So, we have a leadership that is forcing a strike that a great many of the members of that union do not agree with. Now, I want to point out a similarity to you. A similarity to you, the General Assembly of the State of Illinois. We have a membership who came down here early this spring ready to pass legislation, ready to get Bills out of this chamber through committee, over to the Senate. We have a lot of Members and those Members came down here wanting to pass a budget, an Appropriation Bill, a budget. Much as the Caterpillar leadership is playing politics at this time, we have the Speaker of this House, a

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Speaker of this House who puts politics above the needs of the constituents of each of us and above the needs of the citizens of this State. Similar leadership as I see it, Caterpillar. I call it Mickey Mouse, I call it childish. Damn it, get to the table, sit down, go to work, provide leadership. Let Caterpillar and the UAW work out their differences. Let us sit down and work our differences. Let's pass a budget and forget this childish grade school type action. We are men and women. We have minds, we have abilities. This General Assembly, both sides of the aisle in both chambers, could go through the process and pass a budget, a good and fair budget for the citizens of this State without any leadership involved. But we aren't allowed that Bill. We can't even get a Bill out of rules. Approp. Committees, four of them, met several nights this spring would start at 4:00 and run until late hours of the night. What did we do it for if we don't have any input? What did we do it for? Let's provide some leadership, Mr. Speaker. Let's get this thing off and going. I think you've changed your mind about six times this Spring. The most recent was from yesterday to today, from yesterday to today. My land, you can do better than that. I just...Last week, I believe, was Representative Granberg and Senator Madigan together worked out a thing to resolve our pension shortcomings. There's an example of what the Members of these two Bodies can do. But when it comes to an Appropriation Bill, no. We have no voice. It gets back to politics. Ladies and Gentlemen, I wish that you would look at the work of this Assembly much as you look at the Resolution that's on the Board. I think you know you want to get a budget out of here and you don't want outside interference by Leadership that has a motive other than

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    serving the citizens of this State. The Resolution does the same thing to union members at Caterpillar...in Caterpillar and it should also get a 'no' vote. Thank you."

Speaker Giglio: "The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, hearing some of the comments from the other side of the aisle concerning the lack of the will of the Legislature to put a budget together and other matters about the Speaker of the House not representing the interests of the people of Illinois, I don't know what the heck that has to do with this Resolution we're discussing. It has nothing to do with it. The reason why I rise and speak on this Resolution is pretty simple. Before I came to the Legislature, I worked in Labor Management Relations. I come from a strong blue-collar family, a union family, a working class family. But I worked in management side. I worked in management side for ten years to try to make sure that employees worked and coexisted in a reasonable harmony in the work place and a reasonable atmosphere where benefits were rendered to employees and adequate wages were paid to those employees for performing adequate service. And I understand that labor relations become strained, very difficult at times because I was involved in a number of contract negotiation years ago when I worked in that position. However, I know the Caterpillar situation is highlighted by the media because of so many thousands of employees, their livelihoods and lives are at stake, and also, speaking for the management employees, too. So, there's always two sides to every story when you deal with labor management relations. It is my hope, and one of the



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reasons why I'm supporting this legislation...supporting this Resolution, although I do not know all the entire facts of the case but it is my hope that the leadership of the United Auto Workers, that the leadership of Caterpillar Corporation sit down at the table and end this, what I call nonsense, and put these bitter Labor Relations and acrimonious attitudes and behaviors behind them and get on with the business of Caterpillar Corporation and get on with providing adequate good wages and health benefits for the employees of Caterpillar Corporation. Thank you."

Speaker Giglio: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, you're not going to have to put the clock on me because I'm not going to talk that long. But I just...I guess just the single point that I want to continue to make is to reflect what Bill Black had to say earlier. I represent the poorest district in terms of net incomes that's represented by a Republican here in the General Assembly. I have a lot of working class people. In fact, like Representative Novak, I come from a blue-collar working class family. But I also have a concern about this Resolution and the tenor that it's taken. I would certainly support the whole concept of bringing these people together to reach a resolution. But unfortunately, that's not what this is going to accomplish. You know, by taking this tenor, by taking this type of an action in terms of the way this is worded, it's going to put us in a situation where all you're going to do is strengthen, the resolve on the part of either party as far as labor and management's concerned. And it's not going to solve the problem. In effect, we're driving a wider wedge here rather than solving the problem. And that's the

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reason I'm going to vote 'no' on this Resolution."

Speaker Giglio: "The Gentleman from Cook, Representative  
Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. I rise in support of this Resolution and I do so  
for a variety of reasons. But one of the most important is  
the fact that I have a fairly significant UAW Local in my  
district that operates out of the Ford Plant and that's a  
major employer in my district and it's very important to  
the economic well being of the district. And I can tell  
you that I've been approached by a lot of those UAW members  
who have expressed concern over what is happening with the  
negotiations at Caterpillar and what has happened over the  
last several years or last several months. And their  
concern is based upon the fact that at their plant they've  
been able to establish a fairly good working relationship  
with management. But as they see the deterioration that's  
taken place at Caterpillar, they're afraid that they are  
going to be next and all the good efforts that have gone  
into that relationship between the UAW local there, number  
588 and the Ford Motor Company Plant is going to be  
jeopardized by actions that are taking place elsewhere in  
the State of Illinois. And that's a concern that's also  
expressed by a lot of retirees that are members of that  
Local because they know that some of the things that were  
proposed in the contract negotiation at Caterpillar also  
strike at the security of retirees in terms of the kinds of  
benefits, particularly medical benefits that they currently  
enjoy and they know that those benefits could be  
jeopardized to the point of where their physical  
well-being, not only their fiscal well-being will be  
threatened in the future. Now, we in this Assembly do a

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lot of things that advance various corporations and companies at different times. We provide subsidies, we provide financial encouragement so the companies will stay in the state and things of that sort. But we do very little that reinforces the sense of confidence that the average working man has. What this Resolution does is says to the average working person of the State of Illinois, that when the company begins to do things that threaten your security, that somebody is going to be watching and saying, 'let's make sure that fair play prevails.' I think this Resolution is important, not only for the specific areas where Caterpillar and the UAW are negotiating, but it's important to all working people in the State of Illinois because it say that this Assembly is concerned and that this Assembly is going to have it's eyes on the situation and its going to participate in the process by passing Resolutions such as this that says, 'let's make sure that fair play prevails and the very best negotiating stance as possible takes place.' I urge an 'aye' vote."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I want to thank Representative Lang for really honing in on what's really important and what's really important about this nature of this Resolution. He said we have a responsibility to 14,000 Caterpillar employees. He said there are 14,000 Caterpillar employees to depend on us in this House. Well, you know what? He may or may not be right but let me tell you who does. The average Caterpillar employee, UAW on his W2 for 1993 earned \$49,700. Apparently, the Speaker, the Sponsor of this Resolution has forgotten over 100,000 State of Illinois

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employees who don't earn anywhere near \$49,700 a year, nowhere near them, who depend on the Speaker of this House as well as the other Leaders of the General Assembly to pass a budget to get serious enough to make up his mind whether he agrees with a budget or doesn't agree with a budget. Less than eight hours from now, it will terminate. I think the Speaker and the rest of the Members of the General Assembly have a responsibility to over 100,000 state employees, no less the eleven and a half million people live in this State, to get serious about passing a budget, to get serious when he says yes the first time, not to change his mind tomorrow. Get the business of this State done. Responsibility, that's the whole name of the game. This is a bad idea and you know it. The Resolution ought to be directed towards the Speaker to get serious about his responsibility to the taxpayers of Illinois and to the over 100,000 employees."

Speaker Giglio: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you very much, Mr. Speaker. As Chair of Labor and Commerce in the Illinois General Assembly, I rise in support of the Resolution because I do not believe that the people that we are sent here to represent want us to allow a situation to occur in which working men and women cannot feel safe and secure on their jobs because they will not have businesses negotiating with their labor unions. But just simply saying to them, 'we're going to replace you if you don't come in and work under the conditions that we feel you should have to work under.' I think it sets the State of Illinois back in the years about 1800 when people had to suffer under any kind of working conditions that business owners chose to have over or under them. With the

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movement in support of working men and women, one of those issues to develop and get support nationwide was the right to negotiate for the working men's...working conditions and safety. When there is an impasse, you're supposed to talk, you're supposed to compromise and you're supposed to come to the table. For working men and women in the State of Illinois to feel they're going to lose this security, I think it would cause business not to want to be here because they know they will not be able to find workers who feel safe and secure in their employment. It behooves all of us who wish to remain elected, who are elected by people who usually work to vote 'yes' on this Resolution. It shows that we do have a respect for people who are trying to earn a living and take care of their families. I don't think we want to move back to the days of 1800 where people worked in sweat shops without rules or regulations. If you're a parent trying to take care of a family and maybe a single parent working to take care of a family, you shouldn't have to work under just any conditions with unfair labor practices. This Resolution is merely asking that Caterpillar or any company like Caterpillar respect the working man's right for negotiations on his or her behalf. I urge an 'aye' vote."

Speaker Giglio: "Representative Flinn."

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

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The previous question has been moved. Representative Madigan to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen, it was a very interesting discussion and I was very interested in a lot of the high-level of rhetoric coming from the other side of

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the aisle. This question is very simple. The National Labor Relations Board has filed ninety charges against this company. Let that absorb. The National Labor Relations Board, not the Union but the Board, the Government Board has filed ninety charges against this company. And all we're saying in this Resolution is that people should not be permanently replaced because they want to avail themselves of their rights under the Collective Bargaining Law. That's all we want to do and I would request an 'aye' vote."

Speaker Giglio: "All those in favor signify by saying 'aye'; opposed, 'no'. All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Representative Parke, five minutes to explain your vote."

Parke: "Thank you, Mr. Speaker. If this received the required number of passage, I would ask for a verification roll call."

Speaker Giglio: "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 65 voting 'yes', 47 voting 'no'. Representative, this Resolution takes the majority of those voting. The Gentleman withdraws the verification request. On this question there are 65 voting 'yes', 47 voting 'no' and the Resolution is adopted. Representative Johnson, for what purpose do you rise, Sir?"

Johnson: "Mr. Speaker...and I believe I'm joined in this by several of my colleagues, I would move pursuant to Rule 33(b) to advance House Bill 4252 to the Order of Second Reading without reference to committee. This Bill would pay the State employees for one month pending the resolution of what appears to be an ongoing budget

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discussion. People who are working for the State of Illinois deserve to be paid and that's what this Bill does and I would ask for the approval of the House and the passage of this Motion. I would also ask for a roll call on my Motion."

Speaker Giglio: "Representative Madigan. Representative Johnson, House Rule 29(b)3. 'A Bill determined by majority of all the Members of the Rules Committee to be an emergency Bill or to be important of (sic-for) the operation of Government.' The rule did not go before the Rules Committee so the Bill is...the Motion's out of order. On the Order of State Budget, Second Reading. Senate Bill 948, Speaker Madigan. Read the Bill, Mr.... What's the status of the Bill, Mr. Clerk?"

Clerk Rossi: "Senate Bill 948 has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed."

Speaker Giglio: "Any motions...any Amendments filed?"

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

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

Olson: "Mr. Speaker, I'd like to yield to Representative Johnson."

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

Johnson: "I know you from the Zeke Giorgi school and Zeke was one of my best friends but he had a way of explaining rulings and I couldn't quite audibly hear that. I wonder if you could reiterate your ruling with respect to my Motion which is joined by Representative Weaver, Representative Black and others with respect to paying the State employees on time. Are you ruling my Motion out of order? Or are you

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going to let us call the Bill and pay people for working for the State of Illinois while we continue to while away our time. What's your ruling, Mr. Speaker?"

Speaker Giglio: "The Motion... Your Motion..."

Johnson: "Could you answer the question for me? You didn't tell me what the basis for the ruling was. I didn't..."

Speaker Giglio: "Representative... Representative Johnson, the ruling I read was on page 17 of our Rules, Rule 29(b)3, paragraph 3. 'A Bill that's determined by majority of all Members of the Rules Committee to be an emergency Bill to be important for the operation of Government.' This was not considered before the Rules Committee so it was ruled out of order, Representative. And Rules can't be discharged. Representative Olson, are you... Representative Johnson."

Johnson: "Mr. Speaker...and I asked for a Roll Call Vote on my Motion to appeal your ruling, that you're not going to pay the employees of the State of Illinois because of an incorrect ruling on the Rules of this House."

Speaker Giglio: "Representative Johnson, we're on Amendment #2..."

Johnson: "No, we're not..."

Speaker Giglio: "Your Motion was ruled out of order."

Johnson: "I thought you were on my Motion to appeal, your incorrect ruling. Are you going to rule my Motion out of order to appeal your ruling or are you going to continue to obstruct the business of the House and not pay people who are working for the State of Illinois? We realize you have your congressional campaign underway, Mr. Speaker. But I'd like to have a ruling which you have given us and now I'm moving...Now I'd like to have a roll call on my Motion to overrule the ruling of the Chair. That Motion according to



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Robert's Rules in our Rules takes precedence over every other Motion and I'd ask that you call and ask for a...for a recorded Roll Call Vote on our Motion now to overrule the ruling of the Chair ruling our Motion to advance this to the Order of Second Reading and pay the State employees for a month, out of order. I'm ruling, I'm..."

Speaker Giglio: "Representative Johnson, you asked for a ruling. We gave you the ruling. The Gentleman moves to appeal the ruling of the Chair. Take the Bill off. The Gentleman moves to appeal the ruling of the Chair. All those in favor signify by voting 'aye'; opposed, 'no'. This is a Motion to move to overrule the ruling of the Chair. Have all voted who wish? Representative Black, do you wish to explain your vote, Sir?"

Black: "Yes, yes, I do, Mr. Speaker. I find it very interesting that what is occurring happened just after we spent one hour on a Resolution that will be filed somewhere and do nothing for the workers of Caterpillar. Nothing for the members of the UAW. Nothing for the Company of Caterpillar. But on a Bill and Resolution to pay the people who are hired by the State of Illinois and pay out of the budget that we're supposed to appropriate, oh no. Oh no, we don't want to do that. We don't want to pay the people who work for the State of Illinois. Oh no. I'm glad to see everyone's true colors. We're going to worry about UAW and Caterpillar and we all are worried about them and we should be. But the bottom line is your first allegiance is to the people who work for the State of Illinois. And by your vote, by your vote, you're saying, to hell with you. You don't get paid, tough. Brilliant vote, folks."

Speaker Giglio: "Representative Johnson."

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Johnson: "If you're voting against this Motion, you're voting to continue a budget impasse and you're voting to fail to pay university employees, state highway workers, correctional workers and others. So, if you're a red vote on this vote, you better count on the fact that this is going to be your opportunity to vote 'yes' or 'no' on paying people for working for a living while we're down here wasting their time and their money. This ought to be a 'yes' vote. Everybody ought to be 'yes' on this vote and to vote 'no' on this is not only obstructionist, it's unfair to university employees and to employees all over the State of Illinois who are working for a living, who are going to be facing rent bills and grocery bills and everything else over the course of the next two months or the next two weeks while we sit here and try to hammer something out. We should have been out of here a long time ago. We're not, but they deserve to get paid. So, if you're a 'no' vote, if you're a red vote on this Bill, you can count on the fact that your constituents are going to ask you why you didn't vote to pay them for earning an honest living and why..."

Speaker Giglio: "Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Mr. Speaker. You know, the courts have held that the public aid payments for people who do not work are entitlements. And if we can't come to a budget agreement, they get their money anyway. But yet the folks who do work for the State, they can't get a paycheck. A 'no' vote on this is a vote against the people who really work hard for the State of Illinois and it's against your AFSCME friends. The AFSCME people will not be paid unless we come to a budget agreement. A 'no' vote here is a vote

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against AFSCME. It's nice to see so many anti-union votes up there, I guess. That's what your intent is. I think we need to set aside the disagreement over the budget, get the budget passed. As Representative Black said, we can spend an hour debating a Resolution that is relatively meaningless and yet when it comes to paying the people who work for the State of Illinois, that's out the window. It's got to be a 'green' vote for the people of Illinois."

Speaker Giglio: "Take the record, Mr. Clerk. On this question, there are 51 'yes', 67 'noes' and the Gentleman's Motion fails. Senate Bill 948. Amendment #2, Representative Olson."

Olson: "Mr. Speaker, Senate Bill 948 was a Bill for the Fiscal Year 1994 Appropriations. I'm concerned about why it is on the Calendar here today. Our files do not even have what Floor Amendment #2 might have been, and I would like for you to present a copy of that to me."

Speaker Giglio: "Representative Madigan."

Madigan: "Mr. Speaker, to answer the Gentleman's question. If this Amendment were withdrawn, we could move to Amendment #3, which would provide appropriation authority for the next two weeks for all of State Government. Not just employees but all of State Government, so that it would meet the...it would meet the point which was argued so eloquently by Mr. Johnson and Mr. Black and a few others. And so, if Mr. Olson would be so kind as to withdraw Amendment #2, we could move expeditiously to Amendment #3, which would provide appropriation authority for the State for the next two weeks."

Speaker Giglio: "Representative Olson."

Olson: "Mr. Speaker, would the Representative state are there other Amendments?"

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Speaker Giglio: "There's Amendment #3. There is another Amendment, yes."

Olson: "Could we see a copy of Amendment #3?"

Speaker Giglio: "Has it been distributed, Mr. Clerk?"

Clerk Rossi: "Amendment #3 has been distributed."

Speaker Giglio: "Do you wish to withdraw Amendment #2, Representative Olson?"

Olson: "When I decide, I'll let you know, Mr. Speaker."

Speaker Giglio: "Representative Olson, are you seeking recognition?"

Olson: "In a moment. Mr. Speaker, how does this Bill differ... How does this Amendment differ from the Bill that Representative Johnson just brought to the floor?"

Speaker Giglio: "Representative Johnson, it's your Amendment. Amendment #2, excuse me, Representative Olson. Representative Madigan."

Madigan: "Mr. Speaker, if I might be able to answer the Gentleman's question. I believe your question is directed to Amendment #3, Mr. Olson. And I would say that the difference between Amendment #3..."

Olson: "Mr.... Representative Madigan, we're addressing Amendment #2 at the present time."

Madigan: "I don't know what Amendment #2 is, Mr. Olson. I'm sorry."

Olson: "Mr. Speaker, with great reluctance to the games we play down here, golly, I wish the media would only keep up with it. With great reluctance to the games we play down here, I withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Speaker Madigan."

Speaker Giglio: "Representative Madigan on Amendment #3."

Madigan: "Mr. Speaker, as I explained previously, this would

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provide appropriation authority for the next two weeks so that payroll could be met plus other expenses of the State. I move for the adoption of the Amendment."

Speaker Giglio: "Any discussion? Hearing none... Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, we have language and I'm glad to see... I think, I think imitation is the most sincere form of flattery. And I'm flattered because I think we have the same language in a Bill that you just squashed. But let me make sure. Your Amendment says as our Bill said, the Governor and the General Assembly will not be paid. Is that correct?"

Madigan: "We're identical on that, Mr. Black. Because of your leadership and your eloquence. Thank you."

Black: "I accept that compliment and coming from you, it means a great deal to me, Sir. Believe me. So, basically we have the same language. The only thing that I see that your Amendment does that is different from the Bill that Representative Johnson, unfortunately, wasn't allowed to move is that yours is for two weeks and ours is for four weeks."

Madigan: "You're correct in that regard. But ours goes beyond yours in this respect, we pay for everything. Not just payroll. So, nursing homes can be reimbursed, foster care people can be reimbursed."

Black: "But we're not going to pay the General Assembly and the Governor, correct?"

Madigan: "That's correct."

Black: "I stand four square in support of that. You and I are in

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complete agreement and on occasion, we are. And as I said, ya know, imitation is the most sincere form of flattery and I am flattered and I am going to join with you in this Amendment. I think it's a good idea."

Madigan: "Alright. I won't tell Lee, okay?"

Black: "Thank you."

Speaker Giglio: "Representative Ryder."

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

Speaker Giglio: "Indicates he will."

Ryder: "Mr. Speaker, why is it necessary to adopt this Amendment?"

Madigan: "Because beginning tomorrow, the State would not have spending authority."

Ryder: "Why is it that we're not working on a budget for the entire Fiscal Year, Sir?"

Madigan: "Because tomorrow, we will be able through committee hearing to ascertain where the magic money came from."

Ryder: "Is that like the mirage that you created last week when you pulled the plug on the reimbursement as well?"

Madigan: "And also to reconcile the differences between the Bureau of the Budget and the Economic and Fiscal Commission which has now reached \$308 million."

Ryder: "I think perhaps you should talk to the Economic and Fiscal, Sir. Have you done that yet?"

Madigan: "Talk to who?"

Ryder: "Economic and Fiscal Commission, Sir. Have you talked to them?"

Madigan: "We have talked to them throughout the Session."

Ryder: "We talked to them this morning, Sir. And they indicate the figure you just quoted isn't anywhere close to being correct. That in fact, your hearings, your bogus hearings tomorrow will indicate that the Economic and Fiscal and the

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Bureau of the Budget are amazingly close on a \$32 billion budget. And in fact, the reason, Sir, why it is that you're finding it necessary to put this Amendment up is because you weren't negotiating yesterday. And in fact, as I recall I sat across the table from Representative McPike and Representative Hannig and we were within millimeters on a budget agreement. Now, was that in good faith yesterday, Sir?"

Madigan: "Was I in the room?"

Ryder: "No, your Majority Leader was in the room."

Madigan: "I'm sure that Mr. McPike was negotiating in good faith with you. But my..."

Ryder: "As your agent, was he negotiating in good faith?"

Madigan: "Let me answer the question."

Ryder: "I'd be happy to let you answer the question."

Madigan: "My involvement with all of this for two visits with Mr. Reilly and Mr. Boozell. At the first meeting, they gave us two pieces of paper with no detail. Throughout the day yesterday and through the night, I explained my concern as to the authenticity of these numbers and where all of this came from. If someone were to say that I'm not trustful of this Administration, the answer is yes. Because you..."

Ryder: "Do you trust the Comptroller's numbers, Sir?"

Madigan: "You'll remember, in 1991 when we all left Springfield..."

Ryder: "Do you trust the Comptroller's numbers?"

Madigan: "...thinking that we had an agreed budget document. But after we left town, the Governor arbitrarily reduced the appropriation for all of the transit writers in the RTA region. The following year, the same thing happened relative to local governments. The year after that, the same thing happened to local governments and to hospitals.

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One year ago, we left Springfield thinking that we had an agreed budget document. Within months, we were told by the Governor's Office there was a hole of over \$700 million in the Medicaid program. So, do I not trust this Administration? That is correct, Sir. And I want them to come in and show us where they found \$350 million overnight. We want to know where it came from in a public forum."

Ryder: "Did you have an opportunity, Sir, to perhaps have a conversation with Representative McPike and Representative Hannig as to the information that they received from the Bureau of the Budget, Sir, as late as I think about seven o' clock last night. Did they communicate that with you?"

Madigan: "I'm sure they did."

Ryder: "And would it surprise you, Sir, to learn that during the conference, that they had complete opportunity to question the Bureau of the Budget about those numbers in the meetings in which I was present? And that they took advantage of that and at that point, they did not raise the concerns that you're raising today?"

Madigan: "As you know, we're all individual Members here. We're all elected by the people in our districts and we're all able to do as we wish. I really don't understand why you're so afraid of a public hearing on this question. What have you got to be afraid of?"

Ryder: "May I answer that then, Mr. Speaker? Perhaps you should talk to the Comptroller and see what numbers she has. Perhaps you should talk a little bit closer to the Economical and Fiscal and see what they have. Perhaps, Sir, you might want to have an opportunity to review your comments of last week in which, as I recall, you said something specific or something to the effect of, 'I don't



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have a plan but I'm willing to work with the Governor. I don't know how to get out of this but I'm willing to work with the Governor'. And the Governor provided the means to lead us out of the wilderness you created and now you're forgetting to follow that path. So, I suggest perhaps, that the reason that we're here is because the Governor took the lead in trying to do the business of this State. The Speaker, having thrown a monkey-wrench on the works last week, then decided that perhaps he should do the same this week. So, we'll have the sham meetings that you want next...tomorrow if that's when it's scheduled. We'll deal with whatever kinds of games that you wish to play. But I hope at some point, Mr. Speaker, that we can work together as we have up until nine o' clock last night, bargaining in good faith. And I believe that Representative McPike and Representative Hannig were bargaining in good faith last night to try to do the people's business of this State rather than whatever it is... whatever bull it is that you have at this point. Whatever kinds of embarrassment you wish to cause, when the people of this State are the ones that are going to suffer."

Speaker Giglio: "Speaker Madigan to close."

Madigan: "Mr. Speaker, to close and to reiterate. As always I'm anxious and willing to work with the Governor to prepare a balanced budget. I think that we ought to work with numbers and information which can be relied upon. Unfortunately, historically that has not been the case and consequently, there is a level of distrust. That's unfortunate but we'll work our way through it. I move for the adoption of the Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair,

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the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 948, a Bill for an Act making appropriations to various legislative support agencies. Third Reading of this Senate Bill."

Speaker Giglio: "Representative Madigan."

Madigan: "I request an 'aye' vote."

Speaker Giglio: "Any discussion? Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. The Speaker of this House leaves us no alternative but to vote in favor of this legislation. But more than that, it's most unfortunate what we're being faced with at this moment. You heard the discussion between Representative Ryder and the Speaker. Well, the Speaker really couldn't account for his own actions in that he said the following: He was concerned at what using his terms, 'Where the magic money came from,' using his words. Well, let me tell you where the magic money comes from, Mr. Speaker. And you've been here a few years longer than I have been and you're one of the most Senior Members here. But apparently, you haven't taken the time to talk to your own Members, the Majority Leader of the House and to your own budget experts and frankly, taking the time to talk to the Economic and Fiscal Commission. The deal with the figure of 388 million, Mr. Speaker, and off of that you take 100 million. The reason you take 100 million off of that figure is that that money's in the bank right now for FY94. We didn't expect that. We didn't budget for that. Our budget this General Assembly hadn't accounted for for FY94. That leaves you \$288 million. Of that, the projections for FY95

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receipts is \$148 million. Now, that is right on line with what Ec. and Fiscal says as recently as one o'clock this afternoon when they were sitting in my office explaining this to us. We took the time to ask them to explain it to us because apparently, you hadn't taken the time to ask that. That accounts for \$248 million. Yesterday, your own negotiators were in the office accounting for \$65 million in cuts from the budget. With the \$50 million in transfers with the Build Illinois Fund that your negotiators were agreeing to and with the \$25 million in Economic Restructuring Funds that they agreed to, it comes up to the magic number of \$388 million and that's where the funds have come from. As easy as that, Mr. Speaker. In a \$30 billion budget and yet you want to sit here and play games with the people of Illinois, with the people that really need our help in this business. When we are operating on the presumption that you are an honorable man when you go into negotiations and want to work very clearly and very strongly for an agreement. And yesterday we were all working in that accord and today you walk in and, I think if I might say, because you didn't like what the papers were saying about this Governor, because you didn't like the fact that he's running 28 points ahead of your candidate for Governor, you want to pull the plug. You want to use the people of this State and every Member of this General Assembly as your pawn and you move them around like a chess game. And you say, move over here because I dictate that that's what will occur. But you know something, the people of this State are getting wise to your actions and the actions of the majority party in this chamber and they're going to change it in November of 1994. And this is one of the reasons that it will be changed,

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because they're tired of the shenanigans. You, Sir, have become the General of gridlock in this State. You are the person, you are the individual that has turned your back on the Criminal Justice System and refused to call the Governor's crime package that came out of the Senate. You have refused to deal with the reform of the school system and charter schools. You have refused to deal with Economic Development and Business Reform in this State and you have refused to talk about the necessary reforms that we need to bring riverboats to your city that you turned down before. What has this Assembly accomplished? Once again, another step in the direction of gridlock orchestrated and planned by you. Well, it's not going to work. We'll still stay here, we'll negotiate a budget and I'm going to tell you something, the budget that the Senate is going to pass over to here, a budget that was that close to working out until you pulled the plug. And your own individual chess game is one that ultimately will pass this General Assembly. You know it and I know it and the people of this State know it. And they're sick of your games. And it's time, Mr. Speaker, that you say if you can't lead, then get out of this process. Then get out of this process. And I'll tell you this, we're going to speak this every point of this State every day, every month until the November Elections because the gridlock in this Assembly orchestrated by you has got to stop and it will stop. So, yes, go ahead and put this Bill up for a vote that you worked on so hard. That's why you kept your appropriation people in last week because you knew you were going to do it now. Well, you led your own negotiators, your own Senate Democrats and Senate Republicans, and frankly, us into an opportunity to reach an agreement and then you

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pulled that plug. We'll vote for this because we don't want to use the people that are working for this State as pawns or the people that need our services. But you know, it's a sham and it's a shame because you've gotten away with it for too long. Now is the time for the people of Illinois to pull the plug on you, Sir."

Speaker Giglio: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Wasn't it just last week that we were faced with the dire consequences of not passing a debt payment holiday that we were going to have to be faced with cuts for education and social programs? Didn't the Governor travel to the Tribune Editorial Board last week and promise that there would be dire consequences? Well, now the dire consequences are that he's increased the revenue estimates, magic money. Magic money. Let's take the time to look at these revenue projections and not do what we did last year and accept the Governor's projections of what we were going to spend on public aid and then six months later, find there's a \$700 million error that he made. I hope the Governor got a calculator for Christmas because once again, he has made an error, an error. We didn't need to defer \$700 million in debt payments. We didn't need to incur \$200 million in increased interest payments over the next year. Oh, no. We've got \$380 million of magic money. Let's take some time and make sure that's real money."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've never known the former Speaker to not spend that magic money if it was available. I serve as Co-chairman of the Economic and Fiscal Commission and I

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spent some time with the director and also I've spent a lot of time over the spring in meetings in the Economic and Fiscal Commission. And we have always, in the Economic and Fiscal Commission, believed that we would have revenues in excess of what we were projecting for this year, and that is absolutely what has happened. And as of this morning, according to the numbers that we received, there are \$100 million that we have received greater than was originally planned for. That's the number that's there. You can talk to Economic and Fiscal, you can talk to Bureau of the Budget. The money is in. It's in the bank. When we had our initial hearings on the proposed 1995 revenue estimates, we were told by the Chief Economist for the Economic and Fiscal Commission and also the Executive Director that the picture that we were being presented with was a very, very conservative picture. And that they were basing their revenue estimates on the lesser of all numbers that they possibly could so they would not overproject those numbers. As we now have come to the end of Fiscal Year 1994 and realized that we've got \$100 million more than our budget from last year, we also have to include that in the base for 1995 and that kicks all sorts of other numbers up in the various columns. The Economic and Fiscal Commission and the Bureau of the Budget are not going to match in all details and all line items. But basically, what the Economic and Fiscal Commission is saying is, that they're very close to what the Bureau of the Budget projects for 1995. And so, if the Speaker would have just taken any time today to check with the bipartisan commission that represents Republicans and Democrats, House and Senate, represents our side of this equation, he would have found out that the numbers that they're projecting are

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within maybe one-tenth of one percent of the Bureau of the Budget which is, for a projection of one year, 365 days, being within one-tenth of one percent is a very, very small deviation. Almost to the point of statistical irrelevancy. It's something that in numbers becomes big, in percentages over a year becomes very, very small. I think that Representative Daniels was absolutely correct when he rose to speak. This isn't something that's based on revenue estimates, on budgeting. This is just a peer, political ploy. Here we go again, if it's good for the Speaker then we do it. If it's bad for the Speaker then we don't do it. If it's something that he believes is bad for Governor Edgar, then he's going to do it because that's the way he's built. And if it's something that's good for his people, then he's going to do it. That works in some situations but when we're at the point on June 30th discussing a budget of \$32 billion and the needs of the people of this State of Illinois, it just goes too far. Let's cut out the crap and get down to business."

Speaker Giglio: "Speaker Madigan to close."

Madigan: "Thank you, Mr. Speaker. Again, I listened with great interest to all the remarks from the other side of the aisle and I would simply repeat what I said earlier. Why are people so afraid of a public hearing on these questions where we can proceed in an orderly, intelligent fashion to determine just how much money is available to be spent. As a result of the public hearing, we may agree in a large part or completely with what is being claimed by the Governor. On the other hand, we may not agree with the Governor. And I would say to all of those who are working the numbers and painting that very rosy picture, why didn't you mention the \$1 billion debt in the Medicaid Program?"

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Did that kind of slip off the chart when you were preparing your speeches? Let us not forget that when we talk about the available balance, what's left over because of prudent spending, whatever it may be. One billion dollars of Medicaid providers not paid. That's the condition of Illinois. I move for the adoption of the Bill, Mr. Speaker."

Speaker Giglio: "The question is, 'Shall Senate Bill 948 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Representative Skinner, one minute to explain your vote."

Skinner: "Mr. Speaker and Members of the General Assembly, you're all voting 'green' and that means you want to stay here all summer. I don't want to stay here all summer. I served on the Appropriations Committee and we didn't vote on one agency budget for the entire time we were in the committee Session. The Appropriations process obviously is broken. What you're doing here is being a co-dependent. You're being a co-dependent to the Speaker. You're helping him not make a decision. I would ask you to change your votes to 'no', so he'll have to make up his mind."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 110 voting 'yes', 4 voting 'no', 0 voting 'present'. Senate Bill 948, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar #2, Conference Committee Reports appears Senate Bill 398. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. The Conference Committee Report #1 to Senate Bill 398 incorporates the agreed...agreed language between the Illinois Hospital Association and the Illinois State Medical Society in



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regard to basic rights, due process rights for doctors and the issue of economic credentialing. This is the agreed language. There is no opposition. The negotiations have taken place over the course of the winter and the spring. This is a result of those negotiations and I'd be happy to answer any questions."

Speaker Giglio: "Any discussion? Representative Ryder."

Ryder: "I join the Gentleman in the indication that this is agreed language. I compliment him on bringing it. I also admire his courage for placing that language on this particular Bill. As is often the case with Conference Committee Reports, that on which we are voting has nothing to do with that which is stated on the board. Representative Granberg, your courage is exemplary."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 398?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 114 voting 'yes', 0 voting 'no' and the House does accept the First Conference Committee Report to Senate Bill 398, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1191, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report #1 on Senate Bill 1191. This Bill, as it comes out of Conference Committee, is almost identical to what passed out of this House. The one provision of that Bill allowed for a reduction in assess value on properties that were...that were dedicated for Conservation Easements. The original Amendment did not include Cook County. As the

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Bill now stands, that problem has been addressed and this provision applies to all counties in the State including Cook. As I am aware, this is a complete agreement on the part of all parties and I would urge a 'yes' vote in accepting Conference Committee Report #1. Thank you."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 1191?' All those in favor signify by voting 'aye'; those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And the House does adopt the First Conference Committee Report to Senate Bill 1191, and this Bill, having received the Required Constitutional Majority, is hereby declared passed. Senate Bill 1267, Representative Woolard. The Gentleman from Williamson, Representative Woolard on Senate Bill 1267."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that there's a lot of people that have been concerned and have heard about the issue that has had various groups working on as far as the Environmental Protection, the Department of Agriculture, the Fertilizer and Chemical Industry and many of the farm communities throughout the State in concerns with the compatibility of wells and the fertilizer business and some of those facilities that have been distributing such. Everyone has come to an agreement, I think, that there is no one who is objecting to the Resolution. The Department of Agriculture will assume some of the responsibilities and take them away from the Environmental Protection Agency. I think that with the Resolution, we will see that we'll have a

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continuation of many of the smaller facilities providing some much needed chemical and fertilizer business throughout the State of Illinois. Also, in a Conference Committee, there is a section that requires testing for equine infectious anemia, which is a part of a concern by the Department of Agriculture. I would encourage everyone to support this much needed and much agreed Bill."

Speaker Giglio: "Any discussion? The Gentleman from Logan, Representative Olson."

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

Speaker Giglio: "He indicates he will."

Olson: "Representative Woolard, you mentioned several different Articles in this Bill. Were these previous Bills and did they go through our Ag Committee?"

Woolard: "No, these are not previous Bills. This was something that was brought to our attention by the chemical industry here at the end of the Session and we tried to address. The first...or the last portion that I spoke of, which was a part of the original Bill, yes, did pass through the committee process. But as far as the agreement between the Department of Agriculture and IEPA and the fertilizer and chemical industry, that was something that was brought about at the end of Session and was negotiated and the agreement was reached."

Olson: "Retail outlets of fertilizer and chemicals are in concurrence with this?"

Woolard: "Yes, that's what we're dealing with."

Olson: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1267?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The

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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. On this question, there are 114 voting 'yes', 0 voting 'no'. And the House does adopt the First Conference Committee Report to Senate Bill 1267, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On page 52 of the Calendar under Conference Committee Reports, appears House Bill 3197. Representative Black. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I'm trying to find my notes here. First Conference Committee Report on House Bill 3197 includes the following: Has license plates enactment for Bronze Star recipients. I think that was embodied in House Bill 3196, sponsored by Representative Leitch. There is something in here that I hope that you'll join with me in saying it's an economic development issue for many of us in downstate Central Illinois. It delays the effective date of the Vehicle Code of the Bill that we passed last year, House Bill 1792, about vehicles hauling implements of husbandry. Those are the fancy name for farm implements. It also gives local townships the authority over pedestrian solicitation. That was embodied in House Bill 2601, sponsored by Representative Hoffman. I'd urge your favorable vote of Conference Committee Report #1. I'd be glad to answer any questions you might have."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3197?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Representative Woolard, are you seeking recognition, Sir?"

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Woolard: "Thank you, Mr. Speaker. Just a point that I would like to ask the Sponsor if he would kind of nod his head if he is in total agreement. This is delaying implementation of the House Bill 1792 for six months, is that correct?"

Black: "Yes, it is, Representative. I personally would prefer a repeal. I don't think that I can get the support for that. It does delay the implementation of that hauling permit law on implements of husbandry for six months. I'm hopeful that we can perhaps, with the input of the implement dealers in our agricultural community, perhaps negotiate a little different language in that if we could between now and six months."

Woolard: "And I think everyone is committed to meeting and trying to work up some resolution between now and then. Thank you."

Black: "That's my understanding, correct."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 113 voting 'yes', 1 voting 'no' and the House does adopt the First Conference Committee Report to House Bill 3197. And this Bill, having received the Required Constitutional Majority, is hereby declared passed. Supplemental Calendar announcements."

Clerk McLennand: "Supplemental Calendar #3 is being distributed."

Speaker Giglio: "Representative McGuire. Representative McGuire. Supplemental Calendar #3, Senate Bill 1285."

McGuire: "Thank you, Mr. Speaker. Yeah, that's..."

Speaker Giglio: "Move to refuse to recede from House Amendments #4...1, 4, and 5."

McGuire: "Yes, correct...correct."

Speaker Giglio: "The Gentleman moves to..."

McGuire: "Refuse to recede on Amendments #1, 4 and 5."

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Speaker Giglio: "All those in favor signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. And the House refuses to recede from House Amendments #1, 4 and 5 and requests a Conference Committee. Senate Bill 1332, Representative Saviano. Saviano, Senate Bill 1332. The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 1332. All those in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 to Senate Bill 1332 and asks for a Conference Committee. Representative Flinn, Senate Amendment (Bill) 1672."

Flinn: "Mr. Speaker, the Bill is on the nonconcurrency list but I would move to recede from House Amendment #1 to Senate Bill 1672. There's a bit of misunderstanding about the Amendment. I think we'll wait until later and try to stick it on something else. In the fall or some... It's not an urgent thing. If I'm not out of order, I'd move to recede."

Speaker Giglio: "The Gentleman moves to recede from House Amendment #1 to Senate Bill 1672. All those in favor...Excuse me. Representative Parke."

Parke: "Yes, we'd like to have an explanation of what was Amendment #1 to Senate Bill 1672."

Speaker Giglio: "Representative Flinn."

Flinn: "Well, the Amendment is the one we talked about at quite some length. And what it did was absolve the county from any liability on property they had in the process of transferring it with a legal title after sales...tax sales had failed. It's the one that everybody over there objected to and still voted for. But it's something that we can wait on."

Parke: "So, it's your intention now to put it in Conference

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Committee to...to do what?"

Flinn: "I don't want it to go to Conference Committee, I want it to go to the Governor. The Bill's very important, much more important than the Amendment is. We can wait on the Amendment but the Bill is very important so we start getting paid back by the City of East St. Louis for the loan that they made some six years ago."

Parke: "Okay. Thank you, Representative."

Speaker Giglio: "Further discussion? The House refuse...The Gentleman asks to recede from House Amendment #1 to Senate Bill 1672. All those in favor say 'aye'; opposed, 'nay'. All right, Roll Call Vote. All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Representative Black."

Black: "Yeah, I have an inquiry of the Chair."

Speaker Giglio: "Proceed."

Black: "It's very difficult to hear. Did he withdraw both Amendments or one Amendment?"

Speaker Giglio: "There's only one Amendment."

Black: "Only one Amendment on the Bill?"

Speaker Giglio: "House Amendment #1."

Black: "Alright. Okay."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there is 112 voting 'yes', 0 voting 'no'. On this question there are 112 voting 'yes', 0 voting 'no'. And the House recedes from House Amendment #1 to Senate Bill 1672, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1803. Representative Churchill. Representative Black, do you want to carry Senate Bill 1803?"

Black: "Yeah, thank you very much. Mr. Speaker, Ladies and

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Gentlemen of the House, Amendment #2 replaces line 17 of the Bill on page 5 through line 1 on page 6. It's deleting the language that says the Governor shall appoint a nine member committee made up of the Director of the Department of State Police et cetera, et cetera. The committee was to study and make recommendations of the Governor regarding the continuation or the abolition of the dial up system for the FOI card. I'll be glad to answer any questions you might have about House Amendment #2."

Speaker Giglio: "Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. Take the Bill out of the record for a minute or two. Will you, please?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Supplemental Calendar #1, appears Senate Bill 542. Representative McAuliffe. Five forty two. Second Reading. Are there any Amendments, Mr. Clerk? Read the Bill."

Clerk McLennand: "Senate Bill 542 has been read a second time previously. Floor Amendment #1, offered by Representative Granberg."

Speaker Giglio: "Representative Granberg. Withdraw Amendment #1."

Granberg: "Yes."

Speaker Giglio: "Further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder, do you wish to withdraw Amendment #2? Withdraw Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Granberg, do you want to withdraw this Amendment?"

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



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House. Amendment #3 provides that the expenses for fronting of Bills shall be paid out of the Legislative Printing Unit Appropriation. It also would allow the Clerk of the House and the Secretary of the Senate to charge fees for providing live audio of House or Senate proceedings. And I would move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'nay'. Representative... In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Withdraw Amendment #4. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 542, a Bill for an Act to amend the State's Space Needs Act. Third Reading of this Senate Bill."

Speaker Giglio: "The Gentleman from Cook, Representative McAuliffe. Representative McAuliffe, perhaps you'd like to yield to Representative Granberg. He understands that Amendment #4..."

McAuliffe: "Yes."

Speaker Giglio: "...removes everything...Representative Granberg."

Granberg: "Thank you, Representative McAuliffe. Amendment #3 became the Bill. It simply allows the Clerk of the House and the Secretary of the Senate to make certain...to pay for certain expenses. It would also give them the ability to charge for the audio transcripts of debates which take place in the House and Senate. And if there are any

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questions, I'd be more than happy to answer those."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Is there any language in your Amendment? What is the schedule of reasonable fees? Is that going to be established by a committee action or a Rule?"

Granberg: "Representative, it would probably be by the Joint Committee. That would be a sliding scale. So, if someone wanted to hear one of your speeches, it certainly could go for a much higher price, probably thousands and thousands of dollars."

Black: "Okay. Well... You're very kind. I'm not sure that many of those speeches would be worth quite that much, but be that as it may, isn't there an inherent danger in the Amendment? There's language that says that the Clerk and the Secretary will have complete discretion over the distribution of live audio. And my concern is, what would then prevent the Clerk or the Secretary from deciding that a response or a question or an oratorical gym that comes from the minority would simply just be cut off and not be allowed to go out over live audio.?"

Granberg: "Representative, it's my understanding that they have that ability right now."

Black: "I don't believe they have it in statute, do they?"

Granberg: "There's no prohibition in the statute. I think that gives them the ability to carry that out currently."

Black: "In other words, it appears that the result...What we might be doing is trying to remove exclusivity and perhaps put it into the public realm."

Granberg: "That's the intent, Representative, because we don't

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want anyone being deprived of what you say on the floor of this House."

Black: "Well, and I certainly don't either and I know that you and I will stand four square in favor of that because as the add says, when Representative Granberg gets up, people listen. So, I just want to make sure that we all listen."

Granberg: "I've never heard that and I wouldn't believe it."

Black: "Believe me, in my district that's what we say."

Granberg: "Great, they don't do it in mine."

Black: "Well, you're only an expert when you get thirty miles away from home. You know that. In this case, I think by making it part of the public realm, it probably makes eminent good sense. Thank you for your patience."

Granberg: "Thank you."

Speaker Giglio: "Further discussion? Representative Leitch."

Leitch: "Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Leitch: "Representative Granberg, on page 5 of your proposed Amendment, you take out a line pertaining to the purchase of telecommunications equipment. Can you tell me what the effect of that is, please?"

Granberg: "I'm sorry, Representative Leitch, that was on page 5. Where... What line?"

Leitch: "At the very top. Page... Line 1."

Granberg: "Representative, this would allow you to live up to your agreement under your current lease. So, you're currently obligated under the terms of your existing lease contractually. So, this would allow you to do that."

Leitch: "Would you tell me that again, please? I can't hear you."

Granberg: "If you are currently involved...contractually involved in a lease agreement, this would allow you to fulfill the

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conditions of that lease, so you would not breach that contract."

Leitch: "Okay. And I see the same is true with duplicating equipment?"

Granberg: "Yes."

Leitch: "Okay. Thank you."

Speaker Giglio: "Representative Skinner."

Skinner: "Would the Gentleman answer a question?"

Speaker Giglio: "He'll try."

Skinner: "If Members of the General Assembly or their staffs ask for transcripts, written transcripts, are we going to be charged?"

Leitch: "No, Representative, we would not."

Skinner: "Thank you."

Speaker Giglio: "Representative Granberg to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would simply allow the Clerk and the Secretary to charge for the audio transcripts of debates held on the...held in the House and in the Senate. It would give them the ability to charge reasonable fees for that and I would move for its passage."

Speaker Giglio: "The question is, 'Shall Senate Bill 542 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and 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 111 voting 'yes', 0 voting 'no' and Senate Bill 542, having received the required Constitutional Majority, is hereby declared passed. Representative Daniels, for what purpose do you rise, Sir?"

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I've just received notice from the Senate that they are in

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fact working on the budget unlike this place. And they in fact intend to pass a budget over to us tonight. And in accordance with their Rules, they will have a hearing tonight at 7:00 of which all the Democrats are invited to because you can't figure out where the additional revenues are from and you can listen to this at 7:00 tonight. So, when the Senate passes the budget over here, if you want to stay, we can get our work done tonight because all your budget figures will be answered tonight. So, on behalf of Senate President Pate Philip, you're invited to sit and witness the Senate hearing at 7:00 tonight in Room 212. Thank you."

Speaker Steczo: "Representative Steczo in the Chair. The Rules Committee will meet immediately in the Conference Room right behind the chamber. Page 55 of the Calendar under the Order of Motions appears House Resolution 2540. Representative Hoefft. Representative Hoefft."

Hoefft: "Thank you, Mr. Speaker. Twenty-five forty is a Resolution..."

Speaker Steczo: "Mr. Hoefft. Mr. Hoefft, before you proceed, we have to discharge the Executive Committee. So, the Gentleman moves, pursuant to Rule 77(a), to discharge House Resolution 2540 from the Committee on Executive and advance to the Speaker's Table. On that Motion, is there any discussion? Any discussion? There being none, all those in favor will signify by saying 'aye'...Representative Davis, for what purpose do you seek recognition?"

Davis: "We'd like to know what this Bill...this Resolution is about and why we're going to discharge."

Speaker Steczo: "We will discuss the Resolution, Representative Davis. This is a Motion to discharge committee and then we will undertake..."

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Davis: "Why? Why? What is it about that's so important that we have to discharge committee? There are other Members who've had..."

Speaker Steczko: "Representative Hoeft, could you explain the Resolution to Representative Davis?"

Hoeft: "Thank you. Representative Davis, House Resolution 2540 is a Resolution to the Federal Government asking them to restrict themselves to those areas that constitutionally, they are held responsible. There are so many areas that the Federal Government is interfering. Twenty-two states have passed the Resolution, this Resolution, asking them to stop infringing upon state's rights and this is that Resolution."

Speaker Steczko: "Representative Davis."

Davis: "Representative, could you give us an example?"

Hoeft: "There are a variety of examples that we have had coming through here. I would speak specifically educationally, to examples that the Federal Government mandated certain things to the Education Community in terms of asbestos, special education, transportation, a variety of things like this. And that is what we are trying to speak against."

Davis: "Representative, based upon your response, I really don't think we should discharge committee on this Resolution because first of all, you...it's very ambiguous or dubious as to what you feel the Federal Government is doing that is harmful to the State of Illinois. Are you saying that something the President has done or something that Congress has done is harmful to the State of Illinois? You see, when you make these kind of charges, the public should be able to debate the issue. And by discharging committee on the floor on this issue, we're not letting the public have a say about our charging our Federal Government with

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overstepping its bounds. You know, I'm just not sure that the people in this Body want to do this."

Speaker Steczko: "Representative Walsh, for what purpose do you seek recognition?"

Walsh: "Aren't we supposed to be talking about the Motion to Discharge the Committee?"

Speaker Steczko: "Representative Walsh, your point is well taken. Representative Davis."

Davis: "I think that everyone should vote 'no' on discharging committee on this piece of legislation. It is not... It is not conducive to what we're...the business we're to be about in this Body today. It's untimely. It's untimely and it's an attack on the Federal Government without the public having an opportunity to even debate it. I don't understand why it's being brought tonight, June 30th, which is normally a time to end this Session. And we're going to bring..."

Speaker Steczko: "Please, give the Lady order."

Davis: "I just urge a 'no' vote on discharging committee. If you knew what this was about, I think you would say, 'no' and we'd like a Roll Call Vote on this Discharge Motion."

Speaker Steczko: "Further discussion? Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Lady did a very good job of not speaking to the Motion. She tried most diligently to speak to the Resolution. The Resolution is not before us but I think if you read it very carefully, you'll support the Gentleman's Motion to discharge committee. And if I might sneak one thing in, you don't like mandates? Who likes mandates? Well, if you don't like mandates, you ought to vote to discharge committee. Let's vote to discharge committee. Then you can take a look at the

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Resolution. I dare say many of you will support it. An 'aye' vote to discharge committee. This Resolution is long overdue."

Speaker Steczo: "Pursuant to Rule 77(a), the Gentleman moves to discharge the Committee on Executive and advance to the Speaker's Table House Resolution 2540. All those in favor of the Motion will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 95 voting 'yes', 10 voting 'no' and the Motion is adopted. The Chair recognizes Representative Hoeft on House Resolution 2540."

Hoeft: "Thank you, Mr. Speaker. We have many, many examples over the years of programs that have been mandated to the...by the Federal Government to the state level. The Constitution of the United States in the Tenth Amendment says that those areas, not specifically given to the Federal Government, belong to the State. And yet, the State...the Federal Government has infringed time and time again on our state's rights. Much of our fiscal problem right now in the State of Illinois is because of the fact that the Federal Government has come along and passed down their responsibilities without giving us the fiscal resources to carry through with them. And education and transportation, medicaid, all of these, the Federal Government is telling the states, take these responsibilities and be bankrupt. Mandates, mandates and mandates. This is a Resolution that is passing itself through the various states in the United States. Twenty-two states have passed this and it is saying to the Federal Government, please, keep your hands off our rights, our budget and stay to those areas specifically given by



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the Federal Constitution. This is an excellent Resolution and is a statement I would like to be sent to every Senator, every Federal Representative and to the President and to the Clerks of both the Senate and the House. And I would urge you to follow this Resolution with the rest of the states and urge you to vote 'yes' on this."

Speaker Steczko: "The Gentleman has moved for the adoption of House Resolution 2540. On that, is there any discussion? The Chair recognizes Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Resolution. Let me tell you why. I believe that we as individual state assembly men and ladies have a responsibility to send a message once in awhile when we think our Federal Government steps a little bit out of bounds. Maybe somewhat more than a little bit in many cases. And I think that we've experienced that that's happened in several decades passed. And I think we would be remiss as a Body that represents our constituents to let those that we elect on our Federal level, know that there is a place, there is a time to coordinate our efforts and the jurisdiction of which the Federal Government has stepped over in the last few years is obvious, especially in the way of mandates. And as a teacher of history and government, I believe the balance is tipped way too far away from the states. We created the Federal Government and if you'll read the original historical documents and what it reflects, and so now this Resolution, I think, puts it in perspective and I encourage an 'aye' vote."

Speaker Steczko: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, I not only rise in support of this Gentleman's Motion but I

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think it doesn't go far enough. There's a Legislator in the State of Colorado who has drafted a piece of legislation that puts in escrow, money that they collect that would normally go to the Federal Govern<sup>or</sup> like motor fuel tax. And what they propose to do is to sit on that money and use it to fund federal mandates. I think it's a great idea. I think it's time that we got fed up with all these threats coming out of Washington to hold back our motor fuel tax money, our road funds and God knows what else until we do what they want us to do. If... Just like local mandates, if they want us to do something, they ought to pay for it. Otherwise, stay out of our lives. I think this guy's got a great idea, only we ought to go even further."

Speaker Steczko: "Representative Lang."

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

Speaker Steczko: "He indicates he will."

Lang: "Representative Hoeft, Representative. Thank you. What are you trying to accomplish with this Resolution?"

Hoeft: "We are trying to accomplish a statement to the Federal Government that the balance between state's rights and federal rights is being trampled upon by the Federal Government. And we want them to understand that we want them to focus on not mandating things that are going to harm our budget and take away local control."

Lang: "Can you give us examples of some of the Federal mandates that you say are directly in violation of the Tenth Amendment?"

Hoeft: "I would suggest 94-142 which is the Federal Law dealing with implementation of special education which was a huge amount of law dealing with the rights, responsibilities, the responsibilities of the school districts and it was

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generated with a fifteen percent first year implementation of their finances to follow all the way up to 75 percent. Once they got the laws in place, they removed the financial support for that and the school districts, all the school districts, your school districts were held with all of the laws but not the money to support that. That is an example of the type of thing that I think is unfair for the Federal Government."

Lang: "Well, the question isn't what's unfair. We all agree the Federal Government does a lot of unfair things with our mandates. The question is, as I read your Resolution, that you've stated that many federal mandates are directly in violation of the Tenth Amendment. And I've asked you to tell me some of the federal mandates that are in violation of the Tenth Amendment."

Hoelt: "Sir, I'm not a constitutional scholar who would be able to sit there and talk to you about all of the specific areas. This is a general Resolution asking the Federal Government to focus on their responsibilities and not, please, infringe upon our rights. It's a very generalistic statement."

Lang: "Would it not be a better approach if the Federal Government is violating the Tenth Amendment to the Constitution for the state to simply challenge that in a courtroom?"

Hoelt: "I apologize, Sir. I was unable to hear that."

Lang: "Would it not be a better approach if the Federal Government is violating the Constitution to challenge that in the courtroom, to just simply say no and have it out in front of a judge?"

Hoelt: "That is costly. I think this Resolution is something that is straight forward. It is something that is not

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going to involve us in litigation. That's classic example of encumbering our system with something that I think this Resolution, which is a statement, would be able to work around. Example was the 55 mile an hour speed limit. Why is it that the Federal Government is establishing their standards for our state. Is that in the Constitution, the 55 mile an hour speed limit, that is a good example."

Lang: "Thank you, Representative. Ladies and Gentlemen and Mr. Speaker, to the Resolution, I stand with most of you in great concern about mandates which the Federal Government puts on the states. Some of those mandates are warranted, some are not. But there's no question that the Federal Government burdens us with many mandates. As we have burdened many local governments with mandates from Springfield. But Ladies and Gentlemen, that's not really what this Resolution says. If this Resolution just simply said, hey Federal Government, stop with the mandates, I could live with that. I would vote for that. But I'm not going to vote for this Resolution because the Resolution says that many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States. I'm not sure what those are. I'm not sure where the constitutional violation is. And in fact, if there really is a constitutional violation, it's not a burden to us to challenge those violations. This Resolution is surely not going to stop those violations. So, if there are constitutional violations by the Federal Government heaped upon the State of Illinois, then we should be challenging those. We should say, 'no, we're not going to do this,' and find a judge that will agree that it's a violation of the Constitution. But just simply stating that...that there are federal mandates that violate the

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Constitution just doesn't cut it for me. If the Resolution was amended to say, Federal Government should not give us mandates that are unwarranted or should not give us mandates that we're not equipped to follow, I would live with that. Or if it said that the State of Illinois agrees that in the future we're going to challenge every mandate that the Federal Government puts on us that is inappropriate, I would vote for that. But this is sort of a highbred, this is sort of a halfway measure. And this halfway measure really doesn't cut it. There's nothing in here that says what the Representative wants it to say. And accordingly, I tend to vote 'no'."

Speaker Steczo: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This House Resolution sends a message to Congress that says, we in the states are sick and tired of this federal government taking away our ability and our authority that has been given to us by the Constitution of the United States. I contend that our founding fathers never intended for the Federal Government to have the kinds of powers that they have assumed and taken away from us. Rightfully belonging to the states, this Resolution sends a message that says we are tired of federal mandates to us. I'll give you some examples, Representative. The federal mandates that we're talking about is the Clean Air Act that has been basically forced upon states saying if you do not comply, if you want to challenge us in court, if you want to go into court process, we are going to take away your road funds. And in Illinois, I will remind you that that was almost \$750 million in road funds that we would have lost for road projects needed in this State and each and every one of your districts that need these road funds.

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And we go to litigation in the courts? It would take years and we would pay the price because we would not have those moneys for those road projects. I will tell you also that the Motorcycle Helmet Bill that we have continued to defeat, they have said, fine, then we're going to divert road fund money from building roads in your district for the benefit of the citizens of this State and divert it into an educational fund that does not build one single road in this State. I will tell you the Motor Voter Bill is another mandate that is expoused upon us telling us how we are going to register voters and they have not given us one dime, not one penny to do this. In addition, I will point out to all of you one of the major issues facing this country today is this mandatory national health care agenda that the President and his wife has put out. They are going to turn around and mandate that on us. They're going to tell us we're going to have to implement it from Congress. Watch and see. Not only are they going to tell us we have to implement it, they are going to turn and hand it to us and tell us, we're not paying for it. You in the states are going to pay for it. Another unfunded mandate and if we don't do it the way they say they want it, they're going to take away funding from the states that don't want to implement it the way the presented it. This is a strong message. Ladies and Gentlemen, one of the few times we have an opportunity to stand up for states' rights, for the rights of Illinois, for the rights of the people in this state. I'm tired of the Federal Government taking away your right and my right as an elected official to make decisions. I stand in support of this and it's long overdue and we ought to do a lot more like this. Let's vote for this Resolution."

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Speaker Steczko: "Representative Ostenburg. Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Resolution and I do so for a whole variety of reasons, but I think mostly because the language as I read it, really means that I would have to stand opposed to some things that the Federal Government has mandated that I certainly believe in. I believe in the kinds of civil rights that we've extended to our states when states' rights did not extend the liberties to the individuals who for so long were deprived of freedom that all the rest of us enjoyed and the opportunity to engage in things like voting, when we had states' rights. I would suggest to some people on the other side that certainly the Federal Government didn't provide a lot of money to register voters in the South at the time that the Civil Rights Amendment passed, but was the money the important issue? Of course not. What was important was the fact that we finally extended voting opportunities to a population that had been denied those opportunities for one hundred years and more. So, money is not always the issue. And as I look at some of the things that have come down from the Federal Government, there have been some that I have liked and some that I haven't liked. But certainly when the Federal Government says that we have to provide certain educational benefits for handicapped children, that is something that I believe in. And I don't necessarily stand in opposition to the Congress for doing that. I think we have a Supreme Court that determines whether or not the Congress is violating the sovereignty of the states. When that Supreme Court has so acted, we stand in support of those. Sometimes, a measure may be something

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that personally we don't agree on but the Constitution becomes the final document that determines the accuracy of what the Federal Government has declared. I think that this is a horrible precedent for us to begin to establish, to stand up and say that the process that we have, we're going to occasionally take exception to and pass Resolutions saying they have no right to act on the federal level and the issues that they're covering, things that they've been elected to do. We have a Congress for the purpose of exercising those federal obligations, some of which certainly are going to impact on the states. That's part of the process. And I don't think it's time for us to deny that process or to object to it. I'm pretty satisfied with a lot of things that have come down where unfortunately, for a number of years, states' rights didn't provide the same opportunities to a number of citizens of our nation. I don't think I want to be on the side of this Resolution."

Speaker Steczko: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's not really what you like about what they do, it's what's constitutional. Now, we all learn when we're in school that the states created the Federal Government and they put it out all in writing. And they had some Amendments, the first ten, the Bill of Rights. And the last one, number ten, just said, if we haven't given it to you then you ain't got it. And that is what we're talking about. Now, somebody says that it's not a burden to go to court. Ho, ho. It's a burden and I think it's something that we ought to be doing a lot because we should be fighting every inch of our way to return us to a federal system that is really lost. The other thing is that people



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talk about the judiciary is some saintly group of people there that you know, have orders from God. The problem is they're really part of the problem. So, let's send a message and let's just say, hey, we don't need your help on this stuff, we'll do it ourselves. We can do it better, more efficiently. We're closer to the people and stay out of our lives and get off our backs. I urge a 'yes' vote on this."

Speaker Steczo: "Representative Davis."

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

Speaker Steczo: "He indicates he will."

Davis: "Representative, are you familiar with the fact that before the Federal Government made laws and reference to children receiving special education or people who had mental illnesses, that these people were treated extremely and abysmally poor by our state and many others?"

Pedersen: "Yes, I was very familiar with the fact that 94-142, when it was implemented, followed the special education laws in this state explicitly. We in Illinois had standards that were equal to or higher than the Federal Government in special education. We were one of the seven states that were the model for this. And when the Federal Government came in under 94-142, they removed certain of the rights of the children because of the fact the Federal Government was more watered down than what we were doing in the state."

Davis: "Representative, we did not have the law where parents have to be advised of nor sign on the special placement of their children. We did not have that. The federal law did that. The federal law stated that you had to have an Ill...an independent educational plan for children receiving special education. The federal law stated that

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the child had to have a staffing that included professionals from different levels. Are you aware also that... To the Bill, Mr. Speaker. I think if the Sponsor had looked at the portrait of Abraham Lincoln that stands in front of him, he may have recalled the bloody war fought in the 1800's over the relationship between states...states' rights and the Federal Government. I as a State Legislator would think long and hard before I tried to create this fight that the confederates lost. The states' rights helped create situations that enslaved masses of people. Abraham Lincoln said, and I paraphrase, let no issue ever divide our nation again as this issue that they were dealing with at that time had so attempted to divide this country. As you look at Abraham Lincoln's picture, Representative, I'm sure you realize that most civil rights legislation was passed at the federal level. The Federal Government passed those pieces of legislation that helped guarantee the rights and freedom of all people. The states did not do that. We do not want to on the eve of the fourth of July in which we celebrate the independence of an undivided country against a foreign oppressor, we do not want to create divisiveness again between our Federal Government and our states. I would urge each and every Legislator in this Body to recognize and to realize that as we chop away at those federal mandates because we want to use the money erroneously, appropriately. We do the public a tremendous disservice. Without federal mandates, Mr. Hoeft, I would still be a slave. Vote 'no'."

Speaker Steczo: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an absolutely great and long overdue

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Resolution. I compliment the originator, Representative Hoeft. I only wish this were a Resolution for a well-worded Constitutional Amendment itself that would restore some checks and balances in this incredible system where we're being overrun daily by the Federal Government and its stupid mandates. Very recently, in fact a year ago, we were listening to things and debating things. How do we get rid of the Granny tax? Remember the Granny Tax. What a wonderful, wonderful event that was for so many of our citizens in this state, a result of a very stupid federal mandate for which we had no ability to overcome or to even appeal. As we look at the underground storage tanks and as we look at so many other things that was already mentioned, the mandates in education. When are we as states going to stand up and demand that we get our rights back? Well, this may not be a solution but it's certainly a step in the right direction and I would strongly urge that we remember the Granny Tax and vote this unanimously out of this chamber. Thank you."

Speaker Steczo: "Representative Deering."

Deering: "Thank you, Mr. Speaker. I move the previous question."

Speaker Steczo: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The previous question is moved. The Chair recognizes Representative Hoeft to close."

Hoeft: "Thank you, Mr. Speaker. People talk and I respect their feelings and sentiments but the strength of this nation is in the fact that our government represents various levels. When we were first started we were under the Articles of Confederation which gave only the states' rights and we

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could not properly govern ourselves. In the 1790's we moved to this Constitution which had a balance, a balance between the states' rights and the federal rights. Throughout this century, that has been creeping further and further into a single governmental body in Washington that mandates in terms of our driving speeds, our schools' asbestos needs, our clean air needs, everything in terms of what is happening to our lives in the individual states. This is a straight forward Resolution which said, please, Federal Government, think about what you're doing about destroying that precious relationship between local control and federal control. It is interesting. One of the speakers talked about remediating this problem in the courts. But, of course, the courts are controlled by the Federal Government. Because as the process proceeds, it goes up to the Supreme Court which of course is a federal agency ruled centrally in Washington. This is a straight forward Amendment which says, please, before you continue to encroach upon our rights, think about the precious relationship between local control and national needs. I would ask for a 'yes' vote."

Speaker Steczo: "The question is, 'Shall this Resolution be adopted?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Chair recognizes Representative Schakowsky to explain her vote."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Religious and ethnic minorities have long relied on the Federal Government to protect them against so called states' rights. I really rise as a Jew in opposition to this legislation and I think that those who have long fought in civil rights battles be they for racial

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minorities, for persons with disabilities, for religious rights should be very skeptical of this kind of Resolution. It also assumes that our members of Congress who have sworn in oath to the Constitution are willing to...willy-nilly violate that. I think that over the course of history that many of us have had to worry more about states' rights often than those of the Federal Constitution. I think that the speaker who said that we can challenge the decisions of the Federal Government in court have acknowledged the safeguards that we have and yet, I worry that if we are to pass this that it's not the message that the sponsor intends but rather one that has the potential of trampling on the rights of individuals and I urge a 'no' vote."

Speaker Steczko: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, to explain my vote. You know, I always find it very amusing in this chamber the tremendous amount of hypocrisy. Just earlier today, many on the other side of the aisle were quoting federal mandates that would allow Caterpillar to hire replacement workers. It's very interesting how selectively...how selective we are in which mandates we choose to support and which ones we choose to ignore. Further, we have to understand that these mandates that we are talking about are ones that are passed by an elected Body. It's called the United States Congress and I certainly would urge a 'no' vote."

Speaker Steczko: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I think we're all being hypocrites here if we pass this Resolution. We as the General Assembly pass rules and regulations and state statutes all the time for the 102 counties in the State of Illinois, the 1400 townships and

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municipalities. We pass mandates because we want consistency in the law throughout the State of Illinois. The Federal Government does the same. They pass rules and regulations and statutes and so forth to keep this a consistent United States. And I think we're being real hypocrites when we say, oh no, we're not going to listen to what the Federal Government says, we're not going to listen to what they tell us to do. We don't want consistent rules and regulations throughout the State of Illinois. I guess it comes down to the question whether you want a strong central government or a weak central government in the United States. I think the State of Illinois, if we truly believe in what we're doing here, then we ought to tell each and every county in the State of Illinois, here's what you ought to be doing but if you really don't agree with this, just don't do it. Just ignore the rules that we pass for you. You know, I agree. Many of the mandates in many communities seem harsh. But I've asked my school boards and so forth. If you don't like the mandates that we passed you, tell us which one are rotten. Majority rules in this country and this State. I think we're really being hypocrites when we pass this Resolution. I would urge more 'red' votes on this Resolution."

Speaker Steczo: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. To explain my vote, I would urge a lot more 'green' votes up there. I think what we're all about is strong local government. The closer government is to home, the more responsive it is to local needs. I would also suggest that we are responsible for the needs of our people wherever they are and that there are many of us here who feel very strongly that this state has disenfranchised our citizens in our area. We need to

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put government the closest we can to home and this is an example of how to do it. We ought to have the exact same Resolution for local government versus state government. Put government back in our local communities."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 77...76 voting 'yes' 33 voting 'no', 2 voting 'present' and the Resolution is adopted. On the Order of State Operations, Second Reading appears Senate Bill 493. Mr. Clerk, has the Bill been read a second time, previously?"

Clerk McLennand: "Senate Bill 493 has been read a second time previously and Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Hannig."

Speaker Steczko: "The Chair recognizes Representative Hannig. Withdraw the Motion. The Gentleman withdraws the Motion. Any further Motions or Amendments."

Clerk McLennand: "Floor Amendment #2, offered by Representative Hannig."

Speaker Steczko: "The Chair recognizes Representative Hannig on Amendment #2."

Hannig: "Withdraw. Would you please withdraw #3, please?"

Speaker Steczko: "I'm sorry. The Gentleman withdraws Amendment #3. Mr. Clerk, any further Amendments?"

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

Speaker Steczko: "The Chair recognizes Representative Hannig on Amendment #4."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill creates the Coroner's Training Fund in the State Treasury and appropriates money from the Fund to the

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Illinois Local Government Training Boards for coroners training and continuing education. It provides... It raises the money for this proposal by imposing a \$2 fee on the death certificates, official death certificates that are sometimes needed by individuals throughout the state. I don't know of any organized opposition to this proposal and at this time I would move for the Amendment's adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. On that, is there any discussion? The Chair recognizes Representative Andrea Moore."

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

Speaker Steczo: "He indicates he will."

Moore, A.: "Representative, will this increase in fees change the situation that I was reading about in the Chicago paper today in Mike Royko's column?"

Hannig: "I'm sorry, Representative. I didn't read the Royko column today so you might have to rephrase."

Moore, A.: "Well, they're talking about a bid to bury people that went to the State of Indiana rather than to Cook County. And it went from 39,000 to 70,000. The bid went to Indiana and I wondered if we were going to increase fees for death certificates here, if we would put more of a disadvantage to our people in Illinois that try and bury people."

Hannig: "I don't believe that this would apply to that situation, Representative."

Moore, A.: "You don't think it would apply. Alright, thank you very much."

Speaker Steczo: "Any further discussion? Representative Wennlund."

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

Speaker Steczo: "He indicates he will."



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Wennlund: "The Amendment does increase the cost of death certificates by \$2. Is that correct?"

Hannig: "Yes, that's correct, Representative."

Wennlund: "So, this amounts to... Does everybody pay the same \$2?"

Hannig: "Does... Pardon me, I couldn't hear the question."

Wennlund: "Does everyone pay the same \$2 for that birth certificate?"

Hannig: "Yes, that's correct. Everyone who wants a..."

Wennlund: "So, it's kind of an additional tax on the dead."

Hannig: "It's a \$2 death certificate increase. The money goes to the Coroner's Training Fund so that they will have an opportunity to be better trained and prepared for the kind of emergencies that they're often at. And unfortunately, today...in this day and age where we see more and more murders and homicides, often cases, at least in my areas...in rural areas, the Coroner is the first county official on the scene and consequently needs to be trained in order to preserve the evidence if there's any trace of foul play to insure that the law enforcement officials, the sheriff and the state's attorneys have every opportunity to prosecute the case."

Wennlund: "Thank you very much. To the Amendment and I have a request of the Chair. Pursuant to the Rule 55(c) and I'm joined by four of my colleagues in requesting a Roll Call Vote on the Amendment. Thank you."

Speaker Steczo: "Any further discussion? Representative Hoffman."

Hoffman: "Thank you, Speaker and Ladies and Gentlemen of the House. I rise in support of this...this Amendment. I think it is vitally important to understand exactly what this...this would be used for. It would be used for funds

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for educational training of the coroners of this state. It would be used for morgues and coolers and freezers for evidence preservation and support services where needed. We... We in smaller counties downstate know the value of our local coroners. We know what a value they provide to the individuals in Southern Illinois and all throughout the entire state. I ask that you support this. I'm not one to normally support these type of fee increases, but this is something we need to do for our local communities. It will help our local county boards out and it will help the coroners of this state who do such a fine job."

Speaker Steczo: "Representative Weaver."

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

Speaker Steczo: "He indicates he will."

Weaver: "Representative, does the Amendment become the Bill?"

Does the Amendment become the Bill?"

Hannig: "Yes, that is correct."

Weaver: "This has nothing to do with coroners having interest in funeral homes. Is that correct?"

Hannig: "No, this Bill does not address that issue, Representative."

Weaver: "Okay. Fine. Thank you."

Speaker Steczo: "Representative Skinner."

Skinner: "Well, here we go again. The rural parts of the State of Illinois want to tax the urban parts of the State of Illinois to run their local government. Now, where do you think most of the deaths in the State of Illinois are? It certainly isn't in Representative Hannig's district. Gee, maybe it's in Cook County. Maybe it's in Lake County. Maybe it's in Dupage County, even my county, although, it seems like we have more births than deaths. It seems to me that if the coroners in the downstate counties want more

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money, there's ways to get it, folks. You're not under the tax cap. Raise your taxes. Don't raise the Death Certificate fee."

Speaker Steczo: "Is there any further discussion? There being none, Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I was of the opinion that the previous speaker's district was the same size as mine and that our people died about at the same rate as theirs. But whatever the case may be, I think the important point that we have to understand is that we have coroners. They are elected officials and their job is to... And unfortunately in cases where they arrive at a scene where there's potentially a homicide, their job is to make that determination very quickly. Their job is to ensure that all the evidence is preserved and the only way you can do that, unfortunately, Ladies and Gentlemen is that it costs a certain amount of money. Now, this does provide for a \$2 death certificate fee. And I would suggest that that's a very small price to pay in order to have qualified coroners and equipment so that they can preserve evidence and that they can ensure that crimes that are committed throughout the State of Illinois are indeed punished. That's what this really boils down to and I'd ask for your 'yes' vote."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. On that all those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 65 voting 'yes', 41 voting 'no', 3 voting 'present'. The Amendment's adopted. Any further Amendments?"

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Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 493, a Bill for an Act concerning coroners. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Hannig on Senate Bill 493."

Hannig: "Well, thank you, Mr. Speaker and Members of the House. We just heard debate on the Bill. I'd be happy to take the last roll call. I'd ask for your 'yes' vote."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 493. On that, is there any discussion? The Chair recognizes Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Just one more question. I noticed going through the Amendment real quick and you say the Amendment becomes the Bill. We're not sure of that but it authorizes, as we perceive, a state coroner. Is that correct?"

Hannig: "Could you repeat that? A state what?"

Weaver: "A state coroner."

Hannig: "It does not authorize a state coroner."

Weaver: "I'll have to get... I'll have to get the Amendment with the page number on it but maybe we're reading it incorrectly."

Hannig: "Amendment #4."

Speaker Steczo: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. As I read on page 7, line 26, 'The Director of State Police and County Sheriff or Deputy Sheriff and one Illinois coroner. That doesn't refer to a position of Illinois coroner, it is just...'"

Hannig: "No, Representative. That puts this coroner on that, a coroner on that board but it does not create a new position."

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Weaver: "Okay. Just wanted to make that..."

Speaker Steczko: "Representative Weaver. Mr. Weaver, have you completed your questioning? I believe he has. Is there any further discussion? There being none, the question is, 'Shall Senate Bill 493 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Representative Skinner."

Skinner: "You can tell it's getting toward the end of the Session because people will vote for anything, even if it's against their own self interest. And this is certainly as much against the self interest of the populated counties as a \$1 per acre tax would be to finance education."

Speaker Steczko: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I'm voting against this because I directly think you're taxing the elderly on this and I think whether you buy...you have to get a few death certificates or more. The plea that it was just the wealthy falls on death ears here. I think it's a tax against seniors."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 65 voting 'yes', 45 voting 'no', 1 voting 'present'. Senate Bill 493, having received the required Constitutional Majority, is hereby declared passed. A meeting of the Rules Committee in the Conference Room right behind the House chamber, in the Speaker's Conference Room immediately. So, the Members of the Rules Committee will please report to the Speaker's Conference Room. Representative Black. Committee Reports."

Clerk Rossi: "The Committee on Rules has met in pursuant to Rule 14(a)4 and 14(a)6, recommends consideration and the

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following Bills be placed on the Order of Second Reading. Senate Bill 928 in Conference Committee, Senate Bill 1726. In addition pursuant to Rule 14(a)4, the Committee on Rules has met and recommends consideration and the following Bill be placed on the Order of Conference, House Bill 2424."

Speaker Steczko: "On the Order of State Operations, Third Reading, appears Senate Bill 487. Representative Woolard. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 487, a Bill for an Act that amends the Minimum Wage Law. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Woolard requests the Bill be moved back to the Order of Second Reading for the purpose of an Amendment. The Bill is now on the Order of Second Reading. Mr. Clerk, any Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Woolard."

Speaker Steczko: "Representative Woolard, Amendment #2."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to Senate Bill 487 is a cleanup of matching Illinois' law with the federal law on the operators of...teamster operators of contract haulers. And what this will do is simplify the record keeping system of those individuals. And you know, I think it's probably in order to say that the laboring leaders of this State have no opposition whatsoever to the position taken by the management proponents of this issue."

Speaker Steczko: "The Gentleman has moved for the adoption of Amendment #2. Is there any discussion? Representative Parke."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Clerk's Office. Has Amendment #1 been adopted."

Clerk McLennand: "Amendment #1 had previously been adopted."

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Parke: "Okay. We have no problem with Amendment #2 to Senate Bill 487."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Woolard."

Speaker Steczo: "Representative McPike."

McPike: "Thank you, Mr. Speaker. I'd ask leave of the Body to add Representative McPike, Representative Churchill, Representative Hoffman and Representative Cross as...as co-sponsors of this Amendment and then I would like to present it. Do I have leave?"

Speaker Steczo: "Does the Gentleman have leave? There being no objection, leave is granted. Representative McPike on the Amendment."

McPike: "Thank you. This is a pay adjustment for State's Attorneys who have not had any cola or any adjustments to their salary since 1988. So, they've gone six years. In counties over three million, this would increase the salary to 112,000 and some odd dollars. In counties between thirty thousand and three million, it would bring them equal... And by the way, that was the level of the Supreme Court Judges. In counties between thirty thousand and three million, it would bring them equal to the Circuit Judges. In counties between twenty thousand and thirty thousand, would put them at 75,000. Counties between ten and twenty thousand, would put them at \$71,500. And under ten thousand, would be 55,500. As I've just said previously, I think they deserve a raise. I think they

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should be paid equally to the...to the judges wherever possible, and they have not had an increase since 1988. So, I would move for the adoption of the Amendment."

Speaker Steczko: "The Gentleman has moved for the adoption of Amendment #3. On that question, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Here we are at a time when the State can't pay its own bills. Here we are at a time when we don't even have a budget. We're talking about giving State's Attorneys pay raises of \$20,000 plus. And you say they haven't had a raise in a long time. Well, maybe that's the reason that Will County has the most corrupt State's Attorney's Office in the State. It allows its assistants and the State's Attorney to practice private law. It uses the Office of the State's Attorney to indict private clients. And I'll give you one example that the Tribune just printed last week. The State's Attorney's Office indicted the punitive father of a child until he signed a consent for adoption and then dismissed the indictment. That's the second time State's Attorney's Office in Will County has done that. Practicing private law in the Circuit Court's of Will County on county time, using the State's Attorney's Office, the secretaries, stationery, telephone, fax machines, using the taxpayers' expense. This is the most corrupt State's Attorney's Office in Will...in Illinois. They are using the office for their own private gain. State's Attorneys in Illinois do not need a raise, particularly the state's attorney of Will County does not need a raise. They are using the taxpayers' money in Will County for their own personal gain. This is wrong and you shouldn't be voting for a \$20,000 raise at a time when the state can't pay its own bills."



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Speaker Steczko: "Representative Kubik."

Kubik: "Will the Sponsor yield for a question?"

Speaker Steczko: "He indicates he will."

Kubik: "Representative McPike, since this issue has not arisen for some of the Members who are new Members, how are these state's attorneys compensated? Who pays for the pay raises?"

McPike: "Who pays for the pay raises? The county does."

Kubik: "The State did not... There is no state funds involved in this?"

McPike: "I take that back, I stand corrected. Two thirds is state, one third county."

Kubik: "So, two thirds of the money..."

McPike: "And the increase will be a hundred percent state."

Kubik: "I beg your pardon."

McPike: "And the increase will be a hundred percent state funded."

Kubik: "So, in other words, the money that is going to be, if this Amendment should be adopted, the money that is going to be given to the state's attorneys would be a hundred percent state dollars."

McPike: "That's correct."

Kubik: "Okay. Do we change... Are we changing the law? Because I haven't had a chance to really review the Amendment carefully. Are we changing the law? I think before, as you said, two thirds was paid by the state and one third by the counties. I know this particular pay raise is a hundred percent paid for by the state. But does it change the law in relationship to the other pay raises that have been given in the past? Do you understand my question?"

McPike: "The raise in '88 was state funded. I don't know before that."

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Kubik: "Okay. Now, there were certain state's attorneys that did get a pay raise in 1990, were there not?"

McPike: "There was one."

Kubik: "And pray tell where was that..."

McPike: "That was Cook County, Cook County."

Kubik: "Cook County. Okay. So, there was a pay raise for a state's attorney in Cook County in 1990. The other question I have is that when will these pay raises take effect?"

McPike: "July 1st, immediately upon...immediately...July 1st, immediately."

Kubik: "Okay. So, if this Bill passes and the Senate passes it, they will wake up tomorrow and they'll be a few dollars richer. You know, the other point...the last question that I have is, what Bill went through committee and what Bill was introduced with respect to pay raises in this General Assembly?"

McPike: "I didn't understand."

Kubik: "I said, what Bill, what number of Bill was it that was introduced in this General Assembly and what committee did it go through in order to provide for these pay raises?"

McPike: "I don't know. I introduced a Bill a year ago January. I think it went to Exec."

Kubik: "It went to Exec."

McPike: "Yes."

Kubik: "Oh. Okay."

McPike: "Yes. And the reason we didn't move it last year was because the Governor said that he would not sign it. The Governor has now agreed to sign the Bill."

Kubik: "And this...your Bill...This is essentially your Bill?"

McPike: "Yes..."

Kubik: "But it was introduced a year ago."

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McPike: "Well, it's been adjusted to reflect the changes that the judges received."

Kubik: "Mr. Speaker, to the Amendment."

Speaker Steczko: "Proceed."

Kubik: "I certainly have the greatest respect for the Sponsor and the Sponsors of this Amendment. But you know, here we are...what, less than four and a half hours from adjournment or from midnight on June 30th. These Bills were never heard in committee. They were never debated on the floor of the House except for now and all of a sudden we're talking about pay raises. You know, I just...I just can't help but think that it's sad that we have...we have gone to this method of doing pay raises for these individuals. Well deserving as they are, they probably are very well deserving to get these pay raises, but you know we have a process and whether you like it or not, we have a process and we should utilize that process when it comes to things like compensation. We've seen in the last couple of weeks how the General Assembly has been chastised by the media and by our constituents for the way we've handled pay raise issues, our own pay raises and judges' pay raises. And now, here in the end of the Session, we're trying to slip another pay raise through. You know, I really think this is not the appropriate time to do it and I really think we ought to oppose this Motion. And Mr. Speaker, Mr. Speaker, I'd ask for a roll call on this Amendment. Mr. Speaker."

Speaker Steczko: "Representative Johnson. Tim Johnson."

Kubik: "Mr. Speaker. Mr. Speaker, I would..."

Speaker Steczko: "Mr. Kubik, I saw you."

Kubik: "And you acknowledged that we will have a roll call?"

Speaker Steczko: "Representative Tim Johnson."

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Johnson, Tim: "I don't have a history, I think in the Legislature, of supporting pay raises. However, I am going to vote for this and vote for this enthusiastically. One of the cries that we've heard over this year and increasingly as the months and days progress is the need to get tough on crime. Crime is the number one issue on people's mind. There's no subject matter in any poll nationwide or statewide that approaches crime with respect to its importance in people's lives. If we're going to attract to the State's Attorneys Office and to the cheap prosecutorial office the quality of people that we need, to be able to be in the front line of the war on crime, we can't do it without reasonable compensation increases. These are reasonable compensation increases. It puts teeth, it puts dollars into the mouth and the language that we give to the war on crime. And I enthusiastically endorse and will support this pay raise for state's attorneys, political ramifications to the contrary notwithstanding. It's a good Bill, it ought to be supported and I urge your 'yes' vote."

Speaker Steczo: "Representative Rutherford."

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

Speaker Steczo: "He indicates he will."

Rutherford: "Thank you. Representative McPike, does the state's attorneys' salaries are set statutorily or do the counties have discretion in the amount totally that they would receive?"

McPike: "This is set statutorily."

Rutherford: "And in regards to the assistant state's attorneys, is there any statutorily set percentage of what the state's attorneys receive or is that strictly the county board's discretion?"

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McPike: "No."

Rutherford: "Strictly to the county board's discretion on assistant state's attorneys."

McPike: "Yeah."

Rutherford: "Okay. When does this... When would this pay raise take effect?"

McPike: "Immediately upon signing. July 1st."

Rutherford: "And so, a city state's attorney would receive a pay increase during the present term?"

McPike: "That is correct. That is correct."

Rutherford: "And what is the... Alright. In regards to the two week bridge gap on State Appropriation that we just passed out of this House a few moments ago or a few hours ago. Is that fiscal impact a part of that two week bridge gap starting July 1?"

McPike: "No."

Rutherford: "So, in that regard then, the state's attorneys that if this did pass would not get their money for the first two weeks."

McPike: "They might have to wait two weeks. You know, I don't think it will break their heart."

Rutherford: "Last question. Thank you. Last question is, what is the total dollar fiscal impact to this state budget if this was to go into effect for fiscal year '95, please?"

McPike: "That's a little over a million."

Rutherford: "A little over a million dollars to increase out of state treasury, the state's attorneys per the formula of the population per county for the State. Thank you, Mr. Speaker."

McPike: "Yes. Yes."

Speaker Steczo: "Representative Hartke."

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

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Speaker Steczo: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will signify by saying 'aye'; those opposed 'no'. The 'ayes' have it. The main question is put. Representative McPike to close. The question is, 'Shall Amendment #3 be adopted?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Representative Saviano wishes to be recorded as 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question there are 60 voting 'yes', 48 voting 'no', 2 voting 'present'. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Please read the Bill."

Clerk McLennand: "Senate Bill 487, a Bill for an Act that amends the Minimum Wage Law. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative McPike. Representative Woolard. I'm sorry."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that everyone is familiar with the last Amendment so we'll go to the first and second. The first Amendment is probably one of the most effective economic development tools and opportunities for us in the State of Illinois that we'll be dealing with this year. It's giving us the opportunity to utilize younger people in the movie industry in this state and will allow us to be successful in the bidding wars that take place as to where those movies are filmed. The second Amendment is dealing with the trucking industry and I think it's something that just brings the State of Illinois up to a level playing field with the federal regulations and rules and hopefully will

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be successfully passed and make us a state that will be competitive with other industries in the operation of teamsters and has the support of labor. And the third Amendment, as we just discussed, is dealing with the pay raise for many of those hard laboring individuals who are working throughout our districts back home. I would encourage each and every one of you to support Senate Bill 487 along with us because it does make a difference for the State of Illinois, especially the first Amendment which is a great economic development tool."

Speaker Steczko: "The Gentleman moves for the passage of Senate Bill 487. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Representative Hawkins. Mr. Hawkins."

Hawkins: "I ask for a verification."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 62 voting 'yes', 45 voting 'no', 2 voting 'present'. Senate Bill 487, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendars #4 and 5 have been distributed."

Speaker Steczko: "On the Order of Conference Committee Reports, Supplemental Calendar #5 appears Senate Bill 1726. Representative Walsh. Representative Walsh."

Walsh: "Thank you, Mr. Speaker. I ask for favorable consideration of Conference Committee Report #1 on (Senate Bill) 1726."

Speaker Steczko: "The Gentleman moves for the adoption of the First Conference Committee Report on Senate Bill 1726. On

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that is there any discussion? There being none, the question is, 'Shall the Report be adopted?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 100 voting 'yes', 4 voting 'no', 4 voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1726, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Hughes."

Hughes: "Thank you, Mr. Speaker. I'd like to be recorded as a 'yes' vote on the First Conference Committee of (Senate Bill) 1726."

Speaker Steczo: "Representative Hughes, the transcript will so reflect. Thank you. Representative Tom Johnson, for what purpose do you seek recognition?"

Johnson, Tom: "Mr. Speaker, on Senate Bill 1726, I hit the wrong button on that. I'd like to be recorded as an 'aye'."

Speaker Steczo: "Representative Johnson, the transcript will so reflect. Thanks. Supplemental Calendar #4 appears...under the Order of Conference Committee Reports appears House Bill 2424. Representative Dart. Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. The First Conference Committee to House Bill 2424 has been the subject of a great deal of discussion and debate. This is a measure which will have an impact on the 'Baby Richard' case, which is now pending before the Supreme Court. More importantly, it would deal with numerous cases right now..."

Speaker Steczo: "Representative Currie. Mr. Dart, excuse me one moment. Representative Currie, for what purpose do you



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seek recognition?"

Currie: "Yeah, just to ask whether this Conference Committee Report is printed and distributed on our desks.?"

Speaker Steczko: "Mr. Clerk."

Clerk McLennand: "Yes."

Speaker Steczko: "Representative Currie, the Clerk indicates it has. Representative Dart."

Dart: "Thank you. As I mentioned before, the thrust of the Bill has much greater ramifications because what it's attempting to do is to put some type of...some finality and some type of predictability into our adoption laws as they exist right now. As the 'Baby Richard' case is highlighted to many people, there are some major problems here. We have a situation here where we have a child for three years and who has known one and only one set of parents but yet, because of the way our law is written right now, we have made it so that a biological parent who has not known the child has been able to come forth and vacate that adoption. That is something more than we usually deal with here, as far as talking about taking children away from individuals. This is... The provisions in this Bill are such to ensure that this will not occur again. There is nothing we can do to prevent every child from not having these type of problems but this would make a dramatic change. The provisions here set up a registry, a registry for parents so that a biological father does not have to worry about the fact that he might run into some type of problem or disagreement with the biological mother. He will have the opportunity to sign on to a registry so that his rights will be ensured. But just as importantly, if not importantly...more importantly as far as I'm concerned, the child's rights will be looked after now for once,

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because the child will now be able to feel secure that they're in a house, in a house where they are going to stay and not have to worry about being taken away. We've also decided that the, in this Bill, we're making a real clear statement. That the time frames that we have put into the statute, despite the courts deciding not to read them and to ignore them, we're telling them to actually follow the letter of the law which we have passed here about adoption. And we have also made it real clear that we are now going to have adoptions heard in an expedited fashion so that we are not going to have this dragged out through court systems for three years. It is a rather important measure. As I said, I can't emphasize enough how much it will impact people's lives, especially the lives of children. This is requiring that in the issues of when we're talking about children who are the subject of vacated adoption proceedings, we're going to use a best interest standard to see what is best for the child in determining that custody for them. Further more, we have provisions in this Bill which were made at the suggestion of people to clarify some of the measures that we have passed here in regards to foster parents' ability to intervene in cases and also the divulging of juveniles' names in court cases. I'd be happy to answer any questions if anybody may have them."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2424. On that, is there any discussion? The Chair recognizes Representative Skinner."

Skinner: "I have a question of the Chair. At this point in the Session, how long do Amendments or Conference Committee Reports have to be on the Members' desk before we vote on them? Is it one hour? I would merely note that the

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Conference Committee Report that I received was warm from having just been taken from the xerox machine and there was no one on this House floor that is capable of reading sixty-nine pages in under five minutes."

Speaker Steczko: "(Representative) Skinner, we'll get back to you on that question. Representative Davis."

Davis: "First of all, Mr. Speaker, I don't have a copy of that Conference Committee Report on my desk and I would like a copy of it."

Speaker Steczko: "Representative Davis, turn around."

Davis: "Will the Sponsor yield?"

Speaker Steczko: "He indicates he will."

Davis: "Representative, you were speaking of a particular case. Could you give us the name of that case?"

Dart: "It's the 'Baby Richard' case."

Davis: "Is that the case that the Governor is outraged about?"

Dart: "Yeah, I believe he is. I read he was outraged about that one."

Davis: "Okay. Could you tell us what were the circumstances in which the father lost his child to adoption?"

Dart: "I'm glad you asked that question because how he lost it was this... He and the biological mother were together for approximately six months. They had to break up and he left the country at that time. The biological mother then informed the biological father that the baby died. So, he didn't know there was a baby in existence. So, what this Bill would do with the punitive father registry is that he could at any moment sign his name up for this list on the registry. And instead of... As of right now, when she put the baby up for adoption, she listed the father as unknown, which happens quite frequently. And so no one was able to find him. He was in Czechoslovakia. What this

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would do is, now with the punitive father registry, he at any moment could have signed his name on the registry and when she went ahead without telling him that she was putting his child up for an adoption, his name would have automatically clicked in and they would have found out that this is the father of the child and he would have gotten notice of the proceedings and he could have been a party to come in and object. And this would have happened immediately when the child was being put up for adoption instead of three years or four years later."

Davis: "So, when the father realized that an untruth had been told and that his child had been put up for adoption, his response was to..."

Dart: "He eventually filed a petition to intervene in the case..."

Davis: "To take his child."

Dart: "To vacate the..."

Davis: "How old was the child when he filed those papers?"

Dart: "I believe the child...it was fifty-seven days after the adoption but the child..."

Davis: "Okay, so...so."

Dart: "He was under a year."

Davis: "About two or three months really."

Dart: "Probably, yeah. The paperwork takes awhile in the filing. So, I don't know exactly..."

Davis: "So, the original or biological father... And what is the legal time line currently for a person to..."

Dart: "To come in and challenge?"

Davis: "Challenge an adoption."

Dart: "It's thirty days after the finalization of the order... What it is, is that you have to show..."

Davis: "So, he acted within the law."

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Dart: "Yeah. Right now the law is, within thirty days, the father has to come forward and show some interest in the child to be able to come in and assert his rights and he actually took fifty-seven days but the courts over looked that."

Davis: "He took those fifty-seven days because he really didn't know that his child was alive and had been adopted. But in other words..."

Dart: "That's part of the argument, yes."

Davis: "So, there really was nothing wrong with the law. Is that correct, Representative?"

Dart: "Yeah, they just..."

Davis: "The law was okay and the only reason that the child was with this other family for two or three years was because they chose to fight the biological father's rights. Is that correct?"

Dart: "Well...both sides were fighting. The courts found for the bio...for the adoptive parents."

Davis: "But the child's biological father, within less than a year, challenged the adoption because he found out the truth that his child was alive."

Dart: "Correct."

Davis: "And that law was in effect and working."

Dart: "Correct."

Davis: "The people who wanted to adopt the child chose to battle this man in court for his own biological child."

Dart: "It was a child who had been...whose rights, parental rights had been terminated. It was then given over to these other people. How are they supposed to... Are they supposed to be mind readers?"

Davis: "Are they what, Sir?"

Dart: "Are they supposed to be mind readers? How are they

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supposed to know? Our laws are set up so there's predictability here."

Davis: "But I think the adoptive parents did know that the father was challenging their adoption and they were told that this may be a possibility."

Dart: "Not when they first got the child. When they first got the child, they were under a duty to investigate..."

Davis: "Every adoptive parent is told that the biological parents have so many days in which to change their mind. They know that."

Dart: "Yes. In over half the cases, the father is listed as unknown. So, there was no known father."

Davis: "Well... Thank you, Representative. To the Bill, Mr. Speaker. I haven't had time to read it and I don't know what's in it. But I think it's very sad when we decide in the Legislature that because an adoptive parent who we obviously like very much and we want to decide that that's who should keep the child in this case. However, in another case, maybe we'll side with the biological parents and they should be the ones who keep the child. We can't keep changing these laws based upon individual one particular incidents. I believe that the laws on the books today protected that father. I think the court acted correctly when it provided that father, that biological father, with the rights to his or her child. It is very sad that the adoptive parents spent that...those many years trying to keep this child whom they already knew was being...the regular father or the biological father was trying to get the child back. They knew that and they lost. They gambled and they lost. So, now we're going to change the legislation because of this one individual case and I'm not sure it's necessary. Maybe next time we'll

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like the biological parents better, so maybe then we'll change it back. I believe that the biological parents are absolutely correct. I think the courts did a wonderful job and it's very tragic that the Governor also disagrees with the court's decision which was truly abiding by the law. I think we should vote 'no' on this Report. Thank you."

Speaker Steczko: "Representative Skinner, getting back to your question. Your point is well taken. So Representative Dart now moves that the provisions of Rule 79(c)...79(e) be suspended. All those in favor will signify by voting 'aye'; those opposed by voting 'no' to allow immediate consideration. Representative Skinner."

Skinner: "You green lights, listen up. We're getting toward the end of the Session and this is when sneaky things come. Now, the only reason that the... Microphone on again, please."

Speaker Steczko: "Mr. Skinner, I'm sorry."

Skinner: "The only reason that we have virtually no rights on this House floor is because we have voluntarily given them up or our predecessors have voluntarily given them up. By voting the way you're voting now, green lighters, you are voluntarily giving up the right to know what is any Conference Committee Report that comes down the pike today. Now that's your choice but don't complain when you get caught in the switches."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 86 voting 'yes', 25 voting 'no' and the Motion is adopted. Mr. Dart, on the acceptance of the Conference Report. I'm sorry. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House. There's

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much that is good in this Bill. The Uniform Child Support language, I think, is excellent. But I'm very troubled by the changes in the adoption law, particularly as they would apply to pending cases. Part of the point of this whole exercise, I thought, was to make for some clarity, some certainty in adoptions in this State. If we change the law and apply these changes to all pending cases, let me tell you we'll have chaos on our hands. I would further suggest to the Members of this Assembly that the specific changes we make with respect to the rights of fathers are changes that, I think, denigrate and void rights that ought to exist ought to persist. So, I stand today as one of the chief feminists on the Floor of this chamber standing up for the rights of fathers who can be subject to lies and evasion and to misinformation from a woman who might be the mother of their child and who, under this Bill, would lose any opportunity to show that they are in fact the biological father, that they have rights to participate in the upbringing of that child or those children. So, I think that we should not rush to judgement on this case. I think that we will be opening up chaos and confusion for all adoptive families in the State of Illinois if we move on this at this point and I think we seriously undercut the important roll that the biological father has and should play in the life of a child. So I would urge reluctantly a 'no' vote on this Conference Committee Report."

Speaker Steczo: "Representative Tim Johnson."

Johnson, Tim: "I move the previous question."

Speaker Steczo: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and the previous question



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is put. Representative Dart to close."

Dart: "Thank you, Mr. Speaker, Members of the Assembly. As I mentioned before, this Bill has wide, wide implications here. This Bill, it's actually putting more safeguards on the books for biological fathers right now because right now under the present law, if the father does not show any interest in thirty days, if the mother conceals from the father the identity and that she's putting him up for adoption. Right now the law is that he is out of the box. What this is setting up, it's setting up a registry so that father's rights are protected. So, he doesn't have to rely upon the fact that the birth mother is going to give him the truth and say it. In the case of the 'Baby Richard', when the two of them...when their relationship broke up at the sixth month, the biological father in that situation could have said, 'I'm not going to trust her to tell me about the child, I'm going to go down to the registry and sign up my name'. And what would have happened then is when she then concealed it from him, then tries to put the child up for adoption, what would have happened is is that registry would have clicked in and the people trying to adopt would have found out low and behold that there is a father. This guy has shown an interest. He's signed up. He would have got notice. Under the present law that isn't there. What happens is she conceals it from him. What happens? He doesn't know, he doesn't get notice. He might stumble on it. What happens when he stumbles on it? The child ends up paying. The case gets dragged on and on and on and on. What this does is it brings it all together and puts it all right up front so everybody knows what we're dealing with here. Is there a father or is there not a father? We're not always going to find that out but this

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is going to make it a heck of a lot more likely we are going to find that out. It is something is of the utmost importance and I can't emphasize it enough that 'Baby Richard' is getting the headlines but there's other ones out there. And there's other ones out there because our law is not straight and it's not clear. And so we're allowing a Supreme Court to make decisions affecting little children's lives in a two page opinion where they don't site any law. That's outrageous. And that's because we didn't give them the direction. We are giving them the direction here. This Bill contains provisions of a Bill that passed out of here 118 to 0 dealing with the adoption rights. We've added the punitive father registry to it to make it stronger and we've added other provisions in this as well and I think it is a height of responsibility for us to act on it and act on it right now before we have another Baby Richard. I move for its adoption."

Speaker Steczko: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2424. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Representative Hawkins, one minute to explain your vote."

Hawkins: "Yes. I do not agree with my colleague, Mr. Skinner, very often but I believe that he is absolutely on the mark. We've got a sixty-nine page Conference Committee Report dealing with a very serious issue. We should not adopt something that none of us know what's in it. And we can't possibly know what's in it when it's handed to us five minutes before we vote. This is a serious issue and it...I think it's a good Bill. I think it's one that ultimately we should vote on. Quit hollering so I can finish here and ... Okay, I'm going to holler next time you talk, okay?"

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I'm just asking that we can vote on this next week and I think the Bill can stand...if it's a good Bill, then the two-thirds vote will not hinder this legislation. Please, this is too serious to act in haste."

Speaker Steczo: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, I rise in support of this fine piece of legislation. What this does is give protection to both the biological parents and the adopted parents. It is not jeopardizing either group. What it's doing is having accountability for who the father is and identity. So that in the long run, the child who is adopted is not going to be taken out of its protective home and put in a strange home. This is a great Bill. It's the beginning to stop some of the problems that we are looking at adoptions. We do not want to hinder the process, we do not want to hurt the biological parents. But I think it's a protection mechanism for both parties and I urge an 'aye' vote."

Speaker Steczo: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I urge all of the men of this chamber to pay attention to this legislation. If you know about a pregnancy... Let's say you're overseas and a baby is born prematurely. You knew when the baby was due, but on the thirty-first day of that baby's life, if you have not signed the registry, you lose all rights to that child forever because one of the reasons to go back to court is not that you were unaware of the child's birth. That is no excuse at all. I think this definitely jeopardizes the potential right of fathers to claim that they are the parent of a child that they want to care for. I really think that this is a...probably an unconstitutional piece

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of legislation that does threaten the rights of fathers and I urge a 'no' vote."

Speaker Steczko: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I would like to read from the preamble of this Bill. It says, 'Whereas, the Legislature declares that children are our society's most valuable...valued resource and whereas, in recent years growing numbers of children have been denied the benefit and comfort of safe appropriate and permanent care from biological, adoptive or foster parents and whereas, in order to best serve the interest of the children of Illinois, the Legislature must take steps.' I think we must take this step to ensure the best interest of the children of the State of Illinois and I urge support for this Bill."

Speaker Steczko: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I listened to the debate very carefully and I listened to twelve or fifteen speakers and the only person that hit the point was Representative Biggert who just spoke. The real purpose of this Bill and the importance of this Bill is to zero in on what's good for children. This isn't a Bill about parents' rights', it's a Bill about what's good for kids, what's good for children. And what we should be doing is passing this so that we can protect the best interests of the children so that they could grow up in a happy and safe home where they are loved. Now, there's been a debate raging all over the country about whose rights are more important, the biological parents' rights or the adoptive parents' rights. The real purpose of this is to establish once and for all that it's neither of their problems, but it's the rights of children that are important. And those

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of you who are not voting 'green' should be thinking of kids today."

Speaker Steczo: "Representative Tom Johnson."

Johnson, Tom: "Yes, to explain my vote. Hello. Hello, hello, hello."

Speaker Steczo: "Mr. Johnson, proceed."

Johnson, Tom: "I believe that this Bill moves the process further than before in clarifying some of the points as it relates to getting the consents of a father knowing or unknowing and the father's rights back in. But as is often the case, in our haste to act and react while the political irons are hot, we can create a more serious problem for our children and for fathers and mothers and people in this position. I'm going to vote 'yes' because I think it moves it forward but I'll tell you, in paragraph three on page 51, there are holes in that that can create monumental problems in litigation that would make the Baby Richard's case seem like a short proceeding. In addition, I think that the proceedings under the Act shall receive priority over other civil cases. I think that this raises some very difficult questions in terms..."

Speaker Steczo: "Mr. Johnson, please bring your remarks to a close. Representative Hicks."

Hicks: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I certainly have a lot of agreement with almost everybody who spoke in here in the last few minutes about this Bill. But the reality is that at 8:15 on the last night of Session, I don't think it is something we ought to be doing whether it's in haste or whether or not we have sat here and thought all these wonderful ideas and things about it. Certainly Representative Johnson just mentioned that there's a number of loopholes in this. The reality is

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we need to give this very serious debate. We need to talk about this Bill. We need to really see what's in the Bill instead of seeing it for five minutes while it sits on our desk. I believe the proper vote would be a 'red' vote on this and I'd urge more people to vote 'red'."

Speaker Steczko: "Representative Skinner."

Skinner: "Mr. Speaker, you didn't let me ask any questions of the Sponsor and really the only significant question that I can think of right now is, what happens in time of war? Alright, it's the night before you're going to get shipped out and you make love and a kid gets born, conceived and born. And you're off in some...in some war zone and don't have a clue what has happened. Now, I did not have to serve in the armed forces so I can't really visualize what this is all about but I can tell you that I'd rather think that if I came home and found that the woman I had made love to had conceived and born a child and that child was now in...now...had been adopted by someone else, I wouldn't feel too good. I guess there's not enough Veterans around here to be able to visualize that. I guess they've all retired."

Speaker Steczko: "Representative Davis."

Davis: "Thank you, Mr. Speaker. My question is, I guess I can't ask it, but I would like a shake of the head or something..."

Speaker Steczko: "Representative Davis, you've already spoken in debate, however."

Davis: "Alright. We want a verification and there are four of us seeking a verification, should this Bill receive the requisite number of votes."

Speaker Steczko: "That will be granted."

Davis: "We're seeking a verification."

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Speaker Steczko: "Representative Mulligan."

Davis: "Thank you."

Mulligan: "Thank you, Mr. Speaker. I worked on this Conference Committee Report and when I started out I had a number of questions, all of which were addressed and all of which were answered. The situation that Representative Skinner brought up, there is an exception that would cover that. There's things on the registry that would make it illegal for someone to falsely say they were the father. The concerns that I had were met and addressed. I signed the Report. I feel good about it. I think we do need to address this. It gives priority in civil court to adoption cases which is part of the problem that we have, the slowdown where these cases are dragged out and then cause problems, which I think is one of the things we really want to address. I feel very comfortable with it. I think we've discussed many of the provisions previously and I can't see where anyone particularly on the other side of the aisle could complain about getting a Report. I mean we've all, on this side, learned to become quick studies."

Speaker Steczko: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Twenty-six years ago this September my wife and I made a very momentous decision, a very difficult decision, very emotional decision. We adopted a child. The best decision we ever made, most joyous decision we've ever made. Never looked back in twenty-six years. The best thing that ever happened to us was to adopt that baby girl. But I'm going to tell you something, unless you've been in our shoes and walk where we've walked, you don't know what a case that has been in the news media can do to you over the past twenty-six years is the case I've been

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reading about lately and cases before that. For twenty-six years my wife and I have shuttered every time a case like this comes up and some judge, God respect all of them, but who doesn't know the feelings of an adoptive parent from a whole in the wall, make some asinine decision like they just made. This law is long overdue. Adoption ain't no bumper sticker to us."

Speaker Steczko: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker. I agree with the Gentleman that just spoke and I think that there's many elements in this Bill that are very important. But I think also there is one element that is particularly worrisome to me and that's the fact that if a father does not know the pregnancy occurs, does not know about the birth, there's no way that that father can sign the registry. There is no way. I have known of situations, a number of situations where a father has learned six months after the birth. The mother has the child, the parents have become reconciled, they've lived happy lives and the child has benefited from that. But to say that a parent gives up that right unless they sign a registry when they will have no reason to sign the registry because they have no suspicion that there's any situation that would demand it is putting a heavy burden on fathers and I think that's too heavy of a burden for us to put in law. And that one element..."

Speaker Steczko: "Mr. Ostenburg, please bring your remarks to a close. Please."

Ostenburg: "Thank you, Mr. Speaker. That one element in my mind affects the other good values of this legislation and I can't vote for it and I would urge others to give consideration to that point."

Speaker Steczko: "Representative Rutherford, one minute to explain



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your vote."

Rutherford: "Thank you, Mr. Speaker. I rise in support of this and Representative Wojcik's earlier comments on the whole issue. Representative Hawkins, Representative Hawkins, in regards to speed reading, we in the House Republican side have gotten used to this regards to Conference Committee Reports dropped this fast. We'd be glad to enroll you in the speed reading course on this side of the aisle."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 76 voting 'yes', 21 voting 'no', 12 voting 'present'. Representative Davis, do you persist with a verification?"

Davis: "Well, I withdraw my request and will leave it up to the judge to abolish this horrible law. Thank you."

Speaker Steczo: "The Lady withdraws her request for verification. On this question there are 76 voting 'yes', 21 voting 'no', 12 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 2424, and this Bill having received the required Constitutional Majority. is hereby declared passed. Adjournment Resolution."

Clerk McLennand: "House Joint Resolution #172. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, June 30, 1994, they stand adjourned until Tuesday, July 5, 1994; and when they adjourn on that day, they stand adjourned until Wednesday, July 6, 1994; and when they adjourn on that day they stand adjourned until Thursday, July 7, 1994; and when they adjourn on that day, they stand adjourned until Friday, July 8, 1994; and when they adjourn on that day, they stand adjourned until Monday, July 11, 1994; and

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when they adjourn on that day, they stand adjourned until Tuesday, July 12, 1994; and when they adjourn on that day, they stand adjourned until Wednesday, July 13, 1994; and when they adjourn on that day, they stand adjourned until Thursday, July 14, 1994; and when they adjourn on that day, they stand adjourned until Friday, July 15, 1994; and when they adjourn on that day, they stand adjourned until Monday, July 18, 1994; and when they adjourn on that day, they stand adjourned until Wednesday, July 20, 1994; and when they adjourn on that day, they stand adjourned until Friday, July 22, 1994; and when they adjourn on that day, they stand adjourned until Monday, July 25, 1994; and when they adjourn on that day, they stand adjourned until Wednesday, July 27, 1994; and when they adjourn on that day, they stand adjourned until Friday, July 29, 1994."

Speaker Steczo: "Speaker Madigan on the Adjournment Resolution."

Speaker Madigan: "Mr. Speaker and Ladies and Gentlemen, the Adjournment Resolution would put us in a position where the Members could be called to Springfield when it appears as if it would be productive to return. I would move for the adoption of the Adjournment Resolution."

Speaker Steczo: "Speaker Madigan moves for the adoption of the Adjournment Resolution. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Adjournment Resolution is adopted and the House now stands adjourned. Nope, I'm sorry. Error on the Chair's part. Representative Madigan, Speaker Madigan."

Speaker Madigan: "For purposes of the records you should rescind what you said, Mr. Speaker."

Speaker Steczo: "The Chair was in error in moving the House stand adjourned."

Speaker Madigan: "Right. Correct."

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Speaker Steczko: "Speaker Madigan."

Speaker Madigan: "Mr. Clerk, is there another Resolution?"

Clerk McLennand: "House Resolution #3108. Resolved by the House of the 88th General Assembly of the State of Illinois that when the House adjourns on Thursday, June 30, 1994, it stands adjourned until Tuesday, July 5, 1994. And when it adjourns on that date, it stands adjourned until Wednesday, July 6, 1994; and when it adjourns on that day, it stands adjourned until Thursday, July 7, 1994; and when it adjourns on that day, it stands adjourned until Friday, July 8, 1994; and when it adjourns on that day, it stands adjourned until Monday, July 11, 1994; and when it adjourns on that day, it stands adjourned until Tuesday, July 12, 1994; and when it adjourns on that day, it stands adjourned until Wednesday, July 13, 1994; and when it adjourns on that day, it stands adjourned until Thursday, July 14, 1994; and when it adjourns on that day, it stands adjourned until Friday, July 15, 1994; and when it adjourns on that day, it stands adjourned until Monday, July 18, 1994; and when it adjourns on that day, it stands adjourned until Wednesday, July 20, 1994; and when it adjourns on that day, it stands adjourned until Friday, July 22, 1994; and when it adjourns on that day, it stands adjourned until Monday, July 25, 1994; and when it adjourns on that day, it stands adjourned until Wednesday, July 27, 1994; and when it adjourns on that day, it shall stand adjourned until Friday, July 29, 1994."

Speaker Steczko: "The Chair recognizes Speaker Madigan on the Resolution."

Madigan: "This is a back-up Resolution. It gives the Senate the choice of two options. Move for the adoption of the Resolution."

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Speaker Steczo: "Mr. Black, did you have questions?"

Black: "Just an inquiry of the Chair."

Speaker Steczo: "Proceed."

Black: "It's sometimes difficult to hear. If I heard the Resolution that we're being asked to vote on now, the House will be in Perfunctory Session July 5, 6, 7, 8. Was that what I heard?"

Speaker Steczo: "Speaker Madigan."

Madigan: "Your question relates to which Resolution? The first or the second?"

Black: "I would assume it was the second."

Madigan: "Okay."

Black: "I assume the first one was the Senate Resolution Adjournment Resolution. The House Resolution I thought I heard him say we will adjourn to July 5, Perfunctory Session. I guess the bottom line is, when do I have to come back here?"

Madigan: "Either Resolution...either Resolution puts us into a position to notify the Members that it would be productive to come to Springfield. Either one."

Black: "That could be October."

Madigan: "Let's hope not."

Black: "I...I, you know, excuse me, Mr. Speaker. I'm not an attorney and if you can get that language down... If you can just kind of move that language down to where a poor old country boy could understand it. What is this Adjournment Resolution saying?"

Madigan: "Mr. Black, both of them provide for Perfunctory Sessions, both Resolutions provide for Perfunctory Sessions. One starts on a different day."

Black: "One starts on a different day."

Madigan: "Right."

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Black: "Alright, the second Resolution said the 5th, correct?"

Madigan: "Correct."

Black: "Alright, and are we then in... Is it your intention the House be in Perfunctory Session every day until we are called back?"

Madigan: "Correct. Correct."

Black: "Will... And do you have... Would it be your intention that we get 24 hours notice to come back or..."

Madigan: "No, I would hope it would be more than that."

Black: "Alright. Would you... In other words we're not to come back. We're in Perfunctory Session every day until we are called back by the call of the Chair and/or...and/or the Governor or just the call of the Chair?"

Madigan: "Well, here would be the call of the Chair."

Black: "Alright and will we be notified directly or through our secretaries or by mail?"

Madigan: "The normal procedure. I presume that we would use the method that was used during the Chicago school crisis. You remember that, don't you?"

Black: "I have a vague memory."

Madigan: "Yea, yea."

Black: "I don't know which year, but maybe last year. Do we have a mechanism though for official notification? Will it be by certified mail? By... I think what I'm hearing is that my nonrefundable deposit to a trip I had planned to take to Knight's Action Park is out the window. I still don't know how we're going to be notified."

Speaker Steczo: "Mr. Black..."

Black: "I haven't been home so long, I don't know if my wife hasn't paid the phone bill, I don't have a phone. I don't know."

Speaker Steczo: "Historically, the only time that the House

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has... House Members have been notified by certified mail have been at times of Special Session by Order of the Governor. However, in this case as we have been called back in cases like this in the past, it has always been strictly notification by the Speaker's Office."

Black: "At the call of the Chair, in other words."

Speaker Steczo: "The call of the Chair, correct."

Black: "Alright. Do you have my phone number? I'll give it to you. Thank you."

Speaker Steczo: "Absolutely. Mr. Daniels."

Daniels: "Okay, now I'm confused. Tell me which one that you intend to pass? You've got two. You have a Joint Resolution, I'm sorry?"

Speaker Steczo: "We intend to pass both. We intend to pass both."

Daniels: "Okay, now outline very carefully the difference between the two."

Speaker Steczo: "One is a Joint Resolution, one is a House Resolution."

Daniels: "And one is a Resolution, Joint is already adopted by the Senate or will be adopted by the Senate?"

Speaker Steczo: "We hope will be adopted by the Senate."

Daniels: "And that brings us in when?"

Speaker Steczo: "I believe the first day listed is that Tuesday."

Daniels: "And the other is a House Resolution?"

Speaker Steczo: "That is correct."

Daniels: "And what's the difference of the House Resolution from the Joint Resolution?"

Speaker Steczo: "I believe they are both the same."

Daniels: "Now I'm starting to assume that your guys that work in the darkness of the downstairs dungeons have drafted this, because we're having trouble understanding why you are

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presenting two to us. Would you explain to us why you are presenting two?"

Speaker Steczo: "Speaker Madigan."

Daniels: "For a question, thank you very much. I'm assuming that you're getting this guy walking up the aisle that's going to answer this question about what he's done to us here or trying to do to us. Is this a Staff idea or is this an idea from the Leadership on the Democratic side?"

Madigan: "What guy? The second Resolution provides the Senate with a second option. So they can...They can do as they please. They can do as they please."

Daniels: "So the first option that you're presenting is a House Resolution and that brings us back..."

Madigan: "House Joint. House Joint."

Daniels: "Okay. So if the Senate doesn't adopt the House Joint Resolution, the second Resolution is a House Resolution, correct?"

Madigan: "Yes."

Daniels: "It's okay, we're waiting for the lawyer to explain it. While they're working on this, let me just make the observation that in the twenty years I've been in Springfield, we've never had any trouble working on an Adjournment Resolution. The trouble we're having right here is we're having problems understanding how the Majority Party is running the House. Now we're having trouble understanding how they adjourn the House. Now, now frankly, I for one, to stay here and get the work done. I, Mr. Speaker, I want a budget. I want to enact the people's business now. I don't want to leave this place. I think we got four hours left, that we ought to do the people's work right now. We can't even get a decent answer on whether or not there's a Resolution here to adjourn this

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place. And furthermore, Mr. Speaker, let me ask you this or state to you this. You don't even have us coming back at a date certain. You're suggesting that we should accept your representations, Mr. Speaker, that you're going to do the people's business in a responsible fashion. Baloney. We've seen what you've done all Session long. We've seen how you've destroyed House Bills. We've seen how you ignored the rights of the Minority. We've watched how you've ignored the rights of our legislation. And right now you're telling us adjourn this House, go home and wait for the Leaders to call us back. I don't want to stay here and listen to that baloney. We heard this on Chicago schools last year and what happened? We were in Session time and time again. We were here, we were downstairs asking for the Majority Party to come along for an agreement on a resolution to the Chicago schools. And what do you have? Nothing, until the federal court stepped out of that situation, you were forced to act. Right now, this is just a ploy to drag this out, to try to blame this on the Governor. Well, I'll tell you again, it's another case the Chairman, the General of Gridlock, is operating again. Maybe you ought to learn how to draft an Adjournment Resolution or how to get along with the Senate Majority Party, the Republicans, that at least know how to run their chamber, something different than you've done over here. It's time we stand up and say baloney. The people of Illinois have a right to be represented and let's finish the people's business now. That's what we're elected to do."

Speaker Steczko: "Representative Edley. Mr. Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. As Yogi Berra use to say, 'It's deja vu



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all over again.' Yogi Berra use to say, 'Deja vu all over again.'"

Speaker Steczko: "Give the Gentleman some order."

Edley: "This is like...Wasn't this the same... Wasn't this the same diatribe we heard at the end of May? Why don't we pass a budget? And now 30 days later we find out that we've passed that budget. If we had listened to that side of the aisle, the taxpayers of this state would be facing \$200,000,000 in a bogus bonding program. This is a deliberative body. It's a deliberative body that takes its time. And we're going to do this the right way."

Speaker Steczko: "Representative Rotello. Mr. Rotello."

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

Speaker Steczko: "Mr. Rotello, excuse me, Speaker Madigan."

Madigan: "Mr. Speaker, please withdraw House Resolution 3108."

Speaker Steczko: "House Resolution 3108 is withdrawn."

Madigan: "We're ready to adjourn."

Speaker Steczko: "Pursuant to the Resolution, House Joint Resolution, Speaker Madigan moves that now the House stand adjourned. All those in favor will signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. The House now stands adjourned."

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