

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Speaker Giglio: "The House will come to order. The chaplain for today is the Reverend, Father John Ossola of the Cathedral of the Immaculate Conception in Springfield, Illinois. Father Ossola is the guest of Representative Curran. The priests in the gallery may wish to rise for the invocation. Father."

Father Ossola: "Lord, God, You have given all people one common origin, and it is Your will to gather them all as one people to Yourself. Fill the hearts of all people with the fire of Your love and the desire to ensure justice for all our sisters and brothers. By sharing the good things You have given us, may we secure justice and equality for every human being in the State of Illinois, an end to all division, and a human society built on love and peace. In Your providence, watch over these who serve in public office. Give them wisdom to make just decisions, give them the ability to serve those whom they represent, and give them perseverance to work tirelessly for the welfare of all the people of our state. To their efforts, may we enjoy greater freedom, security, and peace. Amen."

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

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

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

Currie: "No excused...thank you, Speaker. There are no excused absences on this side of the aisle."

Speaker Giglio: "Representative Kubik."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
LEGISLATIVE LEADERS

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

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

Speaker Giglio: "Mr. Clerk, take the record. A quorum called, there are 117 present, the House is ready to do its business."

Speaker Steczo: "Members of the Rules Committee will please report immediately to the Speaker's Conference Room for the assigned 12:30 Rules Committee hearings. So, any Members of the Rules Committee on the House floor will report immediately for the 12:30 meeting of the Rules Committee in the Speaker's Conference Room. Any Members of the House who are in their offices across the street, please report to the House floor immediately. Page 2 of the Calendar under the Order of Motions, appears House Joint Resolution Constitutional Amendment #1. On that Motion, the Chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House, pursuant to Rule 77(a), I move to discharge the Committee on Executive from further consideration of this Constitutional Amendment proposal and advance the proposal to the Order of Second Reading. This is an Amendment that is similar...in fact, identical to one that was adopted by this chamber two years ago, received nearly 58% of the vote in the November 1992, election. It's a way in which we've invited people, people of this state, to change our Constitution to clarify the state's responsibility adequately and equitably to fund public education across the State of Illinois. This, I think, is very relevant to the work that we are now doing in this Special Session, and I would appreciate your support for adopting this Motion."

Speaker Steczo: "The Lady has moved to discharge the Committee on

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
MOTION PICTURE DEBATE
FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Executive from further consideration of House Joint Resolution Constitutional Amendment #1 and advance to the Order of Second Reading. On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I would yield my time to Representative Ryder."

Speaker Steczko: "Representative Ryder."

Ryder: "Thank you. Would the Lady yield?"

Speaker Steczko: "She indicates that she will."

Ryder: "Representative, we're not going to talk about the merits of the Bill at this time. Please explain to me why it's necessary today to move a Bill or to discharge a Committee when the Constitutional Amendment deadline is May of 1994."

Currie: "Representative, we're in a Special Session focused on problems of a particular school system and focused on the question of whether schools can open promptly. This Constitutional Amendment introduced in the Special Session is, I think, directly relevant to the work that we have been asked to come to Springfield to do. I don't know how long it will take us, Representative, to do that work, but it seems to me if we're to give full consideration to all issues of financing public education, it's important to move this Motion and begin to move this proposed Constitutional Amendment along in a timely and prompt manner."

Ryder: "Representative, for exactly that reason then, the Committee should have the opportunity...we've been standing and spinning our wheels for the last two days. Let the Committee do the Committee's work. It makes no sense to me to say, 'well, we're in Special Session so all of a sudden,

STATE OF ILLINOIS
80th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DESCRIPTION DEBATE

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

we have to pop out a Constitutional Amendment' and not even allow a Committee to hear it. A Bill would simply...as I recall, this was introduced yesterday. We didn't vote it out of Rules. I'm going to ask the Chair to rule on that in a few moments, but it doesn't make sense to me, that for some grandstanding reason, that you want to not allow the Committee, a Committee, Representative, that your party controls, to hear the Bill. What are you afraid of? Why cannot the process take the process?"

Currie: "Representative..."

Ryder: "Mr. Speaker, if I may, I wish to raise a Parliamentary inquiry. When was this Constitutional Amendment filed?"

Speaker Steczo: "Mr. Clerk. The Amendment was filed yesterday."

Ryder: "And yesterday it was assigned to a Committee, is that correct?"

Speaker Steczo: "It was assigned to Executive Committee yesterday."

Ryder: "The Motion, as I understand it, is to discharge Executive?"

Speaker Steczo: "That is correct."

Ryder: "And it is not necessary under the rules of the Special Session that this Motion or the Bill itself to be treated by the Rules Committee in any fashion?"

Speaker Steczo: "Correct."

Ryder: "And for what authority, Mr. Speaker, do you cite that?"

Speaker Steczo: "Mr. Ryder, we will be back to you in a second...on that question."

Ryder: "Well, I would ask, Mr. Speaker, if you might, to not allow any further debate or discussion until you have given me authority for your ruling, please."

Speaker Steczo: "House Rule 44(b) indicates that Constitutional

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Amendment Resolutions shall be read once in full and assigned to the Committee in a manner provided by Rule 33. Rule 33 stipulates that when a Bill...33(a) stipulates that when a Bill is introduced, it shall be read a first time and, thereupon, sent to the Committee on Assignment. Mr. Ryder."

Ryder: "Mr. Speaker, if I may. We had a Rules Committee a little earlier today at 12:30. A Rules Committee that, I might add, actually called the roll today, so I appreciate the Chairman of that Committee adhering to the rules, but I distinctly recall, Sir, that House Joint Resolution Constitutional Amendment 1, was listed in the Rules Committee. As a result, if it's in the Rules Committee, it could not be in Executive Committee, and the Motion is not in order. It should be discharging the Rules Committee."

Speaker Steczo: "Mr. Ryder, the Constitutional Amendment was assigned to the Executive Committee yesterday. Therefore, any posting relating to Rules was probably made in error."

Ryder: "It was in...Mr. Speaker, it was in Rules this morning. It was listed on the posting of Bills to be considered. Now, either you're not able to conduct the business of the House in an orderly fashion, or it was in Rules. I don't believe that the Speaker could possibly make an error, so I that this Bill was in Rules Committee. If it was, then the Motion is not in order. If the Representative wishes to make a different Motion for a different Committee, we can talk about that issue, but on an issue as important as education, despite any efforts to grandstand on the other side, couldn't we get...you get your act together, so that we can find out what it is and where it is. Yesterday's Rules Committee, I understand, was confused. We didn't get

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

the job done yesterday. Today there was plenty of opportunity to produce it out. The Bill was posted in the Rules Committee...I am now reminded that, specifically, that Constitutional Amendment Resolution was discussed in the Rules Committee, and the Republicans were informed that it would be discussed at a later time. I don't believe that that conversation was indicative of bringing it to the floor in this fashion at this time. Do the Motion right. You haven't got your act together yet. You have the opportunity to do so, but on an issue this important, to make that kind of a mistake is just inexcusable."

Speaker Steczo: "Mr. Ryder, the Speaker never makes mistakes. The Clerk's Office, however...but just to indicate to you, Mr. Ryder, that according to the rules, upon the First Reading in full of the Constitutional Amendment, by the rules, the Amendment was assigned to the Committee on Assignment, and then assigned to the Committee on Executive. That is the way the rules read, that's what happened yesterday, therefore, the Motion is in order. Mr. Ryder."

Ryder: "Thank you Mr. Speaker, then specifically what rule, or more particularly, who are you going to blame for the fact that this Resolution Constitutional Amendment was specifically posted, specifically posted and discussed in Rules Committee today?"

Speaker Steczo: "Mr. Ryder, just to reiterate the Chair's previous ruling, the fact..."

Ryder: "No, no, no. I understand the Parliamentarian..."

Speaker Steczo: "The fact that the Constitutional Amendment was introduced, read in full, and according to the rules, assigned to the Committee on Assignment, which then

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

assigned the Resolution to the House Executive was done in accordance with the rules, an improper posting is irrelevant actually...everything...this Motion is on the Calendar based on the following rules in the proper fashion."

Ryder: "The rules...it was posted in Rules, and no matter how many times you repeat the mimicking that you're supposed to repeat, it doesn't change the fact, it was on the list. We discussed it in the Committee, and until you tell me for what reason, either who to blame or what to blame, this entire matter is going to get tied up in this kind of procedural wrangling, and you're not going to prevail."

Speaker Steczo: "Mr. Ryder, I think we're going to blame the Assistant Clerk for this one, but we'll recognize Representative McPike."

McPike: "I think that's a good idea to blame the Assistant Clerk. Mr. Ryder, I have never been a Chairman of any Committee except the Rules Committee, I'm sorry, except the Committee on Assignment, and the Committee on Assignment met yesterday. I don't...I'm listening to your point, and I don't quite get it. This was...introduced yesterday, was read a first time, and it was assigned to the Executive Committee by myself. Now, I really don't care who posted it for Rules, and whoever did it erred, and the point is that it was assigned by myself and the Committee on Assignment to the Executive Committee. Whatever your point is, it's missed me. I assigned it to Exec. It's in Exec. The Motion is to discharge the Executive Committee. It's not that complicated. If it was posted for Rules this morning, somebody made a mistake. It's not in Rules Committee. It was never in Rules Committee. I cannot

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

assign it to Rules Committee. I can only assign it to a normal Committee. That's it. It was assigned to Committee. The Motion is to discharge. The Motion was filed yesterday. Let's vote on the Motion, Mr. Speaker. Thank you."

Speaker Steczo: "Representative Currie, did you have something on a Motion?"

Currie: "Well, just to reiterate my hope that you'll approve this Motion. Representative Ryder earlier suggested that we were trying to avoid committee. In fact, following this Motion, I will make second Motion that would enable the House, sitting as a Committee of the Whole, to consider the merits of this proposed Constitutional change. I think this an important enough issue in this Special Session devoted to issues in school finance that all the Members of this chamber ought to have an opportunity to discuss, to hear witnesses, to consider, as a Committee of the Whole, whether this is the direction we think we should take. I think assigning it only to the Executive Committee for consideration would not do justice to the interests that all Members of this chamber have in the question, how our schools are going to be financed, whether our schools will be able to open, and how our schools will fare in their major mission of educating the youngsters of this state."

Speaker Steczo: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I...I'm not trying to be dilatory, I voted for this the first time around and probably made as grievous an error, not in voting for it, but in my actions after the vote, as I will ever make on this floor, and I apologized then for those actions but, you know, all the wrongs in the world aren't going to make

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

what you're trying to do right. If you don't wish to do anything else but to play games on an issue that is extremely important, I would just simply ask the Chair to rule pursuant to Rule 27, and this covers subsection (d) and (e), and that's any Bill introduced in Special Session, the deadline has passed, and any Bill not considered by that deadline must be referred to Rules Committee, and if...well, then change the rules. Then change the rules. You know, you can't make up rules as you go along. You can't make them up. It says even in Special Session, you have to follow the deadlines as applied in Rule 27. Now, you can suspend that with a vote of 71 Members. You don't have 71 votes to suspend it, so do it right, and let's get off this business of posturing and belly-aching and being down here for a bunch of baloney. If you're not going to do it right, then send us home. I'm not going to be part of the charade much longer. I'm getting to damn old to sit here and put up with this crap day after day, after day. Now, you're in violation of the rules. You wrote them. You wrote them. You won't listen to us. You wrote the damn rules, now follow them. Follow them or adjourn, and go home. I don't give a damn if Chicago schools open or not."

Speaker Steczo: "Representative Skinner. Representative Skinner."

Skinner: "Mr. Speaker...Mr. Speaker, I would ask if the Bill has been printed and distributed...that is, the Amendment? I don't have a copy."

Speaker Steczo: "Mr. Clerk."

Skinner: "I have another question, and that is, how is this germane to the Special Session. How can the passage of a

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

FIRST SPECIAL SESSION

2nd Legislative Day .

September 3, 1993

Constitutional Amendment in November of 1994 have anything to do with opening schools in 1993 in the City of Chicago."

Speaker Steczo: "The Chair has ruled, I believe in the past, that this falls within the purview of the governor's call."

Skinner: "I would just like to ask you to verbalize why. I think it would be really humorous."

Speaker Steczo: "I believe that if you listened to the Sponsor give the introductory remarks..."

Skinner: "She is not the Chair...at least at this point she isn't, or even the Speaker."

Speaker Steczo: "The governor's call indicates that quote, 'or any other legislation, new Bill or pending, which will address the ability of the Chicago public schools to open promptly'."

Skinner: "How will that...how does that help..."

Speaker Steczo: "The Chair rules it's within the order of the call."

Skinner: "The Chair continues to amaze me. How about the...how about the printing of the...Amendment. Perhaps you ask the assistant chief Page if he's gotten it."

Speaker Steczo: "Mr. Skinner, your question related to the printing of the Constitutional Amendment itself..."

Skinner: "And the distribution of it."

Speaker Steczo: "...and distribution. The rules indicate that the distribution...printing and distribution takes place prior to the actual vote on the matter itself, and when it's before the Body. Right now, it's before the Committee on Executive. The purpose of this Motion is to bring it to the floor, so it can be printed and distributed and given to the Membership. Representative Kubik."

Kubik: "Mr. Speaker..."

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Speaker Steczo: "Mr. Kubik, Mr. Kubik, before you proceed, please turn on Representative Skinner one more time."

Skinner: "Mr. Speaker, I wish to speak to the question."

Speaker Steczo: "Proceed."

Skinner: "We don't have a copy of it, but I have it virtually memorized from last time around. I've also analyzed the election statistics, and I find only 38% of the people voting in the fall election voted for the Constitutional Amendment last year. Only 38%. Check the figures. If you look at the number voting on the question, it was the figure Representative Currie used, but only 38% of the people in the State of Illinois voted for this Constitutional..."

Speaker Steczo: "Representative Skinner, please bring your remarks to a close, please."

Skinner: "How much time do I have? Five minutes?"

Speaker Steczo: "You had five. It's expired."

Skinner: "You used most of it. I would suggest this was a significant constitutional question last year. It deserves Committee consideration. In my county, it did not get a majority of anything, even those voting on the question, and I'm sure that people would like to come and testify as to whether we ought to double the state income tax in order to implement this Constitutional Amendment. That discussion should be allowed to the citizens of the State of Illinois, not just to the Legislators of the State of Illinois. Thank you...I...and I still..."

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Davis. Representative Davis."

Davis: "Thank you, Mr. Speaker. I do believe this issue is important enough to be addressed during this Special

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Session, because it certainly is germane. However, Mr. Speaker, I rose in order to say to my colleague, Mr. Black, that I would hope that he was not speaking for the governor when he said he didn't give a damn about Chicago public schools and whether they opened or not. I hope he is not speaking for the Republican Party when he says he doesn't give a damn whether the Chicago public schools open or not. These are children who belong to this state. They're not foreigners. Their parents pay...play the lottery that support his schools, and he should care. I'm simply appalled when I hear this kind of hatred, this kind of ignorance on the House floor of the State of Illinois, and those of us who are from Chicago will accept his apology when he decides to make it. Thank you, Mr. Speaker."

Speaker Steczo: "Representative Black."

Black: "Thank you very much, Mr. Speaker. And all of this from a Representative who attacked a Member on this side of the aisle last year for trying to eliminate some holidays and keep kids in schools longer. Remember what you said last year, Representative? And what you called Representative Cowlshaw? Then you got into it with a Member on your own side of the aisle over the word holocaust, and one of your...one of your Resolutions. So now, I guess it's my turn to feel your wrath. Well, let me just assure you, Representative Davis, after 22 years as a teacher, there isn't anybody down here who cares more about kids than I do. See, I voted for this Constitutional Amendment the first time around, and it cost me some grievous embarrassment at that time as well, but I voted for it, and I didn't change my vote, and I wasn't verified off, and I'm going to vote for it again if that's what it takes. But

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

let me answer you, I don't speak for the governor. I don't speaker for the Republican Party of the State of Illinois, and I don't speak for the colleagues over here on my side of the aisle. I was speaking for me. Let me...let me be very blunt and direct to you, my anger was directed, and you of all people, to defend, you of all people who takes offense as much as I do over the heavy handedness of the Chair when it's aimed at you, and we could pull transcripts when you have berated the Chair for failing to protect your rights, but it's different when they don't want to protect the rules on our side of the aisle, isn't it? It's different, isn't it? Much different when the rules affect you and you show your anger time after time on the floor, but I guess we're not supposed to show our anger over your party's repeated, repeated attempts at manipulating the rules in any way they see fit. You could have changed all of this in 15 minutes. You could have reconvened the Rules Committee, reconvened the Committee on Assignment, had this printed and put back on the desk, and everything would have been in accordance with the rules in less than 30 minutes. I don't know why your side persists in doing this. I really don't. But to anyone who would misinterpret my remarks, let me apologize for a poor choice of words. Yes, I care if the Chicago schools don't open. I care about 400,000 kids. That's why I'm here. Your party controls the agenda. We've now been here two days. What have we done for the children of Chicago? What have we done for the children of Chicago? We're gonna vote on this Amendment that won't help the Chicago schools in one iota, that the people of this state have already voted on, I supported, I voted for in opposition to my own governor and

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

my own party, but it only got 57% of the vote. Now, the people in Chicago tell you that this isn't going to do any good. They've got to have something done by Monday. This is Friday. Here I am. I'm willing to work with you, but you would rather use my unfortunate, and it's my fault, I'll take the responsibility, my outburst. You would rather make some public statement of that when you, Madam, have ranted and raved at the Chair just as much as I when you have felt your rights were violated. Well, let me tell you something, if you won't protect my rights, then don't ever, ever say another word on this House floor when your rights are violated, because if we don't stand together and try to see that this place runs in accordance with the rules, then none of us have any rights, and that's why I get upset, and if you would join with me, instead of always to denigrate anybody on this side of the aisle who doesn't see things just exactly the way you do, maybe we could get something accomplished for the City of Chicago. And my question to you, Representative, we've been here two days, I haven't seen a Bill with your name on it, I haven't seen a Resolution with your name on it, and I've heard nothing from you but criticism. Where is your ideas for the people and the students on the City of Chicago. Put something up there, and let's vote on it."

Speaker Steczko: "The Chair recognizes Representative Kubik. Mr. Kubik."

Kubik: "Well, thank you, Mr. Speaker. I...we now have a copy of this Resolution on our desk, and all I would ask the Sponsor is that, you know, I recognize that the discharge has nothing to do with the issue. However, couldn't we at least have an opportunity to look at this for ten minutes

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

and vote on it. I mean, I understand that the discharge had nothing to do with the substance of the Bill, but that takes place within the confines of a Regular Session, when Bills have been around for a little while, and everybody has a chance to look at them. We just got this thing on our desk. I don't know how it compares with the previous Constitutional Amendment, but I, you know, I don't have anything to compare it with. I would argue to you, Representative, that this is slightly different. This Resolution or this Constitutional Amendment was introduced yesterday. We didn't know it. We thought it was going to go to the Rules Committee. It did not go to the Rules Committee. Incidentally, Tony, I'm sure you didn't make a mistake, but be that as it may, this thing is now on our desks, we haven't had an opportunity to look at it. I don't feel that it's fair to vote on this issue until we have 10 or 15 minutes to at least look at it, compare it with the previous Constitutional Amendment to see if it is the same, and then...and then if you want to run your discharge, fine, but I'll tell you, I think it's just unfair to expect Members of this chamber to simply vote on an issue, and had we rammed this vote through, we wouldn't even have the Resolution on our desk, but since Representative Skinner raised the issue, we now have the Resolution on our desk. Let's take a look at this thing. If...if your interest is a...a considered judgement of an important issue, which I think it is, then we ought to take a moment, look at this issue, then every Member can make an informed decision on whether this issue ought to be discharged and then we can move on, but I would ask that of you Representative."

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Speaker Steczo: "The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, will the Sponsor of this Resolution yield for a question."

Speaker Steczo: "She indicates that she will."

Parke: "Thank you. Representative Currie, it's my understanding from what you just said a little while ago that you're interested in having it debated on the floor of the House as a Body of the whole, is that true?"

Currie: "After this Motion, if the Motion succeeds, I will offer another Motion that would establish a Committee of the Whole to consider this Amendment."

Parke: "When would this Committee of the Whole, in your opinion meet?"

Currie: "I would hope that we'd plan to do this when we come back next week."

Parke: "So, therefore, then we'll have a debate...what ultimately would you like to accomplish with this debate? What would be your purpose for the debate?"

Currie: "Well, my purpose in being one of the Sponsors of this proposed Constitutional Amendment is to offer the opportunity, a second opportunity to the citizens of the State of Illinois, a second opportunity to change our Illinois Constitution so that we can guarantee adequate and equitable funding for the education of our youngsters in public schools from Cairo to Chicago."

Parke: "Thank you. To the question, that's what I was worried about. Ladies and Gentlemen, I will just point out to you, that this was defeated by the people of the State of Illinois. It was defeated. They said they did not want to spend this kind of additional money. It is estimated that

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

it will cost the people of Illinois between \$1.5 billion to \$2.9 billion in additional revenue, which mean that it would take the income tax, if that was the funding source, and take it from 3% to 5 or 6%. If you vote for this today, you are asking for a big tax increase. I would like to see everybody voting for this..."

Speaker Steczo: "For what purpose does the Gentleman from Cook, Representative Lang seek recognition? Mr. Lang...Mr. Lang."

Lang: "Mr. Speaker...Mr. Speaker, I have a point of order."

Speaker Steczo: "Yes, Mr. Lang, proceed."

Lang: "This is about the third speaker on this floor that is not speaking to the question. The question is a Motion to discharge Committee, not about income taxes, not about even education. This is a Motion to discharge Committee, and I would request that the Chair would demand that Members stick to that point at this time."

Speaker Steczo: "The Gentleman's point is well taken. We shall keep remarks to the Motion itself. Mr. Parke, did you have one more question?"

Parke: "Thank you. If this...if this vote does go up, I would like electronic verification of the roll call so that we can look at it later on."

Speaker Steczo: "The Chair recognizes Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Pursuant to Rule 55, and I'm joined by Representative Black, Representative Ryder, Representative Churchill, Representative Parke, in requesting a record vote on the Motion."

Speaker Steczo: "Mr. Wennlund, there will be a record vote on the Motion."

Wennlund: "Thank you."

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Speaker Steczo: "Is there another...any other Members seeking recognition? Representative Davis, you already spoke in debate. The Lady has moved to discharge the Committee on Executive and place House Joint Resolution Constitutional Amendment #1 on the Order of Second Reading. 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, please take the record. On this Motion, there are 71 voting 'yes', 44 voting 'no', 1 voting 'present'. Mr. Wennlund, do you persist in a verification? Mr. Parke? On this roll call, there are 71 voting 'yes', 44 voting 'no', and the Motion prevails. Mr. Clerk, please read the Resolution."

Clerk Rossi: "House Joint Resolution Constitutional Amendment #1.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the Illinois Constitution as follows: ARTICLE X EDUCATION SECTION 1. FUNDAMENTAL RIGHT GOAL - FREE SCHOOLS A fundamental right goal of the People of the State is the educational development of all persons to the limits of their capacities. It is the paramount duty of the State to shall provide for a an thorough and efficient system of high quality public educational institutions and services and to guarantee equality of educational opportunity as a fundamental right of each citizen. Education in public schools through the secondary

OFFICE OF THE CLERK
9. STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES
CONSTITUTIONAL DEBATE
THE SPECIAL SESSION

2nd Legislative Day

September 3, 1993

level shall be free. The State has the preponderant financial responsibility for financing the system of public education. There may be such other free education as the General Assembly provides by law. ~~The State has the primary responsibility for financing the system of public education.~~ (Source: Illinois Constitution.) SCHEDULE This Constitutional Amendment takes effect upon approval by the electors of this State. Second Reading of this House Joint Resolution Constitutional Amendment #1."

Speaker Steczko: "Mr. Clerk, are there any further Motions regarding this Resolution?"

Clerk Rossi: "Representative Currie has filed a Motion that would provide that the Special Session House Joint Resolution Constitutional Amendment #1 be committed to the House acting as a Committee as a Whole."

Speaker Steczko: "The Lady from Cook, Representative Currie, on the Motion."

Currie: "Thank you, Speaker. I offer this Motion, because I think it is important for the Members of this Assembly to have the chance to hear witnesses on the question whether this proposed Amendment makes sense for us to offer the voters. We can do that in the context and confines of this Special Session. In fact, should this Motion succeed, we will set a hearing of the Committee of the Whole on the question of this Amendment next Thursday, when we are expected back in Springfield to continue our Special Session. We will set that time at the hour of 10:00 a.m. Our Session is expected to begin at noon. I appreciate the concern that Representative Ryder expressed that Committees ought to have an opportunity to consider language like this. I think that that point is well taken, but I think

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

it's particularly well taken if we do so in a context that means all the Members of the House have an opportunity to hear from witnesses, have an opportunity to consider ramifications, have an opportunity to consider what happened the last time this Amendment went before the voters in a November election. So, I'd appreciate your support for this proposal that constitute ourselves as Committee of the Whole, and as I say, the schedule would call for a Committee hearing next Thursday, the day we expect to reconvene in Springfield, at the hour of 10:00 a.m. I'd be happy to answer your questions, and would appreciate your support for the Motion."

Speaker Steczo: "The Chair recognizes Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Inquiry of the Chair, please. Is this Motion in writing?"

Speaker Steczo: "The Clerk informs the Chair the Motion is in writing."

Ryder: "I am looking at the Calendar for today's business, has there been a Supplemental Calendar circulated?"

Speaker Steczo: "No."

Ryder: "The only Motion that I see is to discharge the Committee on Executive. I don't see any other Motions relating to this issue on the Calendar. Have you failed to supply us with a Calendar with that Motion, Mr. Speaker?"

Speaker Steczo: "Mr. Ryder, it has always been a custom of this House that during the course of the discussions and deliberations of a Bill, we deal with all Motions that are filed to that Bill..."

Ryder: "Customs, Mr. Speaker? You can't even come up with a Rule that allows you to steamroll some grandstand effort, talking about next Thursday when the kids from Chicago

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

aren't able to start school this week? This is the best idea that the best and the brightest on your side can come up with? This is what's going to solve Chicago schools? And you're telling me a custom? Mr. Speaker, Mr. Speaker, what Rule allows the Motion before the Body to be heard at this time, when it was not on the Calendar for today's business?"

Speaker Steczko: "Mr. Ryder, in response, just as Motions to table and other Motions that we deal with and practice in custom happen at the same time the Bill is being considered so, too, this Motion falls in those same categories."

Ryder: "What Rule, Mr. Speaker, what Rule allows that to take place? I can't believe...I just can't believe that this is the best that you can do..."

Speaker Steczko: "While the Bill is being considered, Mr. Ryder, we deal with all Motions."

Ryder: "A referendum in November of 1994, and we can't even get the Rules together to get it done now? That's it?"

Speaker Steczko: "Mr. Wennlund."

Ryder: "Mr. Speaker, please...what rule allows the..."

Speaker Steczko: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Parliamentary inquiry. I don't believe this Motion is in order, because the only way an issue can appear before a Committee of the Whole in accordance with Rule 33, which provides three alternate methods. Number one, the Speaker can lay it before a Committee of the Whole. Number two, Rules can lay it before a Committee of the whole, or number three, the Committee on Assignment can, but it is not permitted to be considered by a Committee on the Whole by a Member...a Motion of a Member of this Body. There is no authority a

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Motion to be made to have a Bill or Resolution considered by a Committee of the Whole. It is simply out of order, and if the Speaker wants to do it, let the Speaker do it, but just comply with the Rules."

Speaker Steczo: "Representative Currie."

Currie: "Speaker and Representative Wennlund, if you look at House Rule 33 on the assignment of Bills, under 33(f), once a Bill or Resolution is assigned to a Committee by the Committee on Assignment, it may be reassigned by the Committee on Assignment or by Motion adopted by a vote of 60 Members at any time, but what we are engaged in here, is a Bill that has been discharged from one Committee is being reassigned to another. That Committee is the Committee of the Whole. Seems to me the Rule is clear, and I don't see any problem with the Motion that we've made."

Speaker Steczo: "Mr. Wennlund, in response to your question as well, the Rule that you stipulated are not limitations, and please be informed that in addition to those 'Robert's Rules of Order', also specifies with relation to going to a Committee of the Whole, that the Motion to go to a Committee of the Whole is a form of a Motion to commit. So, since the Resolution is on Second Reading, we are moving to commit this back to the Committee of the Whole. Are there any further discussions? Representative Kubik."

Kubik: "Parliamentary inquiry of the Chair. Is the Committee of the Whole a standing Committee?"

Speaker Steczo: "The Committee of the Whole is not a standing Committee."

Kubik: "Well, if it is not a standing Committee, Mr. Speaker, then the Committee of the Whole has to be created and, therefore, it cannot be committed...a Bill can't be

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

committed until a Committee is created, and the only way that it can be created is that...what Representative Wennlund has outlined in an earlier speech to the House, so you're asking us to commit a Bill to a Committee that hasn't been created. Now, I don't know what your ingenious way of getting out of this one is, but please, don't blame Tony this time."

Speaker Steczo: "Mr. Kubik, 'Robert's Rules of Order' specifically says, the Motion to go into a Committee of the Whole, is a form of the Motion to commit. So, it's implied that this Motion does exactly what 'Robert's Rules of Order' provides for. Is there any further discussion? There being none, the question is, 'Shall this...it 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 70 voting 'yes', 46 voting 'no', 1 voting 'present', and the Motion prevails. Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to wit: House Bill 242, a Bill for an Act to amend the School Code by changing Sections 29-3 and 29-5.2; together with the attached Amendment, thereto, which Amendment has been printed by the Senate in the adoption of which I am instructed to ask the concurrence of the House, to wit: Senate Amendment #2 to House Bill 242, passed the Senate as amended, September 3, 1993, by a

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

three-fifths vote. Jim Harry, Secretary."

Speaker Steczo: "Committee Reports."

Clerk Rossi: "The Committee on Rules has met, and pursuant to Rule 14(a)5, House Bills amended in the Senate, recommends consideration and the Bill will be placed on the Order of Concurrence, House Bill 242, signed by Frank Giglio, Chairman."

Speaker Steczo: "Supplemental Calendar announcement."

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

Speaker Steczo: "Supplemental Calendar #1, appears House Bill 242, the Chair recognized Representative Wennlund for the purposes of a Motion."

Wennlund: "Thank you, Mr. Speaker. I move to suspend the applicable Calendar requirement of Rule 79, with respect to this House Bill...to Senate Amendment #2 to House Bill 242."

Speaker Steczo: "You've heard the Gentleman's Motion. Is there leave? There being no objection, leave is granted. On the Order of Concurrence, appears House Bill 242, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Senate Amendment #2 to House Bill 242 will allow the Chicago public schools to open on time, and it provides that from the period of September 1st to September 12th, the following temporary provisions will apply to the Chicago Board of Education. Number one, it exempts the Board from the requirement that it operates schools with a balanced budget approved by the School Finance Authority, which will allow them to open the school, so that kids, on the 8th of September will, indeed, be able to enter the classroom. It places a hiring freeze on the Board and their offices and employees, the general

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

superintendent and school councils during this collective bargaining process. This hiring freeze isn't meant to prevent the Board from hiring temporary people like substitute teachers. It just allows everything to stay in place during this period from September 1st to September 12th. It also exempts the Board from the unfair labor practices provision under the Educational Labor Relations Act during this period of time only, and requires the Board to adopt an interim budget to authorize expenditures that are associated with opening the schools and hiring substitute teachers during this period of 12 days. It also requires the Board to adopt this interim budget and provide for the expenditures that are necessary during this 12 day period of time. So, what this does, it creates a 12 day window to allow the Chicago Teacher's Union and the Chicago School Board to continue their negotiations and, hopefully, arrive at an agreement during this time period, and it will allow 411,000 school children to reenter the classroom in the fall, and I ask for its favorable adoption, of the Motion to concur in Senate Amendment #2."

Speaker Steczo: "The Gentleman has moved that the House concur with Senate Amendment...Senate Amendment #2 to House Bill 242. On that question, is there any discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I, too, rise in support of the concurrence Motion with respect to this Senate Amendment. I think there are some concerns about the language of the Amendment, uncertainty as to whether appointments and promotions might happen, because the Amendment is not drafted as specifically with as much clarity as the Chicago Board of Education requested, and

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

there may be some concerns about the Board's ability to hire substitutes during this period, so as to make sure that there are not classrooms that are standing without teaching personnel. The governor's office feel quite confident, however, that that situation will not develop, and I think that there is reason to have confidence in the governor's confidence. I think this breathing space that is proposed by virtue of permitting the schools to open will be helpful in terms of encouraging continued talks between the Chicago Teacher's Union and the Chicago Board of Education. I think it will help us as we resolve the larger questions about bonding and about filling whatever fiscal gaps will remain, no matter the outcome of those talks. We're scheduled to come back next Thursday. I'm hopeful that we can resolve all the questions that are ours to resolve as quickly as Thursday takes us, and in the mean time, I think this legislative action means that we have held faith...kept faith with the parents and the school children in the City of Chicago that it is not the state statutes which bar the opportunity for the Board and the Union to open school doors next Wednesday. I support the Motion to concur."

Speaker Steczo: "Is there any further discussion? The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I intend to vote for this concurrence, because we came down here to ensure that the Chicago schools open, but I got to tell you, as a parent of a child in the Chicago public schools, this approach is almost worse than not opening the schools. If you don't open the schools, at least the parents are in a position to be able to plan for

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

what they're going to do in the interim. What we have here is a situation where schools are going to open one day, and they may close again the next day. And from the point of view the parents in Chicago, this could be a worse solution that not opening at all, but we came down here to keep the schools open, and I intend to support this measure in the hope that we will a quick Resolution, and we will not have the situation where they're open one day and then closed the next, but it is clearly not a perfect solution to this problem."

Speaker Steczo: "The Chair recognizes the Gentleman from Jersey, Representative Ryder."

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

Speaker Steczo: "Representative Ryder has move 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 is put. Representative Wennlund to close."

Wennlund: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I ask for your concurrence in this Motion to concur in Senate Amendment #2, allowing the Chicago public schools to open on time, and get the kids back in the classroom, and I move for a favorable adoption. It does have an immediate effective date, and it has to be effective immediately, because the schools are slated to open next Thursday...Wednesday, thank you."

Speaker Steczo: "The question is, 'Shall the House concur with Senate Amendment #2 to House Bill 242?' All those in favor will signify by voting 'aye', those opposed by voting 'no'. The voting is open. The Chair recognizes Representative

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

Davis to explain her vote."

Davis: "Thank you, Mr. Speaker. It was very gracious of you to allow me to speak, and I do appreciate that. My question is, on August 27th, 2,500 people retire under the 5 plus 5 plan, 2,500, about 200 principals. Now, I don't know the answer, but if 2,300 of those people are teachers, and they can't be replace, I'm very fearful of what's going to happen in those classrooms. It says they cannot hire anybody to replace those people. Is there an answer? I'm going to vote for this, and I hope havoc is not wreaked upon those children."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 97 voting 'yes', 19 voting 'no', none voting 'present', and the House does concur with Senate Amendment #2 to House Bill 242, and this Bill, having received the required three-fifths Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Rock Island, Representative Brunsvold, seek recognition?"

Brunsvold: "Mr. Speaker, just to remind the Body that on Thursday morning of next week at 10:00 a.m., the Committee of the Whole will meet. As Co-Chair of that Committee on Special Session HJRCA1, which is a Constitutional Amendment on Educational Funding language, that Committee of the Whole will meet again at 10:00 a.m. on Thursday morning, and I would like everyone to be aware of that, would like as good attendance as possible, discuss the issues of education, and possibly if we had of passed this Constitutional Amendment last year, we wouldn't be here today. So, I would urge every one of the Members to put that on their

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

calendar, next Thursday morning at 10:00 a.m. Thank you, Mr. Speaker."

Speaker Steczo: "Mr. Brunsvold, 10:00 a.m. next Thursday here on the House floor, correct. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #1. RESOLVED, BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE FIRST SPECIAL SESSION THEREOF, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, September 3, 1993, they stand adjourned until Thursday, September 9, 1993, at 12:00 noon. Adopted by the Senate September 3, 1993. Jim Harry, Secretary."

Speaker Steczo: "Representative Granberg moves for the adoption of the Adjournment Resolution. Representative Black, for what purpose do you seek recognition?"

Black: "Thank you very much, Mr. Speaker. The...in the House, we have adjourned to what time next week?"

Speaker Steczo: "The Resolution, Mr. Black, calls for the adjournment of the House until noon next Thursday, September the 9th."

Black: "Alright. So that there's no confusion, however, the Committee of the Whole on the Constitutional Amendment, as proposed, meets at 10:00 a.m. on that day, correct? Thank you."

Speaker Steczo: "Meets at 10:00 a.m. on September the 9th, which is a Thursday. Representative Granberg 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. Representative Granberg now moves that the House stand

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

FIRST SPECIAL SESSION

2nd Legislative Day

September 3, 1993

adjourned until the hour of 12:00, noon on Thursday. All those in favor will signify by say 'aye', those opposed by saying 'no'. The 'ayes' have it, and the House does now stand adjourned."

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

SEPTEMBER 03, 1993

HB-0242 CONCURRENCE	PAGE	24
*HJR-0001 MOTION	PAGE	2
*HJR-0001 MOTION	PAGE	19
*HJR-0001 RESOLUTION OFFERED	PAGE	18
SJR-0001 ADOPTED	PAGE	29
SJR-0001 RESOLUTION OFFERED	PAGE	29

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER GIGLIO - 1ST SP. SESSION	PAGE	1
PRAYER - FATHER JOHN OSSOLA	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL ATTENDANCE	PAGE	1
REPRESENTATIVE STECZO IN CHAIR	PAGE	2
MESSAGE FROM SENATE	PAGE	23
1ST SP. SESSION - ADJOURNMENT	PAGE	30