

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

First Special Session

29th Legislative Day

November 14, 1993

Speaker McPike: "The First Special Session will come to order.

Are you volunteering for the Prayer? We'll be led in the Prayer today by Representative Sheehy. The guests in the balcony may wish to rise and join us for the invocation."

Sheehy: "Let's all bow our heads and ask for courage to make the correct decisions in all matters facing us during the Session today. Heavenly Father, we ask You to send Your Blessing on this Assembly. Grant that we may have understanding hearts and a compassionate nature as we fulfill our duties as Representatives of this great state. We thank You for the individual gifts that You have given to each one of us. May we use them to the best of our abilities and for the common good of all those we represent. Bestow upon us the wisdom, the kindness, the justice and peace we have learned by the example of Your Son, our Lord in whose name we are gathered here today. Amen."

Speaker McPike: "Representative Sheehy will lead us in the Pledge of Allegiance."

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

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

Kubik: "Thank you, Mr. Speaker. As you can see, all the Republicans are here today."

Speaker McPike: "Representative Currie."

Currie: "We have no reported absences on this side of the aisle, Speaker."

Speaker McPike: "Thank you. Mr. Clerk, take the Roll Call. One

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hundred and seventeen Members answering the Roll Call, a quorum is present, First Special Session of the 88th General Assembly is in order. Representative Giglio in the Chair."

Speaker Giglio: "We'll just stand at ease for a few minutes. The Chair would like to mention that a Page when out and got some popcorn and there's some change up here. Did somebody order popcorn and... You could come up to the Clerk's well, describe the bag and fill out the form and we'll see who it belongs to."

Speaker McPike: "The House will come to order. Representative McPike in the Chair. Republicans will have a caucus immediately in 118. The Democrats will have a caucus immediately in Room 114. And the Chair has no idea how long these will last, but I think that you should presume that this will be a long evening and if you haven't, you should order some dinner. So, we will be at ease until both...both caucuses return."

Clerk McLennand: "Attention Members. Dinner has been ordered for the House Members and will be here 7:00."

Speaker McPike: "The House will come to order. The House will come to order, Representative McPike in the Chair. Mr. Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. We've noted that the Calendar, excuse me, the electronic board mentions a Supplemental Calendar #9 and we...if that be the case, we don't have one through eight, let alone nine. So, we'd like that clarified."

Speaker McPike: "Well, Mr. Black, you are correct. The Calendar that was passed out today that is called House Calendar is actually a supplement to the Regular Calendar. So, this

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is...this is Supplemental Calendar #9 which is on your desk."

Black: "So, that is the Calendar we're using?"

Speaker McPike: "Yes, Sir."

Black: "Thank you."

Speaker McPike: "Senate Bill 132. The Bill's been read a second time previously. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Are there any Amendments previously adopted?"

Clerk Rossi: "Floor Amendment #1 has been adopted to the Bill. No Motions were filed. Floor Amendment #2 was ruled not germane. Floor Amendment #3, offered by Speaker Madigan."

Speaker McPike: "Representative Balthis, for what reason do you rise?"

Balthis: "Mr. Speaker, I am always happy to see my name up in lights, but I don't remember, at some point in time, when I became a Sponsor of Senate Bill 132. Especially, if it is a Bill that's going to bail out those in the City of Chicago. So..."

Speaker McPike: "For what reason do you rise, Sir?"

Balthis: "I would like to ask my name be taken off the board."

Speaker McPike: "Sure. Yeah, I think you can sign a form at the Clerk's desk and remove your name. All right, Amendment #3...Amendment #3, offered by Speaker Madigan. The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Speaker Madigan."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker, I would propose that we adopt the Amendment on a voice vote, put the Bill on Third Reading and then do our debate on Third Reading. So, with that, I move to adopt the Amendment."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 132, a Bill for an Act relating to children with disabilities. Third Reading of this Bill."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, the Bill as amended is concerned with the current fiscal crisis of the Chicago Board of Education. The Bill contains several provisions and if you would bear with me, I would like to take some time to explain what the Bill would provide. In the area of financing, the Bill would authorize debt issuance by the School Finance Authority in Chicago of \$378 million. For those of you who are not familiar with the School Finance Authority, it is an agency created by state law. Its sole purpose is to oversee the activities of the Chicago Board of Education. The only money that it receives comes from the local real estate tax. So, the School Finance Authority in Chicago does not receive any state money. All of this money comes from the collection of local real estate taxes, and that is the agency that would be authorized to issue debt of \$378 million. Earlier in our discussions of this question we had talked in terms of a loan from the Teachers' Pension Fund in Chicago. That aspect of the earlier proposal has been deleted from the Bill and so the Bill no longer provides for a loan from the Chicago Teachers' Pension Fund. In the area of Chapter 1 money, the Bill would provide that approximately \$16

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million in FY '94 and \$16 million in FY '95 of Chapter 1 money would be used by the central Board of Education in Chicago to pay for its financing. What this means for advocates of Chapter 1 is that the money that had been expected to be available for the current fiscal year will be reduced by 50%. Let me repeat. The money which had been expected to be available, as a result of the state budget adopted in July of this year, will be reduced by 50%. Said differently, all of the increased money that was expected to be available from the state budget will be divided equally between the local school councils and the central board for the current school year. In other areas of the Bill we deal with a variety of matters which have been discussed at length throughout this process. So, number one, the status of supernumerary for certain school teachers in Chicago. Supernumerary status for a Chicago school teacher is the Chicago equivalent of bumping privileges obtained in downstate Illinois. So, for those of you who represent school districts outside of the City of Chicago, you know if there is an economic layoff in your district, for example, if a school building closes, then within the school district the most senior teachers bump those that are inferior to them in seniority. The last hired are the first fired. It's a strict seniority basis in every district outside of Chicago. At the time of the adoption of the Chicago reform law, the bumping provisions were eliminated from state law as they relate to the Chicago Board of Education. What replaced the bumping privileges is this supernumerary status, and what it means is, that if a building closes in the City of Chicago and because of that closure, there are twenty-five school

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teachers out of work, those teachers become supernumerary. That means that they have the first right to be interviewed by principals throughout the entire Chicago school system. Today, today, under current state law, supernumerary status is a lifetime guarantee. If you take the current Illinois law and translate it for a Chicago school teacher who is supernumerary, they have a lifetime job guarantee. The contract that was negotiated between the Board of Education and the Chicago Teachers Union changed the supernumerary status. And what this Bill would do, would be to provide that the state law would mirror the provisions of the contract. And what the contract, and now state law will provide, is that if a teacher is supernumerary, if they hold a certificate where there are no longer course offerings under that certificate, they are offered the opportunity to retrain themselves, which means they go back to school at their own cost, at night, to get themselves recertified in a different subject area. If they refuse the opportunity to be retrained, if they refuse the opportunity to go back to night school, to pay all the cost themselves to get recertified, they're out of a job that day. Now let me repeat that. It's a very important thing to understand. Today supernumerary status means lifetime job guarantee. Under the provisions of this Bill, a supernumerary who is told we no longer have course offerings in your area of certificate and you must retrain yourself, and that supernumerary teacher says, 'I'm not going to get retrained.' They're out of a job. If they say that they wish to be retrained, they have two years to go back to school and get certificated again. The Board is given another five month period that they can grant if they

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feel that this is in the best interest of the board. That would occur where there is a special need within the system. So, in Chicago there's a great need for special education teachers and if they feel, if the Board felt that a person was getting recertified in special education and that it would be in the best interest of the Board and the teacher to grant another five months for retraining, then that could be granted by the board and that person could get an additional five months. Another area that has been greatly debated is called principal in charge. And the question here is, does the principal have unfeathered authority to issue directives to staff people in the school building? That was also negotiated between the Board and the union. There was a new arrangement agreed upon by the Board and the union and this Bill will change Illinois law to reflect the agreement that was negotiated between the Board and the union. Another area called work rule changes does not appear in state law today. So, under the current contract between the Board and the Teachers' Union, if a group of teachers at a particular school building want a waiver from the master teacher contract, they need a vote of 70% of the bargaining unit at the school building to get a waiver from the master contract. This Bill would provide it under state law, two years from now in September of 1995, you would only need a 51% vote to get that same waiver, which today is provided by contract at 70%. So this...today is only covered by the contract. It's not covered by state law. Our Bill would provide that state law would deal with this particular question in the future. There are some significant changes made for the School Finance Authority, and in certain instances the School

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Finance Authority will be able to approve a hiring plan. The School Finance Authority will employ an Inspector General to receive complaints of misfeasance or lack of performance within all of the schools in the City of Chicago. That Inspector General will have the authority to conduct investigations and will have subpoena power. In addition to the current authority to give, 'yes' or 'no' approval to the contracts of the Chicago Board of Education, in the future the School Finance Authority will have more specific authority in terms of contract approval and lastly, the School Finance Authority will be able to order management audits of the Chicago Board of Education. The Bill further provides that during the period of January to June of 1995, first, the Chicago Board of Education could authorize a binding referendum in Chicago to raise real estate taxes for the use of the Chicago Board of Education. Failing action by the Chicago board of Education then during the same time period, the City Council of the City of Chicago will also be authorized to put a referendum question to raise real estate taxes in Chicago. Let me explain. Both of these provisions are permissive. They permit, first, the Board of Education, then the City Council to put what would be a binding referendum vote to the voters of the City of Chicago. No provisions of the contract negotiated by the Board of Education and the Chicago Teachers' Union will be changed. Please note that the question of work rules is changed by operation of state law in September of 1995. That would not change the contract which was negotiated by the Board of Education and the Chicago Teachers' Union. Concerning the length of term of a principal in the Chicago Board of

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Education, this would provide that the length of the term would be four years. And so, if a principal were to leave, say, during the third year of a four year term, and a new appointment were to be made by the local school council that appointment would be for one year only. At the completion of that one year, there would be a new local school council in place and the new local school council would then select someone to fill the next four year term. The date for submission and approval by the School Finance Authority of the Chicago Board of Education budget is changed from August 30th to August 15th. There is a second window for early retirement opportunity for Chicago teachers contained in this Bill. The Bill further provides that principals may enter into contracts up to \$10,000 with the approval of the local school council and concerning local school council vacancies, it provides that where a person was elected to the local school council is a parent of a child in the school, and that child has left the school, then the parent member of the local school council is no longer a member of the local school council. Mr. Speaker, I'm available to answer questions."

Speaker McPike: "Mr. Clerk, would you correct the Attendance Roll Call. Representative Shirley Jones and Representative Lou Jones are not present and were put on the Attendance Roll Call in error, so please remove them from the Attendance Roll Call. Speaker Madigan. Speaker Madigan has moved for the passage of Senate Bill 132 and on that, Minority Leader, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand before you prepared to vote in favor of Senate Bill 132. I will cast a vote in favor of what we

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have hoped to be called Chicago school reform and the answer to the current Chicago school crisis. And I want to make sure that everybody here understands the importance of the person that has called us together and made sure that throughout this process we have kept our nose to the grindstone. It is because of Governor Edgar's hard work, leadership and persistence that I believe, that I believe and you go ahead and moan and groan over there but remember we are coming here in response to the Chicago school system at your request, to help you help your own schools. And in the nineteen years I've been in government, I have never seen such a problem where people of that school system have turned their backs consistently on the kids of Chicago. And, right now, I tell you that the leadership of Governor Edgar has helped us resolve this crisis."

Speaker McPike: "Excuse me, just a minute. Representative Daniels. Representative Daniels, let me excuse you just one second. Speaker Madigan."

Madigan: "Mr. Speaker, would you ask the Democrats to give their full attention to Mr. Daniels, because he's usually pretty good on these things."

Speaker McPike: "Well, I think the Speaker did it with more authority than I could, so, Representative Daniels."

Daniels: "And it is because of the leadership of Governor Edgar, that I believe that 411,000 students, if we pass this Bill tonight, will be able to return to school tomorrow morning. It was Governor Edgar who set aside partisan politics, who brought the legislative leaders together, who encouraged us to sit down and forged a reasonable and workable compromise that will keep the children in school. And it is clear that Governor Edgar has his priorities straight, and I for

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one, am thankful for his leadership and his statesmanship. This agreement provides for greater principal control, improved financial oversight, and much needed work rule modifications, all without additional state financing. All without requiring one additional state dollar to be sent into a school system that first and foremost needs reform and correction. Thanks to Governor Edgar's abilities, we were able to negotiate a reasonable compromise, one that I believe is workable and necessary, and one that contains significant reforms. This is in my mind is a beginning and a good start. But, lest anyone misunderstand what we are doing here tonight, let's make sure we also understand that it is with a warning and a caveat to the Chicago education community. That it is, in fact, time to change the norm that we have seen over the past years. That we have consistently seen a refusal to deal with the reform from inside and the requirement now that the state must move clearly to help Chicago help itself and that's what this agreement is all about. Yes, there are many, many people in the Chicago system of education that seek this reform and want changes, and changes to be made now. And I would be remiss if I didn't point out first and foremost that the mayor of Chicago came to us and asked with his 7. reform plan that we pass some reform mechanisms along with financing control. And when the mayor had the Legislative Leaders in his office, we Republicans signed onto that program and said, 'Mayor, we will work with you to help reform the Chicago school system and to improve it.' And he said to us things like, it is our only hope. We must change the direction of Chicago education and Republicans responded by endorsing his plan without condition, without

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turning our backs and saying to the Mayor of Chicago, 'Yes, we understand what you're trying to do.' But instead, what did we receive? Too many occasions, frustration from the Minority...Majority Party. Too many occasions an unwillingness to negotiation the reform the Mayor, himself, asked that the city have in improving its educational system. The Senate Republicans sent to us a plan containing highlights of that plan for financial reform, referendum conditions to help Chicago help itself, reforms in the school system and control of principals in operating their own school system. And we Republicans said again, we would vote for that and make the necessary changes. And then when the Chicago Board and Chicago Teachers' Union entered into a legislative proposal, what did they take out of that? Very important ingredients necessary to meet the conditions of the reform that previously the Mayor had called for. So, when we're done with the day, what do we have before us now? An negotiated settlement, yes. A reform, yes. A financial conditions that need to be met in order to help the children of Chicago, yes. And a referendum on potential support by taxpayers of Chicago for their own system. Now what parent, whether they live in Chicago or Wood Dale or Bensenville or downstate Carlinville or any community, doesn't want the best for his or her child. We all want our children to graduate, not just being able to read and write, but also seeking a thirst for knowledge, a desire to better themselves, a desire to have the tools necessary to lead productive and fulfilling lives. Without a good solid educational background, these are not likely. This plan is a step in the right direction. Although it does not go as far as we

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would like, with this compromise we have strived to bring some measure of reform that will give Chicago school children at least a fighting chance in this tough world. These reforms have been highlighted by the Speaker, and although they go far, they don't go far enough. For the future can only hold the requirement that the Chicago education community recognize the need that it must bring about in reforming its own system. All that we ask for the children of Chicago is what we ask for the children that we reside with or that we represent in the rest of the State of Illinois, and that's the tools to be able to meet the challenges of tomorrow. This plan will help provide that, but not in and of itself. So, Ladies and Gentlemen of the House, where I think a 'yes' vote is the right vote. It also comes with it a caveat and a condition. And that condition is, for the next two years, we will be watching the progress in Chicago schools. We will be holding them up, not only in this State Legislature but throughout an examination by this country as well. Expecting a better performance by them, expecting a better product of education, and expecting the necessary reform that they must have in order for that system to improve. We owe no less for our children. We owe no less for the future of this government, for the future of this state, and the future of those we love the most. I recommend an 'aye' vote."

Speaker McPike: "Representative Tim Johnson."

Johnson, Tim: "Thank you, Mr. Speaker, Members of the House. As a Legislator who represents downstate Illinois, I guess my analysis of where we're at today is a combination of bad news and good news. The bad news is that we're here. I

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don't like being here and being the downstate tail that the Chicago dog wags. I don't like that and I don't think other people do as well. We've got our problems downstate in Newman and in Champaign and Mahomet and everywhere else and we've got our problems and we don't have a Special Session of the Legislature convened to deal with that. We have an inefficient system that we've got to reform. But, however, unlike the past when we've come down here and taken our assets downstate and sent them to Chicago to deal with their inefficiencies and their problem, this is good news. And this is a different story. Because this package represents a victory for downstate taxpayers for the first time in my memory. There is no state tax dollars, there's no bonding authority, there's no pension money, there's no road money, there's no other money being sent to Chicago. We've prevented the situation that occurred in Missouri where all the taxpayers of Missouri were called upon to fund the Kansas City systems by a federal judge and we've also prevented incredible number of dollars flowing from downstate to other places to deal with the consequences of 500,000 children being on the streets and out of school. They've raised or you're going to raise in Chicago, your own real estate taxes through a referendum, for a change, like we have to do downstate all the time in referendum after referendum. And so, to that extent this is major victory for downstate taxpayers and not only that, as hard as it has been to achieve and as difficult as the battle has been, there is significant reform contained in this package. Representative Daniels - Representative Madigan have recited a number of those authorities to the principals, some changes to the supernumeraries, change in

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work rules and other and we've got to go further. But there are significant reforms, no downstate money and we held out. We didn't come in here in a day and a day and a half and two days like we have before with the White Sox and McCormick Place and everything else and enact a package that sends our money from Urbana, Mattoon and Mahomet to Chicago. But we held out for a significant period of time and we won. We're not sending you your...our money. We're letting you deal with your own problems, deal with your own efficiencies and at the same time affecting reform in a system that is so long overdue for reform that it simply cries for it. And so, like the others, and perhaps from a different perspective, I urge a 'yes' vote for downstate Illinois."

Speaker McPike: "Representative Parke."

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

Speaker McPike: "Yes, he will. Speaker Madigan."

Parke: "Speaker Madigan, I need some clarification. What is the value of the bonds that we're going to borrow?"

Madigan: "Three hundred and seventy eight million."

Parke: "Thank you. Who backs these bonds? How...what is the backing to be able to guarantee them to the bond houses?"

Madigan: "The bonds are issued by this agency, the School Finance Authority. Created by state law, its only source of money would be local real estate taxes. So, the payment for the debt would be from the local real estate taxes."

Parke: "Okay. And I understand under the legislation that the School Finance Authority will then have the authority to go to the people of Chicago and ask for them to raise the real estate taxes. Is that correct?"

Madigan: "No. No. It's the Board of Education and the City

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Council of the City of Chicago which has the authority to put a referendum question."

Parke: "Okay. What happens if they...the Chicago School Board says, 'We're not going to do that.' Then what's the next step?"

Madigan: "The next step would be the Chicago City Council."

Parke: "What happens if the Chicago City Council says, 'We're not going to do that'."

Madigan: "Nothing."

Parke: "Well, how do we make that service then?"

Madigan: "Mr. Parke, I think that you're relating the referenda questions to the repayment of the debt and let me do it this way. There's three agencies here, there's a School Finance Authority, the Board of Education, City Council of the City of Chicago. So, the debt is issued by the School Finance Authority, SFA, that agency is not involved in these referenda questions. The second two agencies are involved in a...referenda questions."

Parke: "Okay. But where do we get the debt service to pay off the bonds that we've issued to people who have bought them?"

Madigan: "Collection of local real estate taxes by the School Finance Authority which gets its money from local real estate taxes."

Parke: "What if there is not enough real estate taxes to keep the doors open in 1995 and make debt service? What happens then?"

Madigan: "Well, the repayment of this debt comes first. Comes off the top."

Parke: "Okay. So, therefore, we'll have less money to open the doors in 1995. What happens if we don't have enough money

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to open the doors in '95. What do we do then, Mr. Speaker?"

Madigan: "Well, then the Chicago Board of Education must do the best they can and prepare a budget."

Parke: "So, would that normally mean then that the state would have to deal with it in '95 if that were the scenario that played out?"

Madigan: "Clearly, that is a possibility. Clearly."

Parke: "Thank you, Mr. Speaker, I appreciate that answer."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On Senate Bill 134, Members like myself...or 132 rather, Members like myself that come from the City of Chicago are in a 'damned if you do and a damned if you don't' situation. And it is strange that I heard someone say that what a good leader we have on the the second floor. When I was told three weeks ago, when I raised some concerns about this Bill, I was told that the deal was cut. It was an agreement between the Board and the union and if we open up the process for you, then we have to open up the process for everyone else. Well it turned out the process was opened for someone, who I will leave nameless, because he is nameless. It seems to me that he got everything that he wanted. And what he wanted had nothing to do with the children of the City of Chicago. What he wanted was to put his hand in the pie and just steal a little bit more for him. And I resent the fact made by some of my colleagues that said that their tax dollars are going to the City of Chicago. Then what the hell does our tax dollars from the City of Chicago been doing for this state? Someone said, it ain't enough, I'll tell you what, I would like to see

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this state live without the tax dollars from the City of Chicago. I heard someone say that they are down here because of the educational crisis in the City of Chicago. You know why this Session is only for the City of Chicago? Because we're not man and woman enough to deal with the educational crisis throughout this state. I'm from the City of Chicago, but I would have gladly been down for the last two or three weeks dealing with the educational problems in your district - your district - your district - and your district. But, we know what the problem is and we're not willing to face up to it. The problem is revenue, and I'm not necessarily saying we have to raise taxes. I think \$30 billion is enough to fund education. If we fund education first and stop painting barns and building running tracts and building roads. I would like to see how much money is in that gas tax fund where a lot of the drivers from the City of Chicago have put money into that fund and then not getting a fair return off of their road fare dollars. Children before concrete. So, yes, I'm in a quandary, I'm in a dilemma because those are my kids. But I thought they were supposed to be our kids. Just because I happen to represent those kids, if the shoe was on the other foot, I have just as much concern for someone from your district as you would for mine, supposedly from mine. But the sad part is, no one really gives a damn about the children. No one really cares, it's all about jobs and power and contracts. When I...five years ago when we voted on school reform in 1988, many of the Members of this House of Representatives at that time said, 'School reform would not work unless you increase funding.' No one increased the funding. So, that's why school reform hasn't

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worked in Chicago. No one was willing to put their mouth where the money should have been. And finally I'm going to say this: Some of the leaders that we have in this Capitol Building are no different from the gang bangers I have in Englewood and in Austin. You declare war, the gang bangers and dope dealers have declared war on my children and so have you. You declared war on my children and I should be a good God fearing gentleman and turn the other cheek. But when you hit me in the face with your fist, I'm going to pick up a brick. Yeah, some people are saying, 'Charles, you should let them vote.' Well, I'll tell you what, maybe I shouldn't have said a brick. Maybe I should have said a two by four because many of these Members need some backbone anyway. And you think I'm being hard, I'm being real. Because I'm tired of hearing time after time again, all the eloquent talks, almost want to bring tears to your eyes. I wonder if this is a Legislative Body or a tryout for the Oscars. But regardless of what happens on Senate Bill 132, understand, understand that one day, and I said this speech when I first got in this chambers seven years ago, when I was the 118th in seniority in this chamber and I am now 43rd in seniority. That should tell you something, many of you will not be back because of your positions and your policies, your constituency is getting fed up with this charade and they will send a message to you, and when I say that, I'm going to say it to the people back in the City of Chicago. I'm going to say it to the people in the City of Chicago who allows this Governor to sit on the second floor. You know some people came into the minority community and said, 'Go fishing'. Some people came into the minority community and said that Edgar would

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be a good Governor. Well, I'll tell you, election time is about one year away and if anyone comes into my community and says that Edgar is a good Governor for my community, he's going to have a rough time getting out of my community."

Speaker McPike: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Speaker yield for a question?"

Speaker McPike: "Yes, he will. Speaker Madigan."

Mulligan: "I have a concern here that I would just like to point out on the Textbook Playground Fund. Do you think that it is the intention of the School Board to raid that fund and make that program nonexistent any longer? They've taken money out in the Spring Session and now they're taking money out again and that program, to me, appears to be a significant one. It addresses the children after school, the latchkey kids, it keeps gangs off the playgrounds and makes a safe place for children to play, and if they are going to raid that fund and eliminate it, I think we ought to know that up front."

Madigan: "Representative, I don't know what their intent is. I've had no discussions with them regarding this."

Mulligan: "All right, I'm...thank you for the answer. I would just like to read that into the record to make people aware if they don't know because I think that is a significant program. It certainly gives children after school that have no place else to go a safe place to play and it also gives them help with their homework. Many of the park district playgrounds are no longer safe and I think the professionals that man those programs make sure that the gangs stay off the playgrounds and that it's a significant

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program. And, I would hope it is not the intent of the School Board to continue to raid that playground fund. Thank you."

Speaker McPike: "Representative Skinner."

Skinner: "It's kind of interesting that this debate started out with the assertion that we had lots of debate on the Chicago school crisis. In fact, this is the first day we've had any debate on the school crisis in public. I would like to suggest the General Assembly hasn't learned anything since the late 1970's. We are right back where we were then, virtually the same reason. The Chicago school system is still terminal, in fact, it's worse. Fifty-one percent dropouts. Now, for those of you who would suggest that we don't care about your kids, I would suggest that keeping this system as it is with no systemic change is an absolute guarantee of failure. You're asking for a 175 million this year, 203 million next year out of your money. I'm willing to admit that, it's your money. What I am unwilling to agree to is the \$400 million handout stretched toward my constituents - taxpayers in 1995. The language in this Bill sets Illinois up for a state income tax increase in 1995. What you're asking us to buy here is sort of like a used car. It's going to last two years, but the payments are going to go sixteen years. Now, nobody in this entire chamber would advise any friend to accept a deal like that. I believe passage prepares the way for a state income tax increase. I shall not vote to prepare the way for a higher state income tax in 1995."

Speaker McPike: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker. First, I would like to publicly thank Judge Charles Kocoras for the waivers that kept

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411,000 Chicago public school children in school a number of times. We want to tell him we appreciate his being sensitive to the needs of children from Chicago or in Chicago. We'd also like to take this opportunity to thank Senator Emil Jones and Speaker Madigan for the long hours in which they had to support those people who are working people. They had to be a part of concession and, what shall I say, giving. What this Bill does is give a group of people the right for patronage at the expense of Chicago's public schools. This position of an Inspector General is nothing more than patronage for the Republican Party, at the expense of our children. I believe that the concessions that have been made in reference to the supernumeraries is tremendous. The supernumerary teachers no longer have protection. They don't have what downstate teachers have, and that is seniority rights; however, for 4,011 (sic - 411,000) children we'll give that up, too. What this Bill also does is helps to break union rules. In Chicago we will now have or be able to allow 51% of the teachers to say, 'We don't...we want to waive that particular union rule', but at the same time downstate and other teachers in the state will not have the option of waiving a union rule, but we gave that up, too. We also find that by allowing our district to borrow this money and our real estate tax dollars from Chicago paying it back...our children, too, will be in school. All of us know that the past sixteen years have not proven productive for education. All of us know that we do need a source of revenue for all of the schools in the State of Illinois. In 1979, Chicago was denied the ability to borrow any more, we cannot borrow the way other school districts can. We

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have to have what is called a balance budget. And because of that legislative rule, that is what brings us here today and obviously we were on our knees because we gave up everything that could be given up, including \$16 million a year that belonged to the poor children. We're going to use \$16 million that is supposed to be for children who are unprivileged...underprivileged, who need special tutorial services, who need additional books, but we're going to give that up, too. And the only thing that we're doing is giving up a number of...what shall I say, things that other people have in order to keep the doors open. Are our children worth it? Are 411,000 children worth us giving these things up? I think they are. I think they are, and I think the political patronage that was extracted will be removed as soon as we have a very important election that is coming up real soon."

Speaker McPike: "All right, it is the intent of the Chair to let everyone who wishes to speak explain their vote. The Chair will recognize everyone to explain their vote. The question is, 'Shall Senate Bill 132 pass?' All those in favor vote 'aye'; opposed vote 'no'. This Bill requires 71 votes. To explain his vote, Representative Brady."

Brady: "Thank you, Mr. Speaker. I agree with my colleague that this is a vote that has the good and the bad in it. The good is that 411,000 students will be in school tomorrow if this passes. The good is that there will be no dollars from the rest of the state, that these dollars will come from within the City of Chicago, paid by property taxpayers there. The bad is that Representative Skinner is right; there is a two year problem. And the other bad is that you need to see backbone in the City of Chicago, because the

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constituents in my district tell me, 'Why doesn't Chicago pass a referendum like the rest of the state has to?' And, you need to do that. Today I read in the Tribune that there hasn't been a referendum put on the ballot since Lyndon Johnson's presidency. That is lacking in backbone. And to avoid a crisis in two years, I challenge everyone in the City of Chicago to move forward with that, to provide that two by four backbone that my colleague on the other side of the aisle spoke so eloquently about. And show us a referendum in the City of Chicago. Show us you have the backbone. Put it in force, pay for your schools as my district has to with referendums. Thank you."

Speaker McPike: "Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. There are some people who are listening very carefully to this debate, none of whom are here, and those are the 411,000 children in the City of Chicago and their parents who care very much what we do here. Now everyone can find something that they don't like in this Bill. But let's be clear. If we don't vote tonight to pass this, the schools will be shut down tomorrow. There are seniors in high school who are worried about graduating and yes, there are seniors in Chicago who want to go to college. And there are children who love to learn and teachers who, believe it or not, in the City of Chicago do a very good job teaching those children to read and to learn. On behalf of those children, their families, their teachers who want to progress, let's do it now and then we'll come back and we'll do more fundamental reform. I urge a 'yes' vote for the kids."

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Speaker McPike: "Representative Edley, to explain his vote."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I doubt if there are many in this chamber, on either side of the aisle, that would willingly embrace and proudly proclaim kinship of this legislation. Even the Mayor of Chicago has said on a previous, very similar Bill, that it was a bad deal. It was a bad deal but it was the only deal that was on the table. Quite frankly, the perimeters and the structure forming this compromise legislation are set not in a foundation of physical...fiscal or educational responsibility, but on a foundation of political expediency. This is a political document to get the Governor and Mayor past the next elections. Dr. Kavorkian couldn't deliver a more fatal dose of fiscal irresponsibility than is contained in this piece of legislation, for it will topple like a house of cards in two years..."

Speaker McPike: "Representative von Bergen Wessels, one minute to explain your vote."

von Bergen Wessels: "Thank you, Speaker. Last week we tried to run a Bill to help Mount Morris, the only school district in the state at imminent risk of running out of money. Three thousand, two hundred and fifty dollars will be in their checkbook at the end of December. This chamber stood ready to help, both Republicans and Democrats, but we weren't able to get so much as one Senator to sign off on the Conference Committee Report. Although there are multiple layers of political reasons as to why we couldn't get any Senate signatures, the overlying reason was that Mount Morris was inascribably caught in the wrangling over of Chicago schools. Mount Morris has become more than just

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731 students at risk of having the school doors close in January. It has become a symbol for all downstate schools in trouble. I cast my vote, not against the children of Chicago, God knows they need our help, and not against my Chicago colleagues whose reasoning last week I could understand and respect..."

Speaker McPike: "Representative Mautino, one minute to explain your vote."

Mautino: "Thank you, Mr. Speaker. I yield my time to Representative von Bergen Wessels."

Speaker McPike: "You can't yield time in explanation of votes. Everyone has one minute to explain their vote. Representative Levin, one minute to explain your vote."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have very mixed feelings about this Bill because it diverts Chapter 1 money. I have very mixed feelings about this Bill because it, to a certain extent, reduces the authority of the principals, but I intend to vote for this Bill because we have to open school tomorrow for the 411,000 school children of Chicago. One major concern I did have, however, has been alleviated. For the last several months, we have seen teachers being placed by the Chicago Board who are not qualified, who are not certificated, in violation of the law. And, I went to the Chicago Board and I got a commitment from them that they will provide to me in terms of my district and to any other Legislator in terms of his district, an ongoing list of permanent placements that are made under this legislation. So that we can be sure that this practice of putting teachers into special ed. who have no..."

Speaker McPike: "Representative Weller, one minute to explain

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your vote."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Many would wonder why a downstate and suburban Legislator would stand in support of this legislation. All of us in this room are concerned about the children in public education, particularly the 20% that attend the Chicago public schools. With the passage of this legislation, we'll keep those schools open. What we've asked for in return which is major management changes of how the Chicago public schools are managed and run is included in this legislation. For the first time in many years we're going to have greater accountability. We're also going to have changes that are going to better run the schools and protect the interests of the taxpayers of this state. The best vote is an 'aye' vote."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Some of my colleagues from Chicago were a little quick a while ago, I think, to criticize the Governor, who has exercised his leadership in this measure, but I heard the word patronage mentioned as a reason why he got involved. Let me quote to you from a book called Chicago Schools - Worst in America, written, compiled by the Chicago Tribune in 1988. From the start of public education in Chicago in 1834, public schools have been the poor relations of the political establishment. They have been used by political leaders as a source of patronage in contracts. The system has been a theifdom of City Hall with politicians exercising indirect control without fear of being held accountable for the failure of the schools. Ladies and Gentlemen, what this vote is about is an attempt

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to let schools operate tomorrow and to eventually do something in the way of reform. You will reap the success if the schools in Chicago are reformed. You should reap the failures if they are not. All you want us to do with our money is to rearrange the deck chairs on the Titanic. We will not do that anymore. This is your money, your package, your responsibility. That's all I've ever asked for. You accept responsibility for Chicago schools as I do for Danville schools and those in the 105th District. This does that and that's why I vote 'aye'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Representative Novak, one minute to explain your vote."

Novak: "Yes, Mr. Speaker. Thank you, Ladies and Gentlemen of the House of Representatives. And I'm not particularly fond of this plan, but I guess it's the only thing out there. Does Chicago have problems in the school system? I think it is an undeniable, yes. Does it have serious problems with respect of delivering services and management problems? I think the answer is an undeniable, yes. Does it have a lot of kids that don't...don't show up for school and have problems in dysfunctional homes? I think their answer is a clear, yes. But, unfortunately, with the problems that are highlighted in the City of Chicago there are some good lights in the City of Chicago and the way they run their schools. There are a lot of success stories; there are a lot of kids that want to learn. Are we going to deprive kids that want to learn, them the opportunity to go to the school doors tomorrow morning so they can begin the learning process? I think not. As another downstater from Kankakee that faces its own serious financial problems, I'm

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happy that this package and this plan that was put together, at least from this prospective, does not entail any public dollars from the State Treasury, does not require any..."

Speaker McPike: "All right, the Chair has announced previously that this requires 71 votes. Representative DeJaegher to explain your vote, one minute."

DeJaegher: "Thank you, Mr. Chairman. I believe it behooves each and every downstate Legislator to listen to what Johnson said to you. That basically this would make no impact on downstate Legislators. But you can bet your bottom dollar, if this legislation is not passed and there are more conferences held, that downstate will then suffer. Use common sense. We have a Bill that basically does not affect us in anyway. It doesn't hurt us in anyway. We lose no funding. Vote for this Bill."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Younge votes 'aye'. Wyvetter Younge votes 'aye'. Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. I would request that you change my vote from 'no' to 'aye'."

Speaker McPike: "Change Representative Moore to 'aye'. Representative Kubik votes 'aye'. Representative Bob Olson is voting 'aye'. Representative Salvi votes 'aye'. Representative Roskam votes 'aye'. Mr. Salvi, turn off your light. Representative Pugh votes 'aye'. Representative Hawkins votes 'no'. Representative Phelps votes...Mr. Phelps, 'no'. Is anyone else seeking recognition? On this Motion...Representative Deering votes 'no'. On this Motion there are 71 'ayes', 44 'noes'.

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Senate Bill 132, having received a Three-Fifths Constitutional Majority, is hereby declared passed. The Rules Committee will meet at 9:00 p.m. in the Conference Room in the rear. The Rules Committee will meet at 9:00 p.m. The House will stand at ease until the call of the Chair."

Speaker McPike: "The House will come to order. Representative McPike in the Chair. Committee Reports."

Clerk Rossi: "The Committee on Rules has met and pursuant to Rule 1486, Bills referred pursuant to Rule 27 and 37, recommends consideration in the First Special Session and the following Bills be placed on the Order of Second Reading. House Bills 871 and 1192; Senate Bill 592, signed Frank Giglio, Chairman."

Speaker McPike: "Supplemental Calendar announcement."

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

Speaker McPike: "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 adopted the following Senate Joint Resolution, in the adoption of which I'm instructed to ask the concurrence of the House of Representatives, to wit; Senate Joint Resolution #5, resolved by the Senate of the 88th General Assembly, the State of Illinois at the First Special Session thereof; the House of Representatives concurring herein; that when the Senate adjourns on Sunday, November 14, 1993, it stands adjourned sine die. And when the House of Representatives adjourns on Monday, November 15, 1993, it stands adjourned sine die, adopted by the Senate, November 14, 1993. Jim Harry, Secretary'."

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Speaker McPike: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'no'. The 'ayes' have it and the Adjournment Resolution is adopted. On Supplemental Calendar #1 appears House Bill 1192. It's been read a second time previously. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative...Mr. Black. For what reason do you rise, Sir?"

Black: "I wanted to speak on Amendment #2, I must be out of order."

Speaker McPike: "No, you're not...yes, you are. Yes, you are. Representative Hughes, Amendment #1."

Hughes: "Thank you, Mr. Speaker. Amendment #1 to House Bill 1192 becomes the Bill. It amends the School Code and authorizes the State Board of Education to waive any provision of the School Code if requested to do so by a school district that has provided an effective alternate plan that addresses the intent of the provision sought to be waived."

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

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

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. Amendment #2 is Senate Bill 7 which has passed this House several times in the last couple of months, so I move to adopt Amendment #2."

Speaker McPike: "The question is, 'Shall Amendment #2 be

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adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments? Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate (House) Bill 1192, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "All right, for a point of information. For a point of information. The point of information, this is a House Bill in the House in Special Session. The Senate has adjourned sine die. All right. Mr. Skinner, you can leave any time you wish. All right, the Bill...Mr. Clerk, has the Bill been read a third time?"

Clerk Rossi: "The Bill has been read a third time."

Speaker McPike: "All right, Representative Currie, do you wish to handle the Bill or Mr. Santiago? Representative Santiago, on the Bill."

Santiago: "Please vote 'yes'. Thank you."

Speaker McPike: "All right, this Bill requires 71 votes; it has an immediate effective date. The Gentleman moves 'do pass' on House Bill 1192 and on that we will recognize Representative Black."

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

Speaker McPike: "Yes."

Black: "Thank you."

Speaker McPike: "Representative Santiago."

Black: "Representative, is your understanding that Amendment #2 simply adds the contents of Senate Bill 7, which is the bilingual Act in the City of Chicago, and do I have your understanding that this simply adds the amendatorily vetoed

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language of the Governor onto this Amendment?"

Santiago: "Yes, Sir."

Black: "All right. Is it also your understanding that Amendment #2 stripped Amendment #1...on this Bill?"

Speaker McPike: "That is correct."

Santiago: "Yes."

Black: "Alright. Is it also your understanding that...it's late but isn't this kind of an exercise in futility at this point with what our colleagues did across the rotunda?"

Santiago: "Well, yes."

Black: "Well, alright, you just want a Roll Call or what...what do we want here?"

Santiago: "Just give me 71 votes."

Black: "All right. Okay. Well, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment before us...as the Chair has said, is a House Bill and the Senate has already adjourned sine die. I see nothing wrong with the Amendment as presented to us. It simply embodies the language in the amendatorily vetoed Senate Bill #7 by the Governor. So, I don't stand in opposition to the Gentleman's Motion, but I think at this point it's an exercise in futility."

Speaker McPike: "The question is, 'Shall House Bill 1192 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and no 'nays'. House Bill 1192, having received a Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bills, Second Reading. Mr. Clerk, Senate Bill 592, read the Bill."

Clerk Rossi: "Senate Bill 592, a Bill for an Act authorizing the

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establishment and operation of scholarship schools on a pilot basis. Second Reading of this Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker McPike: "Third Reading. All right, could the Chair have your attention, please. This Bill was read a second time today and it's now on Third Reading. Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I thought it would be appropriate to advise the Members what our plans are for the rest of the evening. Most of you probably know that the Bill which would provide the two year financing plan for the Chicago Board of Education has now passed both the House and the Senate. The Senate has adjourned the Special Session sine die and the plan for the House would be to wait until 12:01 to call this Bill. Because the Bill was read for the first time...read for a second time, the first time just a few minutes ago, it can be read a third time at 12:01 and called at that time. This is an accommodation to Senator Philip who asked that this Bill at least be called and considered in the House of Representatives. At the time he made the request to me, I told him that I would do that. I learned today, for the first time, that the Bill had not been read the second time. I realize that there's a lot of inconvenience to people, asking them to stay here until 12:01, but I did tell Senator Philip that I would call the Bill and so I plan to follow through on my commitment, but we won't be able to do that until 12:01 which is about an hour from now. So that will be our plan, Mr. Speaker."

Speaker McPike: "Representative Daniels."

Daniels: "Inquiry of the Chair and then a potential question of

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Speaker Madigan, if I may. Does this Bill have any Amendments on it, placed on it in the House?"

Speaker McPike: "Yes, it was amended in committee and the Amendment is on the Bill."

Daniels: "And this Bill has been moved to Third Reading with the Amendment on it."

Speaker McPike: "Correct. That's correct."

Daniels: "So, as an inquiry of the Chair, if we were to pass this Bill, then in order to become law it would have to go back to the Senate to be concurred in?"

Speaker McPike: "That's correct."

Daniels: "And the Senate has adjourned sine die."

Speaker McPike: "The Chair is not familiar with the Senate rules, so the Chair presumes that the Senate has some way to take a Bill out of Special Session and put it back into Regular Session for concurrence."

Daniels: "Except for when...except for when they've adjourned sine die."

Speaker McPike: "Well, that's..."

Daniels: "Yeah. Now, may I...an inquiry of the Speaker Madigan."

Speaker McPike: "Yes. Proceed."

Daniels: "Will he yield?"

Speaker McPike: "Proceed, Sir."

Daniels: "Okay. Mr. Speaker, it's my understanding you agreed with Senator Philip to have a Roll Call on this Bill in a clean form?"

Speaker McPike: "Speaker Madigan."

Madigan: "Your use of the words, clean form."

Daniels: "Without Amendment."

Madigan: "Yes. That's news to me unless I'm forgetting something."

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Daniels: "I see. So in other words, it's your opinion that we can put Amendments on this so the Bill cannot become law under any circumstances and that meets the obligation that you had with the Senate President?"

Madigan: "Lee, I'm not asking that this Bill be called. This was Senator Philip's request. The people in the Senate felt so strongly about this Bill, that over three months...over three months they never bothered to determine that this Bill had not been read a second time. I didn't feel I was under obligation to determine how many times the Bill had been read. But I was informed by my staff today, it had not been read a second time. I advised Senator Philip of these circumstances, he told me that there were certain Members of his caucus who felt strongly about this and that he would request again that the Bill be called. I said, 'Fine, I will comply with your request even though we'll be here at 12:01.' That's what I know about the Bill. I think it's a goofy Bill and I plan to speak against it."

Daniels: "All right, I understand the commitment. Thank you."

Speaker McPike: "Representative Daniels, the Chair would point out that since the Senate has adjourned, sine die, it doesn't make a lot of difference if there's an Amendment on it or if there's not an Amendment on it, they still have to take it out under some convoluted rules to get it out of Special Session that is adjourned sine die, back into Regular Session. One way or the other."

Daniels: "Mr. Speaker, I wasn't part of the agreement between the Speaker and the President of the Senate. I was advised of the agreement, and it was the President of the Senate's understanding that this would be called for a vote. There was no agreement as to the number of votes that would be

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put on by either side of the aisle, but we would have an opportunity to pass. The way it is today, where it's postured right now with the Amendment on it, it does not have an opportunity under any circumstances to pass. So, what I would suggest is that we remove this...if we take this Bill back to Second Reading, remove the Amendment and then place it back on Third, and then wait until the 12:01, at which time it can be voted upon, and Members of this Assembly can vote the desired way and we can determine whether or not the Bill will be passed. I think that meets the spirit of the agreement between the Speaker and the President of the Senate to which I was not a party to."

Speaker McPike: "The Chair has no objections to that...first of all, I have two people seeking recognition. Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Question of the Chair. If we wait until 12:01 to consider Senate Bill 592, will we have to take a new Roll Call?"

Speaker McPike: "Yes."

Morrow: "...for attendance?"

Speaker McPike: "Yes."

Morrow: "Would that also mean that we would also be paid per diem for that following day?"

Speaker McPike: "It's my understanding that you can turn that back in."

Morrow: "Well, the reason why I'm asking you is because I think it's asinine that we're gonna wait till after midnight to call a Bill that shouldn't be called in the first place and end up paying Members in this chamber almost \$10,000 for per diem for a Bill that received 20 votes the previous

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time it was called. Now, you know, I don't see too many members of the press here, but I sure would...I sure would like for them to highlight the fact that we waited till after midnight, if we do stay here for that period of time, to adhere to the requests of one Member of this General Assembly. Even though he is the Leader of the Senate, he is just a Member of the General Assembly."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Amendment that was put on the Bill in committee, Representative Bugielski's own Amendment, identified where that money was to come from. It was not to come out of the General Revenue's for education and I guess I don't agree with the Minority Leader and I would object to taking that Amendment off that Bill."

Speaker McPike: "Representative Daniels."

Daniels: "The Gentleman may do that if he wishes. Again, I want to emphasize, I was not a party to this agreement and I think that if that agreement is to be honored in a responsible fashion, it would require the removal of that Amendment. To the Gentleman that addressed us as to regards to the per diem, I for one, would be willing to waive that, after all I know I've been here for a number of months working on Chicago schools, I will continue to 12:01 to continue to work on Chicago schools since this voucher program applies solely to Chicago schools and for the betterment of that. And to quote a report written in the Chicago Tribune in 1988, 'The only way to solve the Chicago school problem is to introduce vouchers in the system'. That was an editorial by the Chicago Tribune. The very Tribune...I know you don't read the Tribune, that's

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understandable. But on the other, you know...but on the other side of the coin, the request is being made by the Speaker of the House to honor a commitment that he brought out and I think it's...it's a responsible thing to do. So, if appropriate, I would ask the Sponsor of the Bill to move it back to Second Reading and then to meet the spirit of that agreement and remove that Amendment."

Speaker McPike: "All right, the Bill's on Third Reading. The question is, return this Bill to Second Reading. Hearing no objections...all right the Bill is on Second Reading. Representative Cowlshaw, are you seeking the Chair's attention?"

Cowlshaw: "No, Sir."

Speaker McPike: "All right. Did you have her microphone on? All right, the Bill is on Second Reading. Mr. Clerk, are there any Motions? There's one Amendment on the Bill. Are there any Motions?"

Clerk Rossi: "No Motions have been filed."

Speaker McPike: "There's no Motions. Representative Daniels."

Daniels: "If appropriate, I'd make a verbal Motion to table Amendment #1 to Senate Bill 592."

Speaker McPike: "All right, the Gentleman moves to table Amendment #1 and on that Motion, Representative Brunsvold."

Brunsvold: "Mr. Speaker..."

Speaker McPike: "Representative Brunsvold, the Chair would ask you, since you are the Chairman of the committee to explain Amendment #1 so we know what we're tabling. Thank you."

Brunsvold: "Before I do that, Mr. Speaker. Is this Bill still in committee?"

Speaker McPike: "No. It's on the House floor."

Brunsvold: "Discharge committee?"

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Speaker McPike: "No. It was reported out of Rules Committee."

Brunsvold: "Don't you have the okay from the Chairman of that committee before you do that? I was not asked if that Bill could be removed from committee. I think the Rules specify that. Mr. Speaker. Mr. Speaker."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Mr. Speaker, in...a promise was made by Representative Madigan to the President of the Senate and if he chooses to have a Roll Call on this vote...or on this Bill, then I would agree to allow the Bill to be heard and let Representative Madigan follow through with his promise to Pate."

Speaker McPike: "All right. The Chair will rule on your first question. In regards to your first question, you were correct, a Bill cannot come out of the Rules Committee without Representative Brunsvold's approval because it was in his committee. And, Representative Brunsvold has consented that it should come out of Rules and the Rules voted it out, so with those two it is properly before us. The Bill is properly before us. Representative Daniels has moved to table Amendment #1 and on that discussion, Representative Madigan."

Madigan: "Mr. Speaker, I realize there's a great deal of interest concerning this Bill, there shall be a great deal of contention regarding the Bill. As a matter of accommodation, I would simply suggest that this particular Motion be handled on a verbal vote. So that the Bill be clean, be put on Third and then we will consider the Bill on Third Reading. As I indicated earlier, I clearly plan to speak and work against the passage of this Bill. But I would simply suggest as a matter of accommodation, Mr.

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Speaker, that we do this Motion on a voice vote, put the Bill on Third and then we'll consider it there."

Speaker McPike: "The question is, 'Shall Amendment #1 be tabled?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment is tabled. There's a request for a fiscal note. Speaker Madigan moves that the fiscal note is not applicable. Hearing no objections to the Motion, Attendance Roll Call will be used and the Motion carries. Third Reading. All right, the Bill is on Third Reading. The Bill will be read a third time at 12:01 or 12:02. The House stands at ease until that time. The House will come to order. Mr. Clerk, what happened to 12:01? It went from 12:00 to 12:02. The House will come to order. Attendance Roll Call. Roll Call for Attendance. I'll announce it. Roll Call for Attendance. Mr. Black. Vote Mr. Black, 'present'. Anyone else wants to get on the Attendance Roll Call? Anyone else that is not on the Attendance Roll Call? All right, take the record, Mr. Clerk. One hundred and five Members answering the Roll Call, a quorum is present. The Chair will announce that there will be no per diem, there will be no per diem for Monday, the 15th of November. The First Special Session is in order. Representative Novak, for what reason do you rise?"

Novak: "For the reason...Mr. Speaker, I rise for the reason, please record me as being 'present'."

Speaker McPike: "Record Mr. Novak as 'present'. One hundred and six Members answering the Roll Call, a quorum is present. Senate Bills, Third Reading. Mr. Clerk, read the Bill, Senate Bill 592."

Clerk Rossi: "Senate Bill 592, a Bill for an Act authorizing the establishment and operation of scholarship schools on a

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pilot basis. Third Reading of this Bill."

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 592 creates a Scholarship Schools Pilot Program Act. This Bill would establish a four year pilot program in one subdistrict of the City of Chicago to give parents of children residing in that subdistrict, an educational scholarship to attend the scholarship school of their choice. This Bill would establish a scholarship school council of five members being picked by both the Governor and each Legislative Leader would pick one member of this council. The council would study the program and...they would study the entire program and pick the subdistrict in the City of Chicago and they would report back with their findings of where to set up this district. We've heard a lot about vouchers before, we've heard about them for the last four years. I think this is time that we should seriously look at it. There's more and more going on with vouchers, there's more interest into the voucher program. A lot of people said that it was not a good time to do it with the public school financial crisis, the public school financial crisis has been rectified. The schools are opening tomorrow and I think we should give serious consideration to this Bill."

Speaker McPike: "The Gentleman has moved for the passage of Senate Bill 592 and on that, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I not only want to give serious consideration to this Bill, I want it to pass. I referred to an editorial that was in the Chicago Tribune in 1988 and in the Chicago Tribune which talked in this editorial about an...editorial how to

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rescue the worst schools in America. And I cite and I quote from this editorial. 'The quickest, surest way to explode the bureaucratic blob, escape from the self-seeking unit and develop schools that succeed for children is to set up a voucher system.' And I think that's true. I think that we ought to explore that system though. I don't think that anybody is asking any Member of this House to look at a voucher system and pass it statewide. What is being said, it is part of this reform movement that we have now set in force in Chicago that I believe is working and will continue to work, that part of that ought to be an examination of how vouchers will work for lower income people. This program that has been carefully set up for the subdistrict of Chicago where the Board of Education has to select that subdistrict, they have to establish qualifications for the voucher system, making the final decision on the geographic area, selecting eligible private schools for scholarship status, is something that has been carefully thought out and should be put in motion and will, in fact, work. Now the real issue here is whether or not you believe vouchers will improve the quality of education in Chicago. I think it will. This program allows us to test that, to make sure that it will before we take that voucher system, if we do, beyond just this pilot project. So I'm asking for your 'yes' vote. It makes a lot of sense. It is along with and supplementary to the legislation that we passed last evening and I suggest and encourage your 'aye' vote."

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker. If you believe that the only problem with our schools is too little funding, then this

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Bill may be for you. It does increase education funding \$2.7 million each year for scholarships to Chicago school kids. But if you believe as I do, that instead, real reform is needed. At least this Bill brings us a small step in the right direction. What is it about our colleges and universities in this country? Why are they the greatest in the world? Why do people from all over the world come here to go to our colleges' and universities' higher education. But on the lower levels, in the primary and secondary level, we are a miserable failure. We're second to last in industrialized nations. The difference is the competition. We have competition at the higher level, we don't...you have to choose, you can only go to the school district where you live in and there is no school choice in the primary and secondary level. House Bill 890, which Representative Bugielski sponsored and I was proud to cosponsor, failed in this Body because the opponent said the voucher idea is untested. Well, here is a chance for us to test it. This Bill only gives scholarships to 1/2 of 1% of Chicago school kids. I respectfully ask Legislators from Chicago to consider whether their constituents would support school choice, greater competition in education, and \$2.7 million in scholarships for Chicago school kids a year, \$2.7 million a year for four years. Give this good idea a chance to prove itself. Please, vote for this Bill. Thank you."

Speaker McPike: "Representative...Speaker Madigan on this."

Madigan: "Mr. Speaker and Ladies and Gentlemen, I rise in opposition to the Bill. I rise in opposition to the Bill, one who has voted for voucher Bills on several occasions as a Member of the General Assembly. I voted in favor of the

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Bill sponsored by Representative Bugielski during the Regular Session, which I believe was numbered # House Bill 890. This Bill provides for a program restricted solely to the City of Chicago. It would operate relative to one of the subdistricts within the City of Chicago. It would create a commission composed of appointees from the Governor and each of the four Legislative Leaders and those five people, well let me say, any three of those five could select the particular subdistrict within the City of Chicago that would qualify for this program. I simply think that it's not a good idea to move ahead with this at this time. For those of you who are concerned with the position of the Catholic Conference of Illinois, I have a statement from the Catholic Conference which indicates that they do strongly support vouchers; however, they are not in favor of considering this particular Bill or any specific legislation during the Special Session devoted to resolving the financial crisis of the Chicago public schools. I would strongly recommend a 'no' vote."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Will the Gentleman yield for a question?"

Speaker McPike: "Yes."

Brunsvold: "Representative, where's the money going to come from for this...for the scholarships?"

Speaker McPike: "Representative Bugielski."

Bugielski: "Out of the general state aid."

Brunsvold: "So, that means that the money from my districts and all the districts downstate are going to go into the supporting the scholarships?"

Bugielski: "It comes out of Chicago's, does not touch your district."

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Brunsvold: "Okay. The Amendment is not on there anymore. The Amendment's gone."

Bugielski: "This is in the Bill. It's still in the Bill that it comes out of the Chicago general aid."

Brunsvold: "Okay. Well, I stand in opposition also. This Bill has been in the Education Committee, has been defeated and would ask and would join Speaker Madigan in asking for your 'no' vote."

Speaker McPike: "Representative Murphy."

Murphy, M.: "Mr. Speaker, will the Sponsor yield? I'm sorry."

Speaker McPike: "Yes. Representative Bugielski will yield."

Murphy, M.: "Thank you. Representative, is this on a limited scope voucher program where...where in one Chicago school district, will be at one school for the Chicago school district will be involved?"

Bugielski: "It would be a area, a geographical area that would be set up by the Commission in the City of Chicago. It is not one school."

Murphy, M.: "It will be an area designated by the..."

Bugielski: "It would be a designated area within the City of Chicago itself."

Murphy, M.: "Okay. Also, most people are under the misconception that it will be only poor people, but I noticed that the family income will be around the \$30,000 mark for a family of four. Is it around there? It won't be limited to poverty level, but there will be a cutoff on salary for the family. Two thousand students approximately will be involved. Is that correct?"

Bugielski: "It's for 2,000 students and the family income cannot exceed an amount equal to 1.65 times the family income level necessary to qualify for free meals. This is the

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program that is set up for the students receiving the free meals in the school systems now, and for a family of four I was told that it's under 20,000...will be like \$20,000."

Murphy, M.: "Around thirty thousand, sixty-five. Also this is for four years, it will be a single district that is picked out."

Bugielski: "It's a single district for four years..."

Murphy, M.: "Two thousand students for four years."

Bugielski: "It cannot change for the four years and the Act is repealed in 1998."

Murphy, M.: "In fact, this will be a microcosm for the City of Chicago, taking into consideration all...all this...under thirty thousand socioeconomic factors and once and for all we can frame out in Cook County this voucher argument that was heard in California and lost. It has been popular in Minnesota. It has passed in Wisconsin and it is very...more and more popularity in Michigan. Is that not true? For four years we will have one district, the cost is about \$2 million. Is that correct, Representative?"

Bugielski: "Correct."

Murphy, M.: "I...Thank you for your answers on that. I stand in...being a proponent of this legislation because the White House spotlight has been directed to Chicago because of the school crisis. While California may not have approved the final formula for this voucher system, other states have. The voucher system is not going to go away. We don't know which one will exactly work, but if you want to give children in Chicago an edge when you know that 50% of them, while the doors will be open tomorrow, will be doomed to dropping out. We can help with the \$2 million investment, 2,000 school children. See once and for all if

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this voucher system is applicable in the State of Illinois. I urge your diligence. We haven't been taking risks. No success has ever been great unless you've taken risks. How many risks have we taken here in the ten months that we've been in Session? Have they been safe - safe votes where we were all counted? Can we take a risk for four years for 2,000 students in Chicago and maybe start a pioneer effort for the State of Illinois. I urge your 'yes' vote. Thank you."

Speaker McPike: "Mr. Clerk, Supplemental Calendar announcement."

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

Speaker McPike: "We are considering Senate Bill 592, which is on Supplemental Calendar 92...Supplemental Calendar #2. The question is, 'Shall Senate Bill 592 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Pedersen, to explain his vote."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All the polls across the country indicate that the poor really favor parental choice in education. The only problem is, being poor they...they just don't have the means to do anything about it. Over half of the teachers in Chicago put their kids in private education. The wealthy put their kids in private education. Why even our eminent Speaker has the benefit of a private education. And the other thing is that we really save money, somebody's saving a lot of money on this, on these 2,000 kids. So, I urge a 'no' vote. I mean a 'yes' vote. Goodness."

Speaker McPike: "Representative Mulligan, one minute to explain your vote. This requires 71 votes."

Mulligan: "Thank you, Mr. Speaker. In my district one of the high school districts is having a 10% increase. One of the

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grammar school districts is having a 17% increase in their budget. They have to conform to state mandates. Under this program, the private schools that we're giving money to did not have to conform to those state mandates. Yet, it is very unclear to me whether my taxpayer's dollars are going to pay for this program. I think it is very unfair, we pay for our schools out of property taxes; we also pay high income taxes. I cannot support this until the state decides to support public school education to the full extent of funding, and then possibly I could certainly go along with helping private school students."

Speaker McPike: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker. I was asked to say to this Body by Doctor May Jamison, who was the first African American Astronaut, and is now a medical doctor, that she came from a Chicago public school; therefore, it is time to stop saying it is...the Chicago schools are the worst in the nation. I cannot support any legislation that will decrease the Doctor May Jamisons from reaching for the stars. Therefore, I vote 'no'."

Speaker McPike: "Representative Martinez, one minute to explain your vote."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of vouchers in general. I, too, have a voucher Bill as some of you people...folks might recall. A Bill that has been sitting...waiting to be called, but hasn't been allowed to be called. My Bill differs in the one that we're hearing right now, but I rise in support of this one because it deals with vouchers. Vouchers, in my opinion, is an idea that...whose time has

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come as we can readily see by the news media reports recently in California that went down, it's to be expected. But, I do think that vouchers will not go away as the previous speaker said. My Bill, I would say that I'm being selfish because my district is..."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 35 'ayes' and 65 'noes', and the Motion fails. And the Bill fails. All right. Speaker Madigan moves...Speaker Madigan."

Madigan: "Mr. Speaker, I'm most pleased to move that this particular Session of the General Assembly adjourn, sine die."

Speaker McPike: "The Gentleman moves...The Gentleman moves... What's wrong with the microphone? Would you turn on the microphone. Turn on the microphone."

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