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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

98th Legislative Day

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Speaker Giglio: "House will come to order. The Chaplain for today is Pastor Jenkins of the Lutheran Memorial Church in Springfield. Pastor Jane Jenkins is the guest of Representative Hasara. The guests in the gallery may please wish to rise for the invocation."

Pastor Jenkins: "Let us pray. Almighty God, You have blessed each of us with unique gifts and You have called us to work in varied tasks, specific occupations and activities using those gifts. Enable these women and men gathered here in this state Legislature to use their talents with courage, patience and vision. Guide them in their deliberations and decisions that they be ever mindful of Your will and wisdom, seeking the common good for those they serve. Remind us all that we are accountable to You in all things great and small. Keep us steadfast in our commitment to serve actively in Your name. Amen."

Speaker Giglio: "Representative Hartke for the Pledge of Allegiance."

Hartke, 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 Morrow. There are 118 Members answering the Roll Call, a quorum is present. The House is ready to do its business. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1105 offered by Representative Granberg; 1106 and 1107, Representative DeJaegher; 1108, Representative Daniels; 1109 through 1113 offered by Representative Kubik; 1114 and 1115 by Representative Walsh; 1117 by Representative Curran; 1118 by Representative Giglio; 1119 and 1120 by Representative

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Obrzut; 1123 by Representative Wyvetter Younge and House Joint Resolution 82 offered by Speaker Madigan."

Speaker Giglio: "Representative Matijeich."

Matijeich: "Speaker, these are all congratulatory. I move the adoption of the Agreed Resolutions."

Speaker Giglio: "Heard the Gentleman's Motion. All in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it; the Resolutions are adopted. Death Resolution."

Clerk O'Brien: "House Resolution 1121, offered by Representative Anthony Young with respect to the memory of Milton Earl Ripson and House Resolution 1122, offered by Representative Morrow with respect to the memory of Lillian Davis."

Speaker Giglio: "Representative Matijeich moves the adoption of the Death Resolutions. All those in favor say 'aye'; opposed, 'no', and the Resolution is adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1116, offered by Representative Satterthwaite and House Joint Resolution 79, offered by Representative Homer."

Speaker Giglio: "Committee on Assignments. Committee Report."

Clerk O'Brien: "Representative Matijeich, Chairman from the Committee on Rules reports on October 22, 1991, the Committee on Rules met and pursuant to Rule 46.1 made the following report on House Bill Amendatory Vetoes by the Governor: Reported as compliance are House Bills #70, 298, 551, 679, 1365, 1369, 1481, 1499, 1514, 1533, 1538, 1565, 1584, 1599, 1700, 1750, 1838, 1996, 2085, 2181, 2193, 2378 and 2527. Reported as noncompliance, House Bill 2, 12, 175, 477, 673, 738, 1254, 1340, 1843, 2177, 2338 and 2366. Signed, John Matijeich, Chairman."

Speaker Giglio: "Introduction and First Reading."

Clerk O'Brien: "House Bill 2665, offered by Representative Jay

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Hoffman, a Bill for an Act to amend the Illinois Nursing Act. First Reading of the Bill. House Bill 2666 offered by Representative Levin, a Bill for an Act to amend the Energy Assistance Act. First Reading of the Bill. House Bill 2667 offered by Representative Wolf, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill."

Speaker Giglio: "On page 12 of the Calendar under the Order of Amendatory Vetoes, Gubernatorial Compliance. And on that order appears House Bill 70, Representative Brunsvold. Representative Brunsvold in the chamber? Out of the record. House Bill 298, Representative Mautino. The Gentleman from Bureau, Representative Mautino."

Mautino: "Yes. That's Motion to accept?"

Speaker Giglio: "The Gentleman moves to accept the Gubernatorial Compliance for the Amendatory Veto on House Bill 298. Any discussion? The question is, 'Shall the House accept the specific recommendation for change with respect to House Bill 298?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? This Bill takes 71 votes. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 116 voting 'yes' and none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendation for change. House Bill 551, Representative Currie. The Lady from Cook, Representative Currie on House Bill 551."

Currie: "Thank you, Mr. Speaker, Members of the House. I move the House do accept the Governor's Amendatory changes to this Bill. This is a Bill that deals with ethical guidelines for Members of the Illinois Commerce Commission and the effect of the Governor's changes, I think, are to

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substantially tidy up the language in the Bill and to clarify the intent that the three-year period during which commissioners should not vote on items in which they have a conflict is, in fact, an absolute three-years. I'd be happy to answer your questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 551?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 112 voting 'yes', none voting 'no', none voting 'present'. The Motion has received the required Constitutional Majority, so the Motion is accepted and the House accepts the Governor's specific recommendation for change. House Bill 679, Representative Capparelli. Gentleman from Cook, Representative Capparelli."

Capparelli: "Mr. Speaker, I move to accept the specific recommendation for change to House Bill 679."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendation for change with respect to House Bill 679?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Perhaps we need to slow this one down before you take the record. A question of the Sponsor, if I might, Mr. Speaker."

Speaker Giglio: "Proceed. Representative Capparelli, Representative Black would like to ask you a question."

Black: "Representative, it's my understanding that this Amendatory Veto may have been made in error and that

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perhaps the staff was going to ask you to request an actual override of the Bill. Am I mistaken?"

Capparelli: "At this time... I just talked to them. They're going to make the change next year. They told me to accept it."

Black: "So, just go ahead and accept the AV even though it was technically made in error?"

Capparelli: "Right. Yeah."

Black: "All right, fine. Thank you."

Speaker Giglio: "On this... Have all voted who wish? On this question there are 114 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendation for change. Representative Schoenberg, House Bill 1365. The Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There have been a couple of relatively minor changes that have been made with 1365. All have been done with all of the parties that have been involved in the negotiations to bring about the licensure and certification of federal appraisers in order to bring us into compliance with the federal S and L bailouts...federal S and L Bailout Act."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendation for change with respect to House Bill 1365?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 115 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the

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House accepts the Governor's specific recommendation for change. We'll back up to House Bill 70, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Amendatory Veto of the Governor. He simply struck some language dealing with boat regulations that he felt was repetitious and I would ask for passage of...acceptance of the Governor's Amendatory Veto."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 70?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Seventy-one votes are required. On this question there are 112 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendation for change. House Bill 1369, Representative Sieben. Is Representative Sieben in the chamber? Out of the record, Mr. Clerk. Fourteen eighty-one, Representative Novak. Representative Novak on House Bill 1481."

Novak: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move that we accept the changes the Governor made in House Bill 1481. The Amendatory Veto stipulates that... Well, first of all the Bill requires continuing education for dentists in the State of Illinois and the Governor's office changed some language concerning audits conducted by the Department of Professional Regulation, and we move to accept the Amendatory Veto. I ask for your support."

Speaker Giglio: "The question is, 'Shall the House accept the

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specific recommendation for change with respect to House Bill 1481?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 114 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted, and the House accepts the Governor's specific recommendation for change. House Bill 1499, Representative Curran, 1499? House Bill 1514, Representative Mautino. House Bill 1514."

Mautino: "Yes. Move to accept Amendatory Veto."

Speaker Giglio: "Gentleman moves to accept the Amendatory veto on House Bill 1514. Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1514?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 113 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted, and the House accepts the Governor's specific recommendation for change. House Bill 1533, Representative Ronan. The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I move to accept the Amendatory veto of the Governor on House Bill 1533. It makes a minor change in the Bill allowing employers to put in wellness discounts for employees that refrain from smoking, drinking or other lawful products. Be glad to answer any questions."

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

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Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've been sailing along here, but the Membership should take notice of this piece of legislation. This is a straight up or down vote for the tobacco industry. A 'yes' vote is for the tobacco industry and anything else is a vote against the tobacco industry. That's what this Bill is all about. This Bill is clouded in the garment of employee rights, but what it does is, it elevates, it elevates the practice that the tobacco industry wants to the status of a human rights discrimination action and the Members should know that this...across the nation, these types of pieces of legislation are being pushed by the tobacco industry and all the tobacco proponents and this is their main goal for this year. So if you want to support the tobacco industry, vote 'yes' to accept this Veto Motion. But if you think that you want to support clean air, if you don't like secondhand smoke and if you don't like what tobacco does to people, especially young people who are induced to begin smoking, and if you don't like the advertising practices, if you don't like whatever the tobacco industry does, then lay off this vote. Vote 'present' or vote 'no'. You may hear that this vote talks about civil rights of employees, but what it does, and no major employer in this State wants this Bill. The State Chamber of Commerce is against this legislation, the National Federation of Independent Businesses, I believe, is against this, the Association of Employers of Illinois I know is against this legislation. They're...All the major employers are against this. They don't want this. We don't need this legislation. It's bad. We've gotten along so far without this piece of legislation. We don't need this, and beware, that if you vote 'yes', you're voting with the tobacco industry on this Bill. All you have to do

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is lay off of it. Vote 'present' or 'no'. Let this legislation die, and if we need to address the underlying issue, we can do that next spring. We've lived this long without it. We can take care of whatever needs to be done this spring without the assistance of the tobacco industry. Please reject this legislation."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Remind the Members that this Bill passed out of this House with 85 'yes' votes. The Governor's specific recommendations for change clarify the Bill with respect to the issuance of health insurance policies that would continue to allow health insurance policies to discriminate on the basis of whether or not a smoker is being insured. That's all it does. There's very little change. It passed out of this House with 85 votes. It deserves to be accepted, and I have to have a question of the Chair, how many votes does this require for passage, Mr. Speaker?"

Speaker Giglio: "The Parliamentarian informs the Chair it takes 60 votes. Representative Ronan, to close."

Ronan: "Thank you, Mr. Speaker. As stated by Representative Wennlund, this Bill did pass out of this chamber with 85 votes. The Bill is actually in a better form now with the Governor's Amendatory veto because it allows the wellness provision. I feel that it really is a workers' rights issue and it really is good government for the people of this State to have the opportunity to perform lawful activities when not in the work place and at the same time to allow the employer to give a benefit to employees that they perceive are (sic-is) doing something in their best interest. It's a fair, equitable compromise. I urge 'aye' votes on the Bill. Thank you."

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Speaker Giglio: "The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1533?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This Bill requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 66 voting 'yes', 23 voting 'no'. This Motion, has received the required Constitutional Majority, so the Motion is accepted. Representative Dunn. Representative Steczo, 'aye'. The Gentleman asks for a Poll of the Absentees. Are you satisfied, Representative Dunn? Representative Woolard, 'aye'. Okay, forget it. Representative Martinez, 'aye'. Representative Saltsman, 'no'. Anybody else? Any other changes? Representative Mulcahey, 'aye'. Are there any further changes? On this question there are now 69 voting 'yes', 24 voting 'no' and this Motion has...Representative Wojcik 'present'. Representative Obrzut 'aye'. Representative Rice, 'present'. No further changes? On this question there are now 68 voting...Representative Phelps votes 'aye'. Present? Phelps, 'present'. Change his vote to 'present'. There are now 67 voting 'yes', 24 voting 'no'. This Motion, has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendation for change. Representative Parke."

Parke: "Thank you. Inadvertently, I was not able to hit it, so I would have voted 'no'. Would the record reflect that, please?"

Speaker Giglio: "Mr. Clerk, let the record reflect Representative Parke wishes to be recorded as voting 'no'. Representative Marinaro, House Bill 1538. You willing to accept the specific recommendation for change? House Bill 1533."

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Representative Marinaro moves that the House accept the specific recommendation for change with respect to House Bill 1538. Any discussion? Hearing none, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 voting 'yes', none voting 'no' and the House does accept the specific recommendations for change with respect to House Bill 1538. And this Motion has received the required Constitutional Majority, so the Motion is adopted, and the House accepts the Governor's specific recommendation for change. Representative Hicks, House Bill 1565. House Bill 1565; the Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, I would move to accept the Amendatory veto on House Bill 1565."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1565?' And on that question, all those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 113 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is accepted and the House accepts the Governor's specific recommendation for change. House Bill 1584, Representative Wyvetter Younge."

Younge, W.: "Thank you, Mr. Speaker. I move to accept the Governor's Amendatory veto on House Bill 1584. This... There was an error in the Bill. It said 'distressed areas township' and it's a technical change merely to correct the error, so I move to accept the Amendatory veto.

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Speaker Giglio: "The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1584?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 112 voting 'yes'...113 voting 'yes', 1 voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. Let's back up one...or two to House Bill 1369. Representative Sieben, on House Bill 1369."

Sieben: "Thank you, Mr. Speaker. I move to accept the Governor's Amendatory veto on House Bill 1369. What this does is remove some language that was unclear and not sufficiently concise, so I move to accept the Amendatory veto."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1369?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 voting 'yes', none voting 'no' and this Motion having received the required Constitutional Majority, so the Motion is accepted...is adopted, and the House accepts the Governor's specific recommendations for change. On page 13 under Amendatory vetoes, Gubernatorial Compliance, appears House Bill 1699, Representative Santiago. Out of the record. How about House Bill 1700? Out of the record. House Bill 1750, Representative Deuchler. The Lady from Kane, Representative Deuchler, on House Bill 1750."

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Deuchler: "Mr. Speaker, I move to accept the Governor's Amendatory language on House Bill 1750."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1750?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 117 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. House Bill 1838, Representative Keane. Out of the record. Representative Klemm, 1996. The Gentleman from McHenry, Representative Klemm, on House Bill 1996."

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the specific recommendations of the Governor as to House Bill 1996. Basically, all we... just made some changes, the Governor did, because of the budgetary reduction, and I move its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 1996?' And on that question, all those in favor vote 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 115 voting 'yes', none voting 'no' and this Motion, having received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. Representative Curran. Representative Curran, on House Bill 2085. Take it out of the record, Mr. Clerk. Representative Hoffman.

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Manny Hoffman, on 2181."

Hoffman: "Thank you, Mr. Speaker. I move to accept the Amendatory veto on House Bill 2181."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 2181?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 117 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority. Representative Hoffman. Is Representative Hoffman in the chamber? Do you...Would you like to vote on this Bill? Are you voting on this Bill? Vote him 'aye', Mr. Speaker. Mr. Clerk. On this question there are now 118 voting 'yes' and none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. Representative Currie, House Bill 2193. The Lady from Cook, Representative Barbara Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move that the House do accept the Governor's proposed amendatory language on House Bill 2193. Effectively, the Governor removed one provision from the Bill. I think the Governor misread the provision. I think if he hadn't misread it he would've signed it, but I think that the other provisions in the Bill are worthy of our support, and I think we'll just come back and try again with the provision the Governor didn't understand. So I move that we accept the Governor's Amendatory veto."

Speaker Giglio: "All right, the question is, 'Shall the House

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accept the specific recommendations for change with respect to House Bill 2193?' And on that question, all those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 115 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendations for change. Representative Balanoff, on House Bill 2378. Do you want to accept? The Gentleman from Cook, Representative Balanoff."

Balanoff: "I move to accept the Governor's changes."

Speaker Giglio: "Representative Balanoff, the Motion on the Calendar is to override. Do you...Are you willing to... Representative Balanoff, do you want to accept the Governor's change? Okay. Any discussion on the Gentleman's Motion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. You said the only Motion filed was to override, and now he wants to accept?"

Speaker Giglio: "That's correct. The Gentleman's moved to accept..."

Black: "Has he filed that Motion in writing?"

Speaker Giglio: "Mr. Clerk? The Clerk informs the Chair that the Motion is not in writing."

Black: "Well, I think that's the proper Motion, but I just want to make sure we're in strict compliance, Mr. Speaker, with our rules. You know how strongly I feel about that. I think the Gentleman...Since an override Motion has been filed, I think the Gentleman should file a Motion to accept the Amendatory veto, which he needs to do, because without the Amendatory veto, his Bill doesn't do anything. And you

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and I could get into the bear-wrestling business, or whatever it is we want to do. So I think he should file the proper Motion and then at that time I'll certainly stand and accept the Gentleman's Motion and vote to accept the Amendatory veto. And I think I've stalled long enough for him to get it filled out."

Speaker Giglio: "The Clerk informs the Chair, Representative Black, that a Motion has been filed to accept the Governor's recommendation for specific change."

Black: "Well, I think in this case the Governor's Amendatory veto is what we should accept, and I think the Sponsor would agree with that. This is a good Amendatory veto. An outstanding Amendatory veto, and I'll accept the Gentleman's Motion."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House now accept the specific recommendations for change with respect to House Bill 2378? And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Schoenberg, 'aye', Mr. Clerk. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 107...or 104 voting 'yes' and 1 voting 'no' and this Motion has received the required Constitutional Majority, so the Motion is adopted and the House accepts the Governor's specific recommendation for change. Representative Phelan, House Bill 2527. The Gentleman from Cook, Representative Phelan."

Phelan: "Thank you, Mr. Speaker. I move to accept the Governor's Amendatory veto of House Bill 2527. This Bill amended the Home Repair Fraud Act, and the Attorney General's office has advised me that the Governor's changes just improved the Bill. Thank you."

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Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 2527?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 117 voting 'yes', none voting 'no' and this Motion has received the required Constitutional Majority so the Motion is adopted, and the House accepts the Governor's specific recommendations for change. Representative Brunsvold. Representative Brunsvold in the chamber? House Bill...We did that one. On page 7 of the Calendar, Total Veto Motions. Total Veto Motions. And on that order appears House Bill 50. Representative Kulas. Myron Kulas. Out of the record, Mr. Clerk. House Bill 136, Representative Hicks. Representative Hicks, on House Bill 136."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would move to override the Governor's Veto on House Bill 136. House Bill 136 is the Commercial Real Estate Brokers Lien Act. Be happy to answer any questions concerning the Bill. The Bill originally passed out of the House 97 to 0."

Speaker Giglio: "Any discussion? Question is, 'Shall House Bill 136 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Representative Johnson. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This question there are 90...Representative Capparelli votes 'aye'. On this question there are 90...Representative Klemm votes 'aye'. Further changes? On this question there are now 96 voting 'yes', 10 voting

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'no' and this Motion having received the required Three-Fifths Majority...Representative Laurino votes 'aye'. Representative Davis..."

Davis: "No, it's not 'aye'. Mr. Chairman, I think we'd like to hear something on this piece of legislation. I mean, there's some documents or some papers passing around here on it, but no one said anything. Now I hear people changing their votes. Could we have some information on the Bill and the override, please?"

Speaker Giglio: "Well, Representative...Representative Hicks explained that during his...during his...no, it's still open. Representative Hicks (sic), Representative Davis-(sic) explained the Bill when I...when the Chair called upon him. The Chair asked for any discussion and therefore, having heard none, the Chair asked for the declaration of vote. Representative Bugielski votes 'aye'. Representative Stern votes 'no'. Representative Barnes. Representative Barnes, you seeking recognition?"

Barnes: "Mr. Speaker, I know it's past time to ask any questions, but I thought that this was the Bill that there were some problems with and they were going to start to see if they couldn't...work out some agreements and come up with a flaw...if the Bill is flawed now and they would come up with a better Bill. That was my understanding of House Bill 136. What happened to that...dialogue?"

Speaker Giglio: "The Chair understands that...Representative Hicks shaking his head no, there...everything was fine and everything was worked out."

Barnes: "Well, you know sometimes we just zip through these Bills, and I think this was part of the package where we were moving along so swiftly that...some Members aren't aware that there are some problems with this Bill and the opponents are very willing to sit down and negotiate and

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come to a compromise and come forth with a better Bill."

Speaker Giglio: "All right, Representative Hicks indicates that he'd be happy to answer some questions. Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Barnes, let me say that during the whole process from the very beginning in the Committee...we had questions that were asked about this Bill. We answered those questions very specifically and every time when someone has pointed out a problem, even as far as the problems the Governor in his veto questioned the Bill, those problems were the same problems that the people who are opposed to this type of legislation altogether are going to raise and that the problems raised by them are not real problems. They are addressed very specifically in the Bill. I would be happy to take each one...each part of the Governor's veto, show you very specifically in the Bill where that is addressed. I believe it is addressed in the Bill. We never changed the Bill from Day One all the way through the process, all the way until we got to the final. So I believe it is addressed...I don't believe there are any problems with the Bill."

Barnes: "Well, thank you, for answering my question, but that is not quite what I understand. It says the present language creates ambiguities as to where the lien attaches to the real estate. It also provides for hidden or secret liens, whereby innocent third parties, acquiring an interest in the real estate could not rely on the public records to discover the lien."

Hicks: "Representative, I don't believe that is correct. I believe that it...a lien is not like a mechanic's lien that is a secret lien. It was not our intent. This lien falls in just like any other lien would on a piece of property;

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it falls right in line. If you have a mortgage, for example, on that piece of property, this lien does not fall in front of that it would fall in behind that mortgage, if it was filed properly at the proper time. It's just like any other mortgage or lien that's filed on the property. When it's filed, it's not like a mechanic's lien. When, that is...it goes into front of that if, in fact, the work was done prior to this...The day it's filed is the day that this becomes the lien. So it's not a secret lien in any way, shape or form."

Barnes: "Do you feel that the present language is inconsistent in the use of technical terms such as 'claim for lien', 'notice of lien', 'recording of lien', and 'filing of lien' and do you also feel it would cause complications for commercial real estate closings that may actually delay the payment of commission to brokers?"

Hicks: "No Ma'am, I do not believe in any way this will halt...for example, a sale or delay a sale in any way, shape or form. It has a process by which if there is a disagreement on....The commission that's available to them, that that money is to be placed into escrow so that it can go ahead and close. I believe that what this does is, that it will show when people are entitled to a commission. Real estate brokers are entitled to a commission on commercial property only. They then have a mechanism for receiving that commission. It's not hidden in any way, and I believe it's proper."

Barnes: "Thank you for answering my questions."

Hicks: "Thank you."

Speaker Giglio: "Okay, there's (sic--'re) several Members seeking recognition. Representative Kubik, Mr. Clerk...wants to...Representative Kubik wants to be recorded as voting 'aye'. Representative Sieben, 'aye'. Representative

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Noland, 'aye'. Noland, Representative...Mr. Clerk.
Noland, 'aye'. Anybody else? Representative Balthis,
'aye'. Representative Regan, 'aye'. Any more changes on
the Republican side? All right, Representative Levin, you
seeking recognition? George. Representative Levin."

Levin: "Mr. Speaker, I just wanted to explain my 'aye' vote.
There're obviously enough votes up here, but this was a
very unusual Bill that came before the House Real Estate
Committee and the Committee spent about two hours taking
the Bill apart point by point and putting it back together.
It addressed all of the concerns. Initially there were
flaws in the Bill, and those concerns were addressed; all
of the different parties were involved in the discussion
and debate in the Committee. And so I think the Governor
was inaccurate in saying that there are flaws at this time
in this Bill. It is a good Bill. It deals with the
priority concerns of the mortgage bankers. It deals with
all of the concerns that have been raised by all the
parties, so I'm glad to see 106 votes in favor of the
override."

Speaker Giglio: "The Lady from Kane, Representative Deuchler
wants to be recorded as 'present', Mr. Clerk. 'Present'
for Representative Deuchler. Further changes? Hearing
none, on this question there are now 106 voting 'yes' and 4
voting 'no'. And this Motion, having received the required
Three-Fifths Constitutional Majority, is adopted, and this
Bill is hereby declared passed, the veto of the Governor
notwithstanding. Representative Kulas, do you wish to have
House Bill 50 called? Representative Kulas? Out of the
record. Representative Saltsman, on House Bill 179.
Amends the Prevailing Wage Act."

Saltsman: "Yes, thank you, Mr. Chairman. I wish to override the
Governor's Veto on House Bill 179. This Bill is a great

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asset to the construction industry. With our TIF districts and our Enterprise Zone districts being required to pay the Minimum Wage Law, in the City of Peoria alone, it encouraged the bonds that were purchased for the last Tax Increment Financing District to be purchased from the union retirement systems. The retirement systems from the labor unions in our community were the ones that sold the bonds in behalf of that TIF district to the amount of close to nine million dollars. This encouragement has been there. This is a Bill that our contractors in the area want because it puts everybody on a bid level that we think is fair to the people who live up to the negotiations with them and the contractors and the union within this construction industry. This is a very good piece of legislation. I think the Governor made a mistake. I don't think he realized completely what it did, and I do ask for the override."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall...' Excuse me. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me recall for you, if I can, the reasons why the Governor vetoed this Bill. Number one, House Bill 179 is going to placing new mandates on local governments. Now, I don't know whether you've heard from your local governments like I had, but because of the 5% tax cap, they're all concerned about new mandates and additional costs on local governments in Illinois. That was one of the reasons. The other reason is, is that this legislation is going to hurt the very industry, the very employees that it was designed to help by the creation of these districts. The legislation would escalate the cost of construction in these Enterprise Zones and in TIF districts. And it would, in fact, discourage development in these economically

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depressed areas. That's the very reason that these TIF districts were created in the first place. That's the very reason Enterprise Zones were encouraged, in order to foster economic development. New building and development. Requiring the payment of prevailing wages in these districts is counterproductive to that, and I would urge a 'no' vote on this Motion to override."

Speaker Giglio: "Further discussion? Representative Saltsman to close."

Saltsman: "Yes, thank you, Mr. Chairman. What we're looking at here now is development, urban development, and we have put quite a bit of money back into those TIF districts through sales tax that has been generated there. What we're doing is, we're allowing the people of this municipality that is generating this tax, that is putting this refund back under sales tax and also real estate tax abatements, to encourage them to come in. We still think the people of those communities should receive those work and work under the proper scale of wages and the proper working conditions. This Bill is much needed, and the contractors are just as much for this legislation as the labor unions, and it also adds the apprenticeship and training program for minority programs in the Cook County area. So at that, this Bill's agreed to by many programs, by many agencies, and I ask for its passage."

Speaker Giglio: "The question is, 'Shall House Bill 179 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 75 voting 'yes', 42 voting 'no' and one voting 'present'. This Motion, having received the required Three-Fifths Constitutional Majority,

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is adopted, and this Bill is thereby declared passed, the Veto of the Governor notwithstanding. House Bill 274, Representative Trotter. Out of the record. Representative Currie, House Bill 318. Out of the record. Representative Ropp, House Bill 533. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 533 is a Bill that attempts to deal with what I consider is somewhat of a problem in the State of Illinois when, in fact, we have a number of young people who are going to school and really are not preparing themselves for what might be a career that they might choose, and this Bill urges the school boards to come up with a kind of an integration, allowing young people to become aware of what kind of work programs are out in the world. For example, my wife is a third grade teacher and has a school of...a city of the future that they all work together, bringing together the idea of business, of labor, of carpenters, of recreational people and environmental people so that these young people can begin to formulate what they might do as they complete their graduation. It does not cost any money. The State Board has indicated in their fiscal impact statement, and it is such a program that would only require bringing in instructors, people who are in the business world or who have vocations in order to encourage young people to think about what they might want to do after graduation. Be happy to answer any questions and urge your favorable support."

Speaker Giglio: "Any discussion on the Gentleman's statements? Hearing none, the question is, 'Shall House Bill 533 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. This is final action. Have all voted who wish? Have all voted who

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wish? The Gentleman from Cook... Have all voted who wish? Take the record, Mr. Clerk. On this question there are 85 voting 'yes', 15 voting 'no'. This Motion, having received the required Three-Fifths Constitutional Majority, is adopted, and this Bill is thereby declared passed, the Veto of the Governor notwithstanding. House Bill 542, Representative Currie. The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do accept the provisions of House Bill 542, notwithstanding the Veto of the Governor. This is a Bill that closed one final loophole in our program..."

Speaker Giglio: "Excuse me, Representative Currie. There's a Motion to override."

Currie: "Motion to override, right. Isn't that what I said?"

Speaker Giglio: "No. You accept. You want to override."

Currie: "Sorry, thank you. I want to override the Governor's Veto of this excellent piece of legislation. The Bill is intended to close the final loophole in our state program to ensure that women at and over the age of 35 have the opportunity of preventive mammography. As the Members of this chamber know, we already apply that opportunity to our own employees, to our own clients of the Department of Public Aid, to all local government employees when the local governments in this state provide health insurance through the private sector, and finally, to all of the people who work in the private sector in the State of Illinois. The loophole this Bill closed was the loophole that said that the handful of local governments that are self insured do not currently have to provide preventive mammograms to their employees and their employees dependents. Those are a handful of governments. The principle that prevention is worth many pounds of cure is

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a sound one. It was sound when we applied it to all the other units of local government, so I would urge your support for this good health care measure in overriding the Governor's Veto of this Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill...' Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. It's very hard to hear in here. I think this is a very important Bill, and I'd like to ask the Sponsor a question or two if I could."

Speaker Giglio: "Proceed."

Black: "Thank you. Representative, in the message from the Governor it listed a potential cost impact. You might want to enlighten us on whether or not that cost impact was based on the...What kind of a sample was that cost impact based on?"

Currie: "I don't see, Representative, a specific number in the Governor's Veto message."

Black: "Well, was there some confusion as to whether all women enrolled in IMRF were included in the cost factor, rather than just those who would...who this Bill would impact?"

Currie: "Yes. There was great confusion. I think that the estimates that we had from the Department of Insurance assumed that all employees of local units of government would be covered for the first time under the provisions of this Bill. That is not accurate. In fact, almost all of those employees are presently covered under other statutes enacted by this Legislature and signed by a Governor."

Black: "Okay. That's the question. I had to clear that up. I appreciate it. Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall House Bill 542 pass, the Veto of the Governor notwithstanding?' And on that question all those in favor signify by voting 'aye'; opposed, 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 115 voting 'yes', none voting 'no' and this Motion, having received the required Three-Fifths Constitutional Majority, is adopted, and this Bill is thereby declared passed, the veto of the Governor notwithstanding. Representative Preston. Is Representative Preston in the chamber? Out of the record. Representative Curran, 589. Representative Curran. Out of the record. Representative Kubik. Representative Kubik in the chamber? Out of the record. Representative Walsh. Representative Walsh in the chamber? Out of the record. Representative Hicks, 624. Out of the record. Representative Satterthwaite. Representative Satterthwaite. Out of the record. Representative Wyvetter Younger, House Bill 883. Representative Ronan. Representative Wyvetter Younger. House Bill 883, Mr. Clerk. Representative Wyvetter Younger on House Bill 883."

Younger: "Thank you, very much, Mr. Speaker and Members of the House. I move to override the Veto of the Governor on House Bill 883, which would establish the Enterprise High School. The Enterprise High School is a high school that will help young people who have dropped out of school be employable. They would become more employable because they would learn how to run a business or to make a product or provide a service. They would learn how to prepare themselves for the workaday world. The Veto message indicated that one to two million dollars would be needed for this program. That is not the case. This program can be paid for through Joint Partnership Training Act funds. I mailed a letter to each of you last week showing that the inner agency grants agency for St. Clair County, which is the agency in my county that handles Joint Partnership

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Training Act funds, indicated that it would have the 50 slots available and the moneys, preferred for those slots, should this program be approved. I have talked with them as recently as last week. Maybe less than 50 slots would be available, but they are very anxious to go ahead with this program. In addition, there are vocational education funds that are available. In addition, when a child goes back to school, there is daily average attendance moneys and funds that are available. So there are many ways, plus private foundations. I can report to you that the Mott Foundation has moneys for self management and entrepreneurial training. An application will be filed with them. This program would be handled by the Illinois Community College Board. The executive director of the Illinois Community College Board, Mr. Carey Isrul, wants to do this program. It is the heart of the matter as to whether or not we help 50 students on a pilot project basis over the next three years become more employable because we take them out of the ranks of being functionally illiterate with no adult skills and not knowing how to do anything that will make them more employable. This is a very important program to me. I want to do this program in School District 188 and 189. This Bill has the support of the school district, it has the support of the Illinois Community College Board and for the reasons I have given you, I ask that you join with me to override this Veto so that this Enterprise High School can be set up. Catherine Dunham, who is a famous world dancer, will set up the performing arts program. We have a letter, and I have disseminated that to you from a Lieutenant Colonel in the Air Force who will help to set up the motel and hotel industry's training. A young person would be able to go into the school and learn how to work in a hotel, learn how

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to work in a motel, learn how to work in a restaurant. I am pleading with you to give 50 students an opportunity to stay out of the penitentiary, because they will learn how to be employable. We...If a person does not finish high school, if a person does not learn to work and if a person is not employable, there is only one place for them to go and that is to the penitentiary. So based on these reasons, I'm asking you to join with me to override this Veto."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. One of the most unpleasant tasks that you sometimes have to do when you're elected to office down here is you have to vote against something that maybe the idea strikes you as being a good idea. And I think the Sponsor of this legislation has worked about as hard as anybody in this chamber to get it in the current shape that it's in. But I would simply point out to you that even though she has not asked for an appropriation, and that she is doing everything humanly possible to make this happen without state tax dollars, there simply is no guarantee that we won't have to come back and ask for state tax dollars at some point in the future. And I think all the Governor said in his Veto message is that given the fiscal crisis in the state, that money, more likely than not, won't be there. So it's for that reason and that reason only, not wanting to send a message to the Sponsor of this Bill or the people of her district that we are going to make a false promise, I'm simply going to have to vote against her Motion to override because the state money is not there and may not be there if she has to come back in a year or two and ask for it. I wish her every success in

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this. I hope she can get it off the ground. I hope she doesn't have to come back, but if she does, I think all the Governor is saying is that the state money is not there. And if you're not willing to make that commitment, if you're not willing to make the commitment to put state dollars into this, then you shouldn't vote for it. So, perhaps a 'no' or 'present' vote is advisable on the Lady's Motion."

Speaker Giglio: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker, in the last Gentleman's remarks he said, 'I wish the Sponsor all the luck in the world that she can get this off the ground.' You can't get it off the ground if you don't have the votes. She is committed that there will be no appropriation. She has said that with the availability of other funds, the availability of Joint Partnership Training Act funds and other funds that we could help some students who have dropped out of school to become employable. I don't know who it was that made that quotation that, 'You know, when people are out of work, that the next thing that happens is unemployment.' But the fact is, that many people are unemployed today. The fact is that many young people drop out of school, not realizing what it means to their future. Representative Wyvetter Younger has worked hard for what could be a model act to bring students back to school and become employable. You know, I was here as many of you were, when we passed the Science Academy. We passed the Science Academy for people who have special talents, and that now has become a model school. But we made the effort and we did back that up with state funds. This type of model program, even though not starting out with any state funds, could be a model for the future. I think we ought to give that opportunity in

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an area that all of us admit...all of us admit needs special attention. We all know that East St. Louis needs special attention because of the problems there of unemployment, the dropout problem there. Let us show that as a policy of the State of Illinois, we are committed to help, and I would urge an 'aye' vote on this matter."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I think it should be apparent that I am very reluctant to ever rise and suggest that we should override any Veto by Governor Jim Edgar. However, I think that this is a very unusual situation with this particular Sponsor's Bill. I have read with great interest the material that she has sent to all of the Members of this House about her desire to override this Veto. And I also understand her commitment, both in writing and today in her speech, that she does not intend to ask for state money to provide for this program. Instead, she intends to provide something promising, different, a real initiative to try to help the students in her own district. Mr. Speaker and Ladies and Gentlemen of the House, the programs we have had for this don't work. They just don't work, and we need to do something to help these young people. I admire the Sponsor for her tenacity, for her imagination, for her intent to help those young people who need help probably as much as any other young person in this state, and for those reasons I stand in support of the override Motion on House Bill 883."

Speaker Giglio: "Further discussion? The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Ropp: "Representative Younger, in your conversation with me you

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mentioned that at this point in time the state did not need any money to implement this program, but you felt that through federal JTPA funds those dollars in the future would be made available. Do you have any confirmation that, should this Bill pass, that those funds would be available to implement the program?"

Younge: "Yes. Thank you, Representative Ropp. I have a letter from Thelma Chalmers, who is the executive director of the inner agency grants program for St. Clair County that handles Joint Partnership Training Act funds for St. Clair County. She has indicated that she has the funds for the 50 slots and that if a proposal is approved, then those funds would be available for...to pay the \$4.75 an hour for the children to work 20 hours a week. In addition, they have funds for competency training, literacy training, so the funds are available for between 25 and 50 slots."

Ropp: "Well, is it not possible that the JTPA program would fund this kind of program now, even if this Bill doesn't become law? Don't they have the capabilities, through requesting, through JPTA funds, for educating teenagers and people who are out of work now?"

Younge: "The reason why a Bill is necessary is that the school district will, through this Bill, set up a joint venture, or a business, in which the young person, after going through the process of setting up a business and selling a product, would make a profit. That young person would keep that profit, and the school district believes that it needs the authorization of the Illinois General Assembly to engage in that type of activity. Further, and more basic than that is, it's a question of leadership, Representative Ropp. I think that we, as the leadership group in the state, the General Assembly, ought to say that our policy is to help people become employable, that employability is

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the most important thing in life and that by passing this Bill we say, 'We want you to do this project. We want you to try this out and try to help these 50 people become employable.'

Ropp: "Isn't it true that a junior achievement program might do the same thing now?"

Younger: "By the Enterprise High School Bill, this would become a...an official project of the school district. As you know, junior achievement is sponsored by the Chamber of Commerce and the business people in our area will be deeply involved in the Enterprise High School, but through this Bill this matter becomes an official project of the school district in teaching people business skills, and I think that's so important."

Ropp: "Well, I certainly want to commend you on this effort. I really think, too, that you know, we need to involve business more in our educational arena as well as parents in order to make it the very best possible education for young people so that, in fact, they are prepared to move on into the world of work opportunity after graduation. As a Member of the JTPA Council in Illinois, whatever happens to this Bill, I can assure you that we will do all that we possibly can to implement programs in your area that deal with this particular need. So, I at least offer that to you, and I'm not sure how the Bill's going to turn out, but we'll be willing to work in that effort."

Younger: "I appreciate that, Representative Ropp, so much, and I appreciate Representative Cowlishaw's comments, too. Thank you."

Speaker Giglio: "Representative Younger, to close."

Younger: "Thank you, very much. This is a very important project in my area, and I would appreciate your support. I would appreciate your confidence that I will work to get the

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funds through Joint Partnership Training Act, which is a federally funded program and through foundations to implement this program. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 883 pass, the Veto of the Governor notwithstanding?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. Voting is open; this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 74 voting 'yes', 36 voting 'no' and this Motion, having received the required Three-Fifths Constitutional Majority, is adopted, and this Bill is thereby declared passed, the Veto of the Governor notwithstanding. Speaker Madigan in the Chair."

Speaker Madigan: "Would the Members please be in their chairs and would the staff please retire to the rear of the Chamber? So would the Members please be in their chair (sic—chairs)? Would our esteemed State Treasurer, a man who is always defending the interests of the Members of the General Assembly, Mr. Quinn, could you you take a seat, please? I was just extolling your virtues, Mr. Quinn. Ladies and Gentlemen, we're very pleased to have with us today the Counsel General for Switzerland, assigned to the City of Chicago. Mr. Arthur Burkhardt has served in the foreign service of Switzerland for several years, having been posted to five or six different locations and currently coming to the close of his assignment in Chicago. He expects that he'll be moving on to Frankfurt, Germany. He does have some pertinent remarks to offer to us today concerning the relationships between Switzerland and the State of Illinois and the City of Chicago, and it's my pleasure to give you Mr. Arthur Burkhardt."

Arthur Burkhardt: "Thank you, Mr. Speaker. Mr. Speaker, Honorable

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Members of the House, Ladies and Gentlemen. It is for me a special honor and a great pleasure to address this illustrious forum today. Thank you very much for your kind invitation. You all know, of course, that Switzerland is not Sweden, but a small landlocked country in the heart of Europe. With its surface of 16,000 square miles, it would fit more than three times into your state and our population of 6.6 million is smaller than that of the Chicago Metropolitan area. Four national languages are spoken in my country. Namely: German, French, Italian and Romancsh. This year we are celebrating the 700th anniversary of existence of our state. In fact, Switzerland was founded on August 1st, 1291, when men from the mountain continents of Uri, Schwytz and Unterwalden met on the Reuti Meadow by Lake Lucerne to pledge mutual aid and support. This alliance grew out of the desire to protect their traditional rights of self determination against the Hapsburg Empire. The federal state today is made up of 26 of the Norman's Continents, each with its own constitution. Switzerland has come a long way from a poor peasant state to today's highly industrialized nation with one of the highest standards of living in the world. My country realized the importance of your great state more than 100 years ago by establishing in 1864 a honorary consulate in Chicago, which was transformed into career post in 1934. Swiss immigrants already set out in Illinois at the beginning of the 19th century, and the regiment from the Swiss settlement in Highland, in the southern part of your state, called the Swiss Rifles, fought in the Civil War. In battle it carried the distinctive flag that combines the white Swiss cross on the red field with 34 stars on a field of blue. Today, 73 Swiss companies are located in the State of Illinois, and Chicago is linked

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with Zurich by two daily non-stop flights. Being before you today, I am aware of the high level of development Illinois has reached in the last 173 years. What you accomplished in less than two centuries took us 700 years. But we both share the values that are at the origin of our respective success stories, namely: hard-working people, the spirit of free enterprise, the freedom of commerce and trade and a democratic society based on individual liberties. We in Switzerland were spared by two World Wars, but we know what we owe to the United States of America. Twice in their lifetime, your young men were sent to Europe to save and restore freedom, very often at the cost of their lives. Without their sacrifice, I would not be here today. This we should never forget, and we in turn should try to help solve the large international problems now at hand. We have to take on our share of that task. That you should be able to expect such a participation from your rich western European partners is simply a matter of fairness. Let me thank you once again for receiving and listening to me and let me tell you in conclusion that the five years my wife and I have been privileged to spend in your great state have been among the happiest in our lives. Thank you very much."

Speaker Giglio: "On page 7 of the Calendar under Total Veto Motions appears House Bill 889, Representative Ronan. Representative Giglio back in the chair. Representative Ronan in the chamber? Out of the record. Representative Steczo, House Bill 894. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would move to override the Governor's Veto of House Bill 894. House Bill 894 deals with the Design Professional Dedicated Fund. This fund was set up in 1982 and it was supposed to be used for the

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expenses of the Department of Professional Regulation in the administration of four design professions. Architects, land surveyors, professional engineers and structural engineers. At the time, the design professions felt that this was a good thing to do, a necessary thing to do, so they could provide adequate staff for the administration of their Act. But what's happened in the years since 1982, the Department of Professional Regulation has used the money that's been provided by the design professionals in the Design Professionals Fund to basically counter what we in the Legislature originally intended. What the Department does now, the Department takes money from the Design Professionals Fund and uses those funds for roofers, collection agents, public accountants, athletic trainers, detectives, shorthand reporters, funeral directors, barbers and cosmetologists. Those moneys provided by those professions should go for the licensure and administration of those Acts. What we're saying...what we have said in House Bill 94 (sic, 894), and unfortunately what the Governor disagreed with, was that money provided by the design professions should go to the administration of the Act. That's all that it says. We think the Governor erred in his logic in vetoing the Act, and I would ask the House override the Governor's Veto of House Bill 894."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise in opposition to the Gentleman's Motion to override the Veto. No matter how well-intentioned the Bill is, if you really take a look at it, it removes the department's flexibility in order to staff and run their office to keep up with the ever increasing number of professions, careers, whatever, that

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we decide to license and regulate. Now, if you override the Governor's Veto and the Senate should follow, you're going to set a dangerous precedent by mandating specific hiring and staffing patterns within the department, and this is going to be followed by every other group coming down here and wanting the same kind of arrangement. Now, if that doesn't particularly move you, then I think we need to face an unpleasant fact of life. That is, with the layoffs in the department, the provisions of this Bill probably... not probably, cannot be implemented. So, it may be that the Sponsor has an idea here, a good idea. That his intentions are honorable and noble, but I would submit to you, this isn't the time in the history of the State of Illinois to be doing this, and I simply rise and ask you to sustain the Governor's Veto, and I think if you'll read his message carefully, you would agree that in this instance at this time, his Veto must be upheld."

Speaker Giglio: "Further discussion? Representative Steczko, to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. In terms of the issues related to this Motion, I would like to stress two points. First of all, in terms of dollars, the patterns, or the provisions of this Bill, actually save the department money. So in terms of providing relief, we are actually doing the state a favor by providing them money.

Or saving...a monetary savings. Secondly, why does the Department insist on having dedicated funds? The funds that are paid by those professions are supposed to be used to administer those professions and the Acts relating to those professions. Why don't the barbers and the cosmetologists and the embalmers and the athletic trainers and the roofers and everybody else raise enough to properly administer their Act? It's not fair to take from one

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profession under the presumption that the money that is going to be raised is going to be specifically used for administering their Act and then use it for all these other administrative functions. I believe that the General Assembly, which voted 112 'yes' and no 'noes' in the House, 58 'yesses' and no 'noes' in the Senate was absolutely correct when we said last spring, this was our intent in 1982, this is our intent today and this is the way the Department of Professional Regulation should treat these dedicated funds, and I would ask for a 'yes' vote."

Speaker Giglio: "The question is, 'Shall House Bill 894 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 84 voting 'yes', 30 voting 'no' and this Motion, having received the required Three-Fifths Constitutional Majority, is adopted, and this Bill is thereby declared passed, the Veto of the Governor notwithstanding. House Bill 897, Representative Mautino. Out of the record. House Bill 915, Representative Preston. The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to override the Governor's Veto of House Bill 915. House Bill 915 is the Future Education Account Act, which for the first time in Illinois will permit working families to set aside, on a monthly basis, an amount of money that will guarantee the payment of college tuition for their child when their child reaches college age. It is one of the most important, if not the most important educational Bill that we will be considering in this year of the General Assembly. Because of the ever increasing cost of college education, working families,

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people who are unable to lay down ten thousand dollars, fifteen thousand dollars, twenty thousand dollars or more a year for the college tuition of their children, can under this program, put down a small amount on a monthly basis when their child...perhaps their grandchild...is 5, 6, 7, 8 years of age and then, when that child graduates from high school, that child will have the money, number one, to pay for college tuition and secondly, have a guarantee from this program that tuition at any state university will be paid by the amount accumulated in this account. Our State Treasurer, Pat Quinn, has worked very hard and labored tirelessly to put this program together. It is similar to programs that have been adopted in other states that are working very well. Canada has had a program similar to this for over 20 years, and it has worked very efficiently and very well. The Illinois PTA is a strong proponent of this legislation, and I urge and encourage those of us who are really concerned about the ability of our constituents to pay for that necessary college tuition in the future to be able to do so through this very good program. Thank you, Mr. Speaker."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Motion, and I would ask you to think back to the initial discussion on this Bill and a question that was raised by a Member from the other side of the aisle. And the question was, 'What if my child decides to attend...I believe the school used was Southern Illinois, Edwardsville, rather than the University of Illinois?' The point that that Gentleman was making that day was that Illinois does not have a uniform tuition rate for its state colleges and

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universities. That makes it different from the other states that the Gentleman mentioned. Our system of higher education is not the same as Michigan's. It certainly isn't the same as Canada's. Now let's just see what we're going to do here, given that given. The Treasurer is going to project future costs of tuition and fees to establish monthly payments that will supposedly generate enough dollars to cover the cost. Now, we all know that the cost of higher education has certainly exceeded the cost of living in the last few years. So what we're attempting to do may be a good idea. But guess what happens! If the Treasurer's Office underestimates the tuition costs, who might be asked...who might be asked to make up the difference? Well, the taxpayer might be asked to make up the difference, rather than the purchaser of the initial contract. Or you could spread the cost by making those who get in at a later date pay a higher cost to defray the cost incurred by the loss...by the guesstimate that he made that was wrong. True, monthly payments won't change for those who are already in the plan. Now, Ladies and Gentlemen of the House, no matter how good this idea sounds, you are simply opening the taxpayers of the State of Illinois to a cost, in case these estimates are dramatically off base. All you have to do is ask anybody in one of the five state pension plans how the state keeps its word on costs that escalate. It may be a good idea. It sounds good. We're all concerned about the cost of higher education, but Ladies and Gentlemen, as a Member on the other side of the aisle said last spring, 'This Bill still has loopholes.' The lack of uniformity in tuition and fees in this state is different than many of...many of the states that the Gentleman mentioned earlier on. This Bill has a potential liability to the taxpayers of the State of Illinois, and

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until that can get worked out, I would suggest you uphold the Governor's Veto."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield for a question or two?"

Speaker Giglio: "He indicates he will."

Weaver: "Representative, as I understand the Bill, there will be a panel of 13 members. Are they going to arrive at an average tuition fee on which the participants will pay into the system?"

Preston: "Yes, Representative, they will, based on the number of students that attend each university. It'll be calculated each year."

Weaver: "So, they are going to be essentially projecting in advance what students are going to attend what universities."

Preston: "Right. And it will be looked at and redone on an annual basis."

Weaver: "Well, as was previously indicated by a Speaker on our side of the aisle, if their projections are incorrect, and perhaps a number of parents who wanted to get their children in Eastern or Western or Southern decided they wanted their children to go to U. of I. medical school, which is going to be considerably more expensive, who then is liable for the difference in that tuition cost?"

Preston: "Those figures...those possibilities for change are all calculated in in the formula, because there is an annual actuarial audit of the program. It is not done...It's not a projection that's done today, hoping to be right for 20 years. The projection is redone on an annual basis by a certified public accounting firm and that is how every pension system in this country operates. It's how every annuity system operates. It is done exactly the same as

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has been done and redone, including our own retirement system is also done in the same manner."

Weaver: "I see. Thank you. Mr. Speaker, to the Motion. I think the Gentleman's got a basically a good idea, but again, we get back to the loophole. If I'm a parent and I want my child to go to U. of I., I may enroll in the program with the child originally set to go to one of the other state schools at a lesser tuition and then change my mind at the last minute and basically, expect the State of Illinois to pick up the difference. I think he's headed in the right track and under normal circumstances I might support the measure, but I think it leaves us wide open for an expense that we may not be prepared for. I would suggest a 'no' vote on the override and maybe we reconsider this issue next year."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

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

Speaker Giglio: "Indicates he will."

Satterthwaite: "Representative, as I understand it, this program is modeled on a program that currently exists in the State of Florida, right?"

Preston: "I'm sorry, Representative, I can't hear you."

Satterthwaite: "This program is modeled on a program that exists in the State of Florida, is that correct?"

Preston: "That is correct."

Satterthwaite: "In addition to the comments made by one of the speakers from the other side of the aisle about the fact that Florida does have a substantially different system of higher education, where costs are more uniform, where they are lower to the students than they are here, we also heard testimony in a committee earlier in the spring indicating that, in fact, the people from Florida now regret the fact

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that they include room and board in the program. It was my understanding that the legislation would be amended to eliminate room and board costs. Has that been done?"

Preston: "Yes. This does not include room and board. Our legislation is an improvement on the Florida plan. It was their model that we...that was the basis, but.."

Satterthwaite: "But my understanding is that it still gives the option of having a room and board program."

Preston: "Room and board is optional, but not required under our legislation."

Satterthwaite: "Well, unfortunately, I don't really believe that we need another means of investing to fund future education costs for students. We already have a bond program that has been in existence for several years. We have a new savings program under the student assistance commission for the smaller savers. I am also very concerned about the future liability of this legislation, should we underestimate what the cost in the future will be, and unfortunately, I believe that it is too open-ended and would permit the Treasurer to go into a program that includes room and board. One that has already been determined in the State of Illinois as not feasible, and I believe that we do need to work more on this Bill before we would pass it and give it a blank check."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Let me first state that I have respect for the Sponsor of the Bill and I believe that his intention is valid. However, let me tell you that this Bill is a scam. It's based on the idea that if people pay in enough now, there's going to be enough for people 20 years from now to take it out. That's the promise. As long as everybody keeps paying in, there's enough money to keep paying back out. If people, however, don't pay enough

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in, somebody's going to be asked to maintain that guarantee. Guess who that may be. It's going to be Legislators like you and I and the State of Illinois. You want to provide education for your children? Good. And there're a lot of good ways to do it. The State of Illinois has a half a dozen ways established right now in order to accomplish those tasks. But let me ask you a couple of other questions. This idea comes from the good Treasurer of the State of Illinois. That's the guy who, along with everybody else, took the cuts this spring and said, 'Okay, I'm not going to...cut I'm going to salaries, I'm going to cut staff.' A recent headline in a newspaper indicates that while everybody else was decreasing, the Treasurer's Office increased by 11 percent. How much is it going to take to start up this program? About \$750,000 in administrative costs. There's a lot of good reasons not to be in favor of the Bill."

Speaker Giglio: "Excuse me, Representative Ryder. Representative Preston, for what purpose are you seeking recognition, Sir? Representative Preston. George."

Preston: "Mr. Speaker, the Gentleman's comments are not germane to this Bill. They are completely out of order, and he should be ruled out of order."

Speaker Giglio: "Representative Ryder acknowledges. The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker. The Sponsor will yield for a question?"

Speaker Giglio: "He indicates he will."

McNamara: "Representative, I understand that there is a 13-member panel that is working on this measure in order to assure actuarially and also to govern the program, is that correct?"

Preston: "That is correct."

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McNamara: "Now the second thing is, is that I don't anticipate that within the next five years any money will be paid out of this program, is that also correct?"

Preston: "That is correct."

McNamara: "So, and to this Bill. If that is the case, we had better get a start on providing our children's education right now. The loopholes that are referred to are absolutely wrong because this will give that board time to work, and we've got to get the start now. Our children's education is the most important thing that we have and if you vote against this Bill, you are voting against your own children's education. We can learn. We can grow. We have done it with every other piece of legislation around here. We must, and we must continue to try to fight to give our kids the best education we have. Keep them off the streets. Keep them out of the jails to help our country grow. This is a very important starting point. We need to have it now. We don't need to wait until later. I urge your support of this fine piece of legislation."

Speaker Giglio: "The Chair would just like to make an announcement. There's approximately 17 or 18 Representatives seeking recognition, so if you all will just bear with your patience, we'll get everybody who wants to talk, if that's what the Body would like to do. The Gentleman from Logan, Representative Olson."

Olson, B.: "Thank you, Mr. Speaker. Contributions will be made...First, let me say that I have great respect for Representative Preston, and I think his Bill is well-intended, and there is a lot of good in it, but I'm worried about the funding at the maturity date, if that's the right term, for these individual families and their contributions toward education. I do not believe that any group of people, and I remember how many were on this

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board, I don't believe any group of people can project cost of education or anything else fiscal, 15-18 years down the road. I think it's impossible. If they can do that, they're in the wrong business when they're on that board, they ought to be in some type of financial institution. What will come about, as alluded to earlier, that when it comes payout time and if there is not enough money, then the state will be picking up the difference and that is the taxpayers. But even worse, Representative Preston alluded to, that's what we do with pensions and such as now. Well, our most commonly talked about pension, perhaps, is our Social Security system. There's no way that checks are being paid out of Social Security system funds at this hour. I'm only repeating a point he brought up, Mr. Speaker. He mentioned pensions. He mentioned pensions very definitely, and I'm only replying to his point. Pensions, the Social Security system has to have current income before there can be payout, and that is going to happen with this particular piece of legislation. I would allude the word 'scam' was used. I don't choose that word, but it's illegal in this state to have chain letters, and this is similar to that. There has (sic-have) to be new people coming in line as this passes on down the line to fund the program or the funds will have to be collected from then the taxpayers. I don't see the logic in the financial arrangements of this, and I urge a 'no' vote on this override. Thank you."

Speaker Giglio: "The Gentleman from Cook, Anthony Young."

Young: "Thank You, Mr. Speaker, Ladies and Gentlemen of the House. I move the previous question."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question's been

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moved. Representative Preston to close."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm afraid that it was my inarticulate inability to properly explain the provisions of this Bill that resulted in some of the comments that some of my learned colleagues may have made. I guess I was...did not adequately point out that this program will be subject to an annual audit, because I agree with the previous Speaker who thought there's no way to project 15 or 20 years down the road what tuition costs will be. I agree, we can't do that. That's why every single year, under this program, there must be an audit by a certified public accounting firm so that incoming members have an accurate, on an annual basis, the numbers that are to be contributed by incoming program members will be revised up or down so that we have an accurate figure when people graduate from high school. Let me just say this: There is no other way for most working families in this state to be able to afford to send their children to college if they don't put a little money away on a regular basis, decade and more in advance of the need to expend those funds. There simply is no other program that we have that most Illinois working families can participate in. Because most of us cannot plop down \$2,500 or \$5,000 into a bond program in one lump sum. But maybe we have parents and grandparents who could put a hundred dollars a month away, a little at a time, a decade or 15 years before that tuition payment is actually going to be necessary. In closing, I just want to point out this, and I find this somewhat remarkable for this august Body, that the states of Florida, Ohio, Alabama, Alaska, Michigan and Wyoming, all of whom...all of which adopted similar programs, isn't it strange that in those states, the motivating force, the proponents of this legislation and

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indeed those who passed this legislation were Republicans and the Republican Party sponsored it. The Republican parties in those states passed it into law. But here, somehow in Illinois, some of the previous Speakers may be confused about the provisions of this legislation. I hope I was able to explain it a little more thoroughly. And really working families need this legislation if they're going to send their kids to college. I hope you'll support it. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 915 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. This is final action. Representative Harris, one minute to explain your vote."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of this Bill said that there is no other program. That is not correct. There is another program, and it's called the College Savings Bonds, and for the average family that has to put in 100 to 120 dollars a month into this program, they can afford to buy a College Savings Bond for a child who is 1 or 2 years old that's going to cost 12 or 13 hundred dollars during the course of the year, this program is actually more expensive. Secondly, the state is going to hold the bag on this. What is the average tuition increase at universities here in the State of Illinois? Well, I can give you a list of them. For '88-'89 it was 20% increase. For '87-'88 it was fourteen and a half. '86-'87 it was five and a half. Five and a half again for '85-'86. '84-'85 it was 12.8% increase in tuition. The state's going to hold the bag when we have to come up with the money to pay the difference between what the families have put in and what the tuition is. That's not right. The Bill deserves a

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'no' vote. The override should fail."

Speaker Giglio: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Representative Harris is correct in a sense. There is another program. The problem with the other program is that the average family in the other program is not average at all. They have an average annual income of \$78,000. This is the most important piece of education legislation available in our state for middle income families and for working families. If you want to side with those families who have an average income of \$78,000 and say that our program is available for everybody. Our program is available, but only has been working for the families who have an average income of \$78,000. This is for the middleincome. This is for the working families. This is for the tens of thousands of families in your community, in your district, that you represent who are average, normal people who make less than \$78,000."

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

Wennlund: "Thank you, Mr. Speaker. In the event that this gets the requisite number of votes, I request a verification. But I want to remind the Ladies and Gentlemen of the House that one of the fatal defects that was in this Bill in the spring is still there. When a student decides to go to an out of state public university, the refunding mechanism is not there. The only mention is for nonpublic schools out of state. It does not cover the instance where a student would want to go to a public university in another state...God forbid, even Iowa...So there's no refunding mechanism and that's why this Bill ought to be vetoed, ought to start again and work it out and make it better."

Speaker Giglio: "The Gentleman from Grundy, Representative

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Weller, one minute to explain your vote."

Weller: "Thank you, Mr. Speaker. I rise to explain my vote and I'd like to address two points. One of my distinguished colleagues made the point that there was another program, which is an alternative to this proposal which we're voting on today and another colleague said that that program is only good for those of higher incomes. One other program is already in place which is already in place for low-and-moderate income people. That's the new Illinois College Accounts Network, ICAN, which offers an opportunity for those of every income level to invest in three different investment programs. Programs whether they want to put 25, 50 or 100 dollars in at a time. We already have programs in place. And frankly, another colleague pointed out, think about our kids when we do this. Well, you better think about our kids when you're casting our (sic-your) vote, because as this program, if it becomes law and goes into effect, you're going to stick your kids with the bill, because if we don't have the money in this program, the state which means the taxpayers which are your children and your neighbors are going to pick up the bill. A 'no' vote or a..."

Speaker Giglio: "The Gentleman from McLean, Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. Let me say in conjunction with what several others have said, there are several provisions that allow for people to purchase tuition for going to higher education. The biggest concern that I have is, that I daresay that even though this Body is very intelligent and the State Treasurer may be too, to think that we can determine 20 years down the road what tuition costs will be is just not true. It is difficult to even project what the needs and the tuition rate will be

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one or two years down the road. As Representative Harris mentioned, we've gone from 20 down to five and up and down. I don't believe that anybody, no matter whether it's this group of 13, or whoever they might be, is in a position to know exactly what it's going to cost and ultimately the people that will be paying for this, should we not meet those projections exactly will truly be the taxpayers of the State of Illinois."

Speaker Giglio: "Please bring your remarks to a close. The Gentleman from St. Clair, Representative Hoffman, one minute to explain your vote, Sir."

Hoffman: "This Bill...this Bill gives breaks, education breaks to middle-income families. Why shouldn't we in the State of Illinois ensure that? Vote 'yes' on this Bill."

Speaker Giglio: "Further discussion? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 71 voting 'aye', 43 voting 'no', 4 voting 'present'. Representative Wennlund asks for a verification. Representative Preston asks for a Poll of the Absentees. Representative Wennlund, Representative Morrow and Representative Anthony Young would like verification. Representative Wyvetter Younge and Representative Schakowsky. Representative Paul Williams and Representative Lou Jones. Representative Farley and Representative Edley. Representative Flowers is back there nursing the baby. Okay? Representative Nelson Rice, Representative Wennlund asks leave? Did you poll the absentees, Mr. Clerk?"

Clerk Leone: "All of the Members are casting their vote."

Speaker Giglio: "Representative Wennlund, questions of the affirmative? Read the affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative."

Speaker Giglio: "Excuse me, Representative. Representative Shaw

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and Representative LeFlore, Representative Wennlund, do they have leave? Leave is granted. Continue, Mr. Clerk. Read the affirmative."

Clerk Leone: "Balanoff. Barnes. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeJaegher. DeLeo. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Hicks. J. Hoffman. Homer, Lou Jones. Shirley Jones Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijeich. Mautino. McAfee. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Schakowsky. Schoenberg. Shaw. Stange. Steczo..."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Wennlund, does Representative Stern have leave to be verified? Stern? She wants leave to be verified. Stern. And Representative Homer. How about Representative Homer? Okay. Continue, Mr. Clerk."

Clerk Leone: "Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younger and Mr. Speaker."

Speaker Giglio: "Representative Wennlund, are there any questions of the affirmative?"

Wennlund: "Representative Barnes?"

Speaker Giglio: "Representative Wennlund, does Representative Davis have leave to be verified? Leave is granted. Okay. Representative Barnes. How is the Lady recorded, Mr. Clerk?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Is the Lady in the chamber? Representative Barnes. Remove the Lady from the Roll Call."

Wennlund: "Representative Turner?"

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Speaker Giglio: "Representative Turner. Art Turner. Representative Art Turner in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'.

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Wennlund: "Representative Shirley Jones?"

Speaker Giglio: "Representative Shirley Jones, I believe asked leave to be verified. Shirley Jones and Lou Jones."

Wennlund: "Representative Martinez?"

Speaker Giglio: "Representative Martinez is in his chair."

Wennlund: "Representative Santiago?"

Speaker Giglio: "Representative Santiago. Is Representative Santiago...Yes, he's talking to Representative Regan there."

Wennlund: "Representative Capparelli?"

Speaker Giglio: "Representative Capparelli. Is Representative Capparelli in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'.

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Wennlund: "Representative DeLeo?"

Speaker Giglio: "Giglio? Representative Giglio? He's in the chair."

Wennlund: "DeLeo. DeLeo."

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

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "The Gentleman's not in the chamber. Remove the Gentleman from the Roll Call."

Wennlund: "Representative Saltsman?"

Speaker Giglio: "Representative Saltsman. Is Representative Saltsman in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Excuse me. Representative Wennlund, yes, Representative Saltsman did ask leave. Representative Saltsman asked leave to be verified. He did, yes."

Wennlund: "Representative Edley?"

Speaker Giglio: "All right, Representative Edley did ask leave. We gave him leave to be verified."

Wennlund: "Representative Rice?"

Speaker Giglio: "Representative Rice also asked leave."

Wennlund: "Representative Keane?"

Speaker Giglio: "Jim Keane. Representative Keane. Representative Keane in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Wennlund: "Representative Ronan?"

Speaker Giglio: "Representative Ronan. Is Representative Ronan in the chamber? Representative Ronan. How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Wennlund: "Thank you. Mr. Speaker, I ask the Speaker to take the record, please. Take the Roll Call."

Speaker Giglio: "On this question there are 65 voting 'yes'... Representative Preston."

Preston: "Mr. Speaker, I was just going to ask what the current tally is."

Speaker Giglio: "On the question there are 65 voting 'yes' and 43 voting 'no'."

Preston: "Does that...I can't see. Does that add up to the right number, Mr. Speaker?"

Speaker Giglio: "Sixty-five votes, I believe, are six votes short, Representative Preston. Have all voted? Have all

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questioned? On this question there are 65 voting 'yes', 43 voting 'no'. This Motion, having failed to receive the required Three-Fifths Majority is hereby declared lost. The chair would like to make an announcement that the House would like to break for one hour so the Members could have lunch and we will return here at 2 o'clock. It's now one o'clock. We'll return here at 2 o'clock. Representative Mulcahey. Mulcahey."

Mulcahey: "Two questions, Mr. Speaker. One, are you buying lunch and #2, after we do come back at 2 o'clock, do you have any idea how long we're going to go later on this afternoon?"

Speaker Giglio: "No, I'm not buying lunch and no, I don't know how long we're going to go."

Mulcahey: "Okay. Well, I'm happy with one of your answers, anyway."

Speaker Giglio: "All right, the House will stand in... Representative Giorgi now moves that the House stand in recess for one hour. All in favor say 'aye'; opposed, 'no'. In the opinion of the chair the 'ayes' have it, the House is...will return at 2:00 o'clock. The hour of 2:00 o'clock having arrived, the House will come to order. Supplemental Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #1 has been distributed."

Speaker Giglio: "Introduction, First Reading, Constitutional Amendments."

Clerk O'Brien: "House Joint Resolution, Constitutional Amendment #25, offered by Representative Homer.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH 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 six months after the adoption of this resolution a proposition to change Section 10 of Article IV

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of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 10. EFFECTIVE DATE OF LAWS

The General Assembly shall provide by law for a uniform effective date for laws passed before June ~~prior to July 1~~ of a calendar year. The General Assembly may provide for a different effective date in any law passed before June ~~prior to July 1~~. A bill passed after May 31 ~~June 30~~ shall not become effective before June ~~prior to July 1~~ of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date. First Reading of the Constitutional Amendment."

Speaker Giglio: "All right, the House is going to read some Agreed Resolution. That's no indication we're going to adjourn, so just bear with us. Mr. Clerk, read the Resolutions."

Clerk O'Brien: "House Resolution 1124, offered by Representative Weller. 1125, Weller; 1126, Weller and Novak; 1127, Weaver; 1128, Marinaro; 1129, Marinaro; 1130, Marinaro; I'm sorry...1130, Woolard; 1132, Schoenberg; 1133, McNamara; 1134, McNamara; 1135, Harris; 1136, Wennlund; 1137, Wennlund; 1138, Wennlund; 1139, Harris; 1140 Harris; 1141, Harris; 1144, Deuchler; 1146, Lou Jones; 1147, Lou Jones; 1148, Lou Jones; 1149, Kubik and 1150, Burke."

Speaker Giglio: "Representative Matijeovich."

Matijeovich: "Speaker, I move the adoption of the Agreed Resolutions."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted."

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General Resolutions."

Clerk O'Brien: "House Resolution 1142, offered by Representative Johnson and House Joint Resolution 83, offered by Representative Currie."

Speaker Giglio: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 1143, offered by Representative Johnson with respect to the memory of James L. Capel, Jr. and House Resolution 1145, offered by Representative Lou Jones with respect to the memory of Ahmed Longstreet O'Connor."

Speaker Giglio: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye'; opposed, 'nay'. In the opinion of the chair the 'ayes' have it, the Resolutions are adopted. All right, the Chair would like to go back to the Total Override Vetoes where we left off before we recessed and the last Bill that was called was House Bill 915. Is Representative Preston in the chamber? Representative John Dunn, House Bill 1014, Total Veto. Page 7 of the Calendar. Total Veto Motion, Representative. House Bill 1014. The Gentleman from Macon, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to override the Governor's Veto Motion on House Bill 1014 and ask for your affirmative vote. This is a program which is a high-tech program to allow the universities and colleges of this state to set up an Inventor in Residence program as a pilot program to see if we cannot attract those special people with inventive talent to our colleges and universities. The program is designed to be a pilot program with a very modest cost. It's voluntary. If a college or university does not wish to participate they don't have to. The program would match the contribution by the college or university to the extent, I believe, of

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\$150,000, I think is what we were talking about statewide. So it's not much, and it may do a lot. I ask for your favorable support."

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

Black: "Thank you very much, Mr. Speaker. I think if we look at the Governor's Veto Message, this Bill, if my information is correct, Representative, has an effective date of January 1st, 1994. And all the Governor is saying, that this Bill does not require three years lead time to be developed. Since this Bill is for an FY '95 fiscal year, the Governor simply feels that given the crush and the press of budgetary matters in the state, that this Bill... He didn't veto the Bill on its merits. He just simply said this Bill should be reintroduced at the appropriate time, which would be fiscal year 1995, and I think in that case, the Governor is simply saying that it doesn't need three years lead time and when we have more pressing issues before us, let the Sponsor bring this back at the appropriate time and I'm sure it will become law. But at this time, I would have to ask Members on my side to uphold the Governor's Veto."

Speaker Giglio: "Representative Dunn, to close."

Dunn: "Thank you, Mr. Speaker. Notwithstanding what the previous Speaker said, this is a good program and it doesn't cost much and will do a lot for the State of Illinois because there are inventors out there and if we capture their special expertise on our college campuses, we all will be better off. I ask for a favorable vote."

Speaker Giglio: "The question is, 'Shall House Bill 1014 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Seventy-one votes. Have

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all voted who wish? Have all voted who wish?
Representative Black."

Black: "Yes. Mr. Speaker, we'd all like to move along, and if everybody would just vote their own switch, I won't have to do a verification, but if this persists then I'll have to ask for a verification, Mr. Speaker."

Speaker Giglio: "Your point is well taken, Representative Black. Everybody please vote their own switch. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 64 voting 'yes' and 47 voting 'no'. Any discussion? Sixty-four voting 'yes', 47 voting 'no'. This Motion, having failed to receive the Three-Fifths Constitutional Majority, hereby declared lost. House Bill 1035, Representative Obrzut. Out of the record. House Bill 1105, Representative Mulcahey. Is Representative Mulcahey in the chamber? Out of the record. Representative Giorgi, House Bill 1108. Is Representative Giorgi in the chamber? Out of the record. Representative Mautino, House Bill 1149. The Gentleman from Bureau, Representative Mautino."

Mautino: "I move to override the Governor's action on House Bill 1149. This Bill creates an Act regulating the occupation of environmental health practitioner. With the repeal of the Environmental Health Practitioner Act to be in December 31st, 2002. The Governor's Veto on 1149 is part of a group of Bill (sic-Bills). The specific merits of this Bill were not addressed individually in the veto. This Act has a...This Act has a history behind it, the licensing, which comes from the Sanitarian Act, repealed in 1981. Since then, this Bill conforms to a recommendation of a bipartisan Committee on the salmonella epidemic in 1985. It has a funding mechanism attached and...which is derived from the licensing fee of \$100, based on 500 new licensees

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at the start up of this. This estimate may be conservative, because at the time of the sunset of the Sanitarian Act there were 1,000 licensees serving the 65... 63 health departments. Presently there are 81 health departments and the question that was raised as far as the start up costs for exams has been addressed in Amendment #2 which would eliminate testing requirements if the applicants have passed the National Health Association exam. At the present time, 46 states require this registration and there is a need for qualified trained and registered environmental health practitioners. I would urge that the Members vote to override the action on House Bill 1149."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. It's unfortunate that we have about 12 of these licensure and registration Bills before us. Any one of them on its face might be a good idea. If you take all of them collectively, which I think Motions have been filed on every one, you're looking at a cost of \$800,000 to implement. That money isn't there. Who are we kidding? This Bill won't be implemented anyway. But I would like to point out for the edification of some of the Members of the House, this is one of the few professions that has been deregulated in the last decade. It was deregulated in 1981. Now we're going to regulate it again. Most of the people in the (sic-who are) environmental health practitioners are government employees. I don't know why we need to regulate employees of local government license and register them. This also preempts home rule and I think some of your communities and one or two of your

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counties, I don't think are in agreement with this Bill and certainly the Municipal League is opposed. The bottom line is, we have too many of these registration and regulatory Acts. We don't have the money to implement all of them, so we might as well uphold the Veto until we can re-examine all of these Acts on the basis of cost and I would ask you in all due respect to the Sponsor, please uphold the Governor's Veto on this measure."

Speaker Giglio: "The Gentleman from Cook, Representative Myron Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Motion to override the Governor's Veto on House Bill 1149. A lot of reasons behind it, one of the main being, we're talking about environmental health practitioners. I bet you 95% of you don't even know what that is. There's charlatans running around claiming that they are environmental health practitioners. Who's to check them out? Nobody. We license dogs, but we won't license environmental health practitioners. Now there's no money involved in this Bill. This Bill will pay for itself, and I would move to override the Governor also."

Speaker Giglio: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. I stand in support of the Motion to override the Governor's Veto. Let's not exaggerate out here on the floor. There are only six licensure Acts, not 12. I think that's all the more reason that we should pass this piece of legislation. If they're working for governmental agencies, we ought to know that they're qualified to do the inspections that they have to do, so I stand in support of the Gentleman's Motion."

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

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Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of the Gentleman's Motion. It should be pointed out to the Membership that this legislation is supported by the Illinois Environmental Health Association, as well as the Illinois Public Health Association, both of which are bipartisan, statewide groups. They are asking for this legislation. Forty-six other states require this type of registration, and, as a matter of fact, this was a requirement in the State of Illinois until it was repealed in 1981. Repeal was a mistake. Let's put the statute books back the way they were. Let's do what's right in this Bill. Let's support this Gentleman's Motion."

Speaker Giglio: "Representative Jay Hoffman."

Hoffman: "I move the previous question."

Speaker Giglio: "Further discussion? The Gentleman from Bureau, Representative Mautino, to close."

Mautino: "I move to override the Governor's action on House Bill 1149."

Speaker Giglio: "Heard the Gentleman's Motion. The question is, 'Shall House Bill 1149 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Representative Curran, one minute to explain your vote."

Curran: "Thank you, Mr. Speaker. I don't know how many of the Members understand that this is Representative Frank Mautino's first, Bill and we know how sacred that is to a Member of this chamber. His first Bill, and it happens to be a very good first Bill. This used to be Representative Richard Mautino's Bill, and I think we need to deal with Representative Frank Mautino in the same way of great respect and admiration and comfort as we did with his

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father, Richard Mautino. Remember that this is his first Bill. Thank you."

Speaker Giglio: "Representative Homer."

Homer: "Mr. Speaker, I think that the individuals that (sic-who) are opposing this Bill are clearly misguided. This is not in the scheme of the Governor's Veto of the new regulatory agencies part of that overall comprehensive scheme that he had of vetoing any new...creation of any new regulatory agency or licensing board. This is a replacement, a refinement, of something that was already on the books for a number of years, the Sanitarians Registration Act. This Bill takes over where that registration Act left off. It perfects it and makes sure that there are some professional safeguards and standards for those who are in the extremely important business of serving in the environmental health practitioner field. I would hope that we could at least pick up two additional green votes to get to the 71 required to override the Governor's Veto."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, if you vote against the override, you have to have some reasons for it. If your reasons are the fact that we don't have moneys, the application fee certainly is enough to cover the start-up costs of the Bill. If your reasons are that it is not good legislation, I think that would hold no water at all because what we are doing, as Representative Kulas's saying, we are making sure that those who hold themselves up to be environmental practitioners are such. That they have the education for it so that we can reduce these problems like we did when we had the salmonella outbreak. This Bill, as Richard Mautino often did, he

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worked out the problems that other groups had with the Bill. He compromised and worked with the various groups like the Illinois Hospital Association, the Illinois Municipal League, the Society of Professional Engineers. Worked out all of the problems that they had with the Bill and now it is a good Bill, and I recommend your override. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Parcels. Representative Matijevich to vote."

Parcels: "Thank you, Mr. Speaker. We had the impression on this side of the aisle that the Municipal League did not support this Bill and as much as I regret asking for this, seeing as how it's being touted as a first Bill, I hate having it touted that way, because some of us on this side of the aisle think it's extremely expensive and not a good Bill. And I would ask that if it receives the required number of votes that we have a verification."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 73 voting 'aye', 45 voting 'no' and Representative Parcels asks for a verification. Representative Mautino asks for a poll of the absentees and Representative Wyvetter Younger would ask leave. Representative Parcels, does Representative Wyvetter Younger and Representative Stern...? Representative Stern and Representative Wyvetter Younger, Representative Parcels, do they have leave to be verified? Representative Parcels, George?"

Parcels: "Thank you, Mr. Speaker. I did not get that list because someone was speaking with me. Could you give me the list of those who you have asked to be verified?"

Speaker Giglio: "Wyvetter Younger and Representative Stern."

Parcels: "Okay. Stern and Younger. Thank you."

Speaker Giglio: "Yes. Mr. Clerk, have you polled the absentees?"

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Clerk O'Brien: "There are no absentee voters."

Speaker Giglio: "No absentees. Will you verify the affirmative?"

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Jay Hoffman. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Parcels, is Andrew McGann have leave to be verified? Representative Parcels? Andrew McGann, does he have leave to be verified?"

Parcels: "Yes, Sir."

Speaker Giglio: "Proceed, Mr. Clerk. Representative Curran. How about Representative Curran, Representative Parcels? Representative Curran and Deputy Leader Representative Keane asks leave to be verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevech. Mautino. McAuliffe...I'm sorry, McAfee. Not McAuliffe. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw."

Speaker McPike: "Just a minute, Mr. Clerk. Representative McPike in the Chair. Representative Bruce Richmond would like to be verified. Okay. Bruce Richmond. Thank you. Proceed."

Clerk O'Brien: "Stange. Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Representative Parcels, questions of the affirmative?"

Parcels: "Thank you, Mr. Speaker. Representative Hannig?"

Speaker McPike: "Representative Hannig is here. Mr. Parke, I wonder if you could move so I could see Representative

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Parcells. Mr. Parke, I wonder if you could move just a little."

Parcells: "Did you say Representative Hannig is here?"

Speaker McPike: "Yes, he's here. Thank you."

Parcells: "Representative Morrow?"

Speaker McPike: "Mr. Morrow. Charles Morrow. Is the Gentleman here? He's not here. Remove him from the roll."

Parcells: "Representative Lou Jones?"

Speaker McPike: "Representative Lou Jones. Lou Jones. The Lady is not here. Remove her from the roll."

Parcells: "Representative LeFlore?"

Speaker McPike: "Mr. LeFlore. Representative Bob LeFlore. The Gentleman's not here, remove him from the roll."

Parcells: "Representative Williams?"

Speaker McPike: "Representative Paul Williams. Mr. Williams. He's not here. Remove him from the roll."

Parcells: "Representative Farley?"

Speaker McPike: "Mr. Farley. Bruce Farley. The Gentleman is not here. Remove him from the roll."

Parcells: "Representative Shaw?"

Speaker McPike: "Mr. Shaw. Mr. Shaw. Mr. Shaw is not here. Remove him from the roll."

Parcells: "Representative Flowers?"

Speaker McPike: "Representative Flowers. Representative Flowers. Is the Lady here? She's not here. Remove her from the roll."

Parcells: "Representative Steczko?"

Speaker McPike: "He's here."

Parcells: "Representative Monique Davis?"

Speaker McPike: "Monique Davis. Representative Davis. Monique Davis is not here. Remove her from the roll."

Parcells: "Is Representative Schakowsky here?"

Speaker McPike: "Excuse me. Excuse me. Representative Farley

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has returned. Mr. Clerk, add Mr. Farley to the roll. All right, proceed, Representative."

Parcells: "Did we decide whether Monique Davis was here?"

Speaker McPike: "No. She was removed."

Parcells: "Okay. Representative Stange?"

Speaker McPike: "Mr. Stange. Mr. Stange here? No, he's not. Remove him from the roll."

Parcells: "No further. Thank you."

Speaker McPike: "On this Motion there are 65 'ayes' and 45 'noes' and this Motion, having failed to receive the Three-Fifths Constitutional Majority is, hereby declared lost. Mr. Mulcahey, on House Bill 1105."

Mulcahey: "Thank you. Thank you very much, Mr. Speaker. House Bill 1105, it's an Amendment to the Enterprise Zone Act and it, very simply, accelerates DCCAs actions in regards to the creation of an Enterprise Zone in an area in Jo Daviess County. We had a lot of bipartisan support for this last time and I would move for the adoption of House Bill 1105, notwithstanding the Veto of the Governor."

Speaker McPike: "And on the Gentleman's Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, did Jo Daviess County submit an application like all other Enterprise Zones have, and go through that process?"

Mulcahey: "Representative Black, at the time this Act was created, I...Well, I don't think they did at that particular time, but subsequent to that, they...they are in the process now of doing that very thing."

Black: "Thank you very much, Representative. Mr. Speaker. Mr. Speaker. Mr. Speaker. Mr. Speaker. Mr. Speaker."

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Speaker McPike: "Yes. Excuse me, Mr. Ryder."

Black: "You have someone disrupting the Chair up there, and I would just ask you to ask for a little order. It's very difficult to hear in here. Well, I wasn't referring to Representative Ryder, I was referring to the Parliamentarian."

Speaker McPike: "Oh, no. The Parliamentarian wasn't talking. It was Mr. Ryder was talking."

Black: "Oh, I see. Well, it's very difficult to hear, Mr. Speaker. I think I heard your answer, Representative, but let me ask you one more question. If this Bill should...If you should be successful in overriding the Veto, will this designate the entire county an Enterprise Zone?"

Mulcahey: "The answer to that question, Representative Black, is 'no', it will not."

Black: "All right. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Motion. In all due respect to the Sponsor and all of you who have worked hard for an Enterprise Zone in your district, if you vote to override the Governor's Veto, what you're saying is that an Enterprise Zone can be created by the General Assembly. Now, I think that's a very dangerous precedent to set. We can come down here and create literally thousands of Enterprise Zones by action of the General Assembly. That was not the intent of the legislation you passed. And I would simply say that in this case, we need to follow the established procedures of an application and a review and a designation by the appropriate agency. What the Gentleman is asking you to do is to establish an Enterprise Zone by act of the General Assembly, and if that's the case, then I would expect that in two or three years we will have literally thousands of Enterprise Zones, and I think in this case you're setting a dangerous precedent. I think a

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'no' vote is advisable. You need to uphold the Veto of this measure."

Speaker McPike: "Mr. Mulcahey, to close."

Mulcahey: "Well thank you very much, Mr. Speaker. The Governor's claim that...The Governor's claim that this Bill, and everybody else's claim too, apparently, that this Bill sets a bad precedent, precedent by legislatively designating an Enterprise Zone is simply, factually, without regard to the specific criteria for approval. An approval that this would be, quote, unfair to other applicants. Well, you know this is probably one of the most self-serving explanations of a Veto that I have seen in a long time. First of all, as we all know, most designations are predesigned. Heck, we all know that. They are predesigned. And they're set in. Even in the absence of any specific legislation and these designations are well known in advance. That's number one. Second, this designation was meant to help secure, keep, maintain, 300 full-time jobs at the largest single employer in Jo Daviess County. Now that doesn't seem like a lot to you people who are from the city and from the suburbs. But, 300 people... That's the largest employer in Jo Daviess County and they're threatening to leave, and they're threatening to close down that...threatening to close down that. So, as a matter of fact, the Illinois Tax Federation reported recently, and I quote, 'There's been a shift in the program away from the greatest need. The zone designation process has become primarily demand-driven, as opposed to need-driven.' Ladies and Gentlemen of the House, this is a designation that is need driven. Precedent, my foot! This is something that is needed, and I ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 1105 pass, the Veto of the Governor notwithstanding?' All those in

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favor vote 'aye'; opposed vote 'no'. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. In the event this receives the requisite number of votes, I request a verification."

Speaker McPike: "All right. The Chair would encourage people to vote their own switch. 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 67 'ayes' and 42 'noes' and this Motion, having failed to receive the required Three-Fifths Majority, is hereby declared lost. House Calendar, Supplemental #1. Amendatory Veto Motions, Noncompliance, appears House Bill 2, Mr. Novak. Mr. Novak. Mr. Novak here? House Bill 12, Representative Stern. Grace Mary Stern. House Bill 175, Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to accept the Governor's Amendatory Veto on House Bill 175. What it does is remove everything out of the Bill except for the increase in the burial benefits, so I would now make that Motion."

Speaker McPike: "Yes. Does anyone rise in opposition to the Motion? The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 175?' All in favor vote 'aye'; opposed vote 'no'. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Just to ask the Representatives on this side of the aisle to vote in favor of this. The Governor has made a selective choice, and he supports this Bill, so we ask your favorable vote."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are...On this Motion there are 115 'ayes' and no 'nays' and this Motion having received the required Constitutional Majority, the Motion is adopted, and the House accepts the specific

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recommendations for change. House Bill 175 having received the Constitutional Majority, is hereby declared passed. Representative Hartke, on House Bill 1254."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I move to override the Governor's Veto of House Bill 1254. House Bill 1254 contained three provisions; two the Governor agreed with, the third he totally disagreed with, I think for purely partisan reasons. The first segment deals with surplus funds in the Illinois Beach Marina which he agreed with. The second one was establishing some qualification conditions for firefighters under the Illinois Pension Code...or, the Illinois Pension Law. And the third reason and the reason he objected was, he felt that the Comptroller of the State of Illinois was not competent enough to make some of the things necessary to require city governments to file a fiscal report card. I think the Comptroller of the State of Illinois is indeed qualified and can do that, so I would ask for your support in the override of the Governor's Veto."

Speaker McPike: "Is there any discussion? Mr. Wennlund. Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Representative Hartke, can you explain the suggested changes that were made by the Governor? For some reason I don't have anything in my files."

Hartke: "Representative Wennlund, this is a... one of the Bills put forth by Representative Cowlshaw that required cities to file a fiscal report card, and I would defer to Representative Cowlshaw who is seeking this override."

Wennlund: "The reason then that the Governor Amendatorily vetoed it was to remove another mandate on cities and villages in Illinois?"

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Hartke: "Could I defer that question to Representative Cowlshaw?"

Wennlund: "Sure."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, and thank you, Representative Hartke. There are three sections in this legislation and the first two are totally uncontroversial and I assumed that the third one was also. It is something called a fiscal accountability report card. It simply requires other units of local government that impose property taxes to prepare a very simple report card once a year, just as school districts are already required to do. It doesn't require them to publish it anywhere, it doesn't require them to spend any money, it just requires them to put in to some more understandable form the information about where they get their moneys and where they spend those moneys. Frankly, I think there was some misunderstanding on the part of those who analyzed this for the Governor's Office as to what indeed was really intended and the intention was, in my conversations with the Comptroller, that in fact this would not be a burden of any kind on these local units of government. It would simply be a simplified reporting procedure in order to make clearer to taxpayers where units of local government get their funds and where they spend them. It's a very simple thing, and no, it is not a burden, and I would suggest, because I think there was some misunderstanding involved, certainly not on the part of the Comptroller, that I would suggest that we might want to override this Veto."

Speaker McPike: "And on the Motion, Representative Black."

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

Speaker McPike: "Yes. You want to talk to Representative

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Cowlishaw?"

Black: "No...the Sponsor of this...he's got six or seven or 10 or 12 of these Motions, I just want question him about, that."

Hartke: "Three issues we're talking about Representative Black."

Speaker McPike: "Yes, yes he will yield."

Black: "Representative, you may want to take this out of the record because the underlying Bill, I think, has a problem in a incorrect date on that firefighter pension should be 88, and I think was listed as 78 and maybe if you take this out of the record, we can get something clarified, and because I know you have a fall back position on this anyway. But, I might ask you to take this out of the record, because I think there is an incorrect date in the Bill which is going to mess it up, and we ought to take a look at it."

Hartke: "I don't think that's necessary."

Black: "It's up to you Representative."

Hartke: "Well, let's go with it."

Speaker McPike: "The question is, 'Shall House Bill 1254 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 73 'ayes' and 42 'noes', and this Motion having received the required Three-Fifths Majority is adopted. And this Bill, having received the Three-Fifths Constitutional Majority, is hereby declared passed. The Veto of the Governor notwithstanding. House Bill 2, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we accept the Amendatory Veto changes made by the Governor in House Bill 2. For the record, House Bill 2 extended the veterans' preference hiring for those honorably discharged veterans and spouses that

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(sic—who) have served in the military service subsequent to the Vietnam era which ended December 31st, 1975. The Bill stipulates that the eligibility periods will run through conflicts such as the one that was recently concluded in the Persian Gulf, any future conflicts, and specifically includes peace-time veterans, of course, that were discharged honorably. The other aspect of House Bill 2 was that we enlargen the responsibilities of the 38 or so veterans assistance commissions that operate throughout the State of Illinois and counties that budget dollars to help indigent veterans. We also included peace-time veterans within the purview of their authority so they may assist an indigent veteran should they need that assistance anytime now or in the future. So, I would just like to say for the record, for legislative intent, that I had met with the Governor's legal staff, with the Department of Central Management Services, with the Department of Veterans' Affairs, the various veterans groups that were behind this Bill. We are all in agreement to the Governor's Amendatory Veto language, and I would now move that we accept his changes to House Bill 2."

Speaker McPike: "Question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 2?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 106 'ayes' and no 'nays', and this Motion having received the required Constitutional Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change, and House Bill 2 is hereby declared passed. Page 15 of the Calendar, House Bill 477, Representative McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's specific

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recommendations for change with respect to House Bill 477 as indicated in his Amendatory Veto. The changes as proposed by the Governor basically reduces the moratorium on incinerators of hazardous waste from two years and also eliminates the moratorium as it applies to waste oil as used as a fuel. I support these recommendations, and I urge your support."

Speaker McPike: "Question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 477?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 102 'ayes' and 10 'noes', and this Motion, having received the required Constitutional Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change in House Bill 477, and is hereby declared passed. House Bill 673, Representative Mautino. All right, take this Bill out of the record. House Bill 738, Representative Edley. Motion to override. Page 16 of the Calendar."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I move to override the Governor's Veto of House Bill 738, Amendatory Veto. House Bill 738 would require the state to pay a late interest penalty beginning in July of 1972 (sic-1992) on past-due bills. I think we're all aware of the hundreds of millions of dollars that we still have outstanding owed to hospitals, nursing homes, pharmacists and other state suppliers throughout the state. This Bill would allow the governor and the General Assembly to address this problem, to have the state own up to paying the bills on time and give them until July of '92 to straighten it up. If we aren't, if we still are in the past-due situation, then I think it's time that we be

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honest with our state suppliers and compensate them with an interest penalty if we can't pay our bills on time. I would be...I would ask for a favorable Roll Call on this and would respond to any questions."

Speaker McPike: "The questions is 'Shall House Bill 738 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed vote 'no'. Representative Black."

Black: "Thank you very much, Mr. Speaker. Just to explain my vote. This is a tough vote. The issue doesn't respect party labels or districts or where you live in the state. The issue is whether or not you're going to put your money where your mouth is, and this Bill could cost millions of dollars. Now let's not send out any more false promises to providers. I'd like to go back home and tell my Medicaid providers and my pharmaceutical owners and my doctors that, yes, we are going to pay interest. The fact remains in economic and fiscal put out, the projection today, the money isn't there. So, if you're going to vote for a false promise, then you better vote to raise taxes so the money will be there to pay interest. This is a tough vote. But in a year when we don't have the money, it's silly to tell somebody we're going to do something when we know the money isn't there, and in all likelihood, we won't do it. So, I would suggest we defeat this Motion and accept the Governor's Amendatory Veto."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is not a question of false promises. This is a question of fairness. The issue really is 'Who pays the interest?' Do the thousands of businesses around this state pay the interest because the state government is not doing its job, or does the state government do the fair thing and own up to the fact that we may be putting other

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businesses out of business? People who have worked hard all their lives may be going out of business because of our irresponsible attitude about paying our bills. This legislation is very important because it keeps state government on an honest basis, and I think it's important also because it keeps people working in Illinois rather than having people have to go out of business because the state government isn't paying it's bills on time. This will help state government pay it's bills on time. This is very important for state government to be a responsible financial entity, and it's very important for the businesses who deal with state government to know that they can have state government paying its bills on time."

Speaker McPike: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. Remember that each of these vendors who isn't being paid is doing business with the State of Illinois, and if they say to the Department of Revenue, 'I'm sorry, I can't pay my taxes to you because I don't have the money', what will the Department of Revenue say? They'll say, 'Tough luck, cough it up plus interest.' All we're saying is what's sauce for the goose is sauce for the gander. If on the income side, the State of Illinois says 'If you can't pay it, you must pay interest,' on the expenditure side, if we can't pay our bills, we ought to pay interest. This is only fairness. A green vote is the only vote on this question."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. In the event that this receives the requisite number of votes, I request a verification. But, I would also like to point out to the Members of the House, the State of Illinois doesn't pay its bill now. How is it ever going to pay the interest? And we're talking about millions of dollars. Which programs do

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you want to further cut? I mean, at this time in an economic crisis in this state, it's not the time to be coming up with more programs to pay more interest on money we can't pay the principal on."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the Gentleman's Motion. You know, it's absolutely ridiculous when the state doesn't pay their bills. Certainly by paying interest on that bill, they should never have to pay interest in the first place, we should be paying our bills in a very timely manner. I have hundreds, just like you do, of people who come to me all the time that are not being paid their bills. It's causing problems in the state both for couples, let me tell you I had a couple come to me who are getting a divorce because she couldn't put up with the sense of her husband having to go and borrow on his life insurance to take care of the bills that we weren't paying to them. It's time we realize that we have to live up to our own responsibilities here in this House, and it's time do so. Aye vote for this Bill. It's the right way to go."

Speaker McPike: "Representative Williams."

Williams: "I, too, rise in support of this, because this is an issue that's sort of interesting to me because I wasn't that aware of it early on, but throughout...since we've been out I've had a number of vendors call my office and they say, 'We're about to go under. We cannot pay our bills, and at the same time, on the back end, we have the state bugging us.' So I called the Revenue Department, I said, 'Is there any kind of offset of credit you can give a guy who owes taxes because of the fact that he isn't getting paid by the state?' They told us, 'No way.' They said, 'Who cares about the guy on the other end?' He said,

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'That's his problem,' but on the other side I said, 'Well can't you arrange for him to get paid?' 'No, we can't arrange for him to get paid.' So we can't pay him, but we can close his business when he can't pay us. They say the two don't go together; the two don't make any sense. Well, the reality of it all is, if you want to close down a business in my area for nonpayment of taxes and at the same time refuse to pay him, I think that's wrong. It's nothing but wrong. And I'll say this over and over again, that we should do the right thing and put on that extra vote to make this a reality in Illinois."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, if we think by not paying our bills we are saving state money, we are fooling ourselves. Providers who have to go out and borrow money on the open market are paying higher interest rates than would be required if the state were to borrow the money and pay our debts on time. We ultimately have to absorb those costs to providers through the reimbursement mechanism to them, and so we're fooling ourselves if we say we are not providing the interest rates to these providers. We pay it earlier or later, and I would suggest that better business practices would demand that we pay it earlier and have a great deal more faith in the people of the State of Illinois in state government. I urge another vote to put this Amendatory...this override over the top."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I find it just hard to understand this administration's position that we're going to solve our budget problem by not paying our bills. If a family found itself in that situations, they would either try to get a better paying job and get increased revenues or they would borrow the money. They wouldn't just find

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the solution to be not paying the bills. That's an irresponsible position for a family. It's an utterly irresponsible position for a state government. How we can justify turning our back on hospitals, nursing homes, health care provider, and on vendors of this state in the name of sound fiscal policy is mind boggling. That's irresponsible. We have to start paying our bills and recognize our obligations as being...if we're ever going to hope to be given any creditability in our dealing businesses throughout this state, so I rise in enthusiastic support of this Bill. I think it's important to send a message that we, as state government are going to be responsible, and we're not going to balance our budget by refusing to pay our bills."

Speaker McPike: "Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. This is an important Bill. This Bill is so important. Everyday in our offices, day in and day out, we get calls everyday from pharmacies, hospitals, nursing homes, a hundred thousand here, two hundred thousand there, a million here, two million there. We have to do something that's responsible. What we are doing is balancing our budget on the backs of small businessmen in our district. It's time that we make a difference. It's time we do something in this Assembly to make a difference to small businesses in our district. I urge you for an 'aye' vote."

Speaker McPike: "Mr. Hoffman, did you want to speak again? Mr. Ryder. Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. For those of us who worked on the budget last spring, it wasn't a pleasant task. We called on a lot of folks to take some cuts, and I think it is fair to say that we are asking small business people and providers to the state to take a lot of pain. But let me

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ask those of you that (sic—who) are so quick to suggest that this Bill should be...Veto should be overridden. Where's the money? Because just as surely as the interest that you're asking to be paid would be paid, we would have to cut further, in the social services programs that you want. You cannot have it both ways. So if you're voting in favor of this override, you are voting to cut the very social services that you espouse. For far too long we have had attempts to go both ways on this issue. We cannot afford to do that anymore. We do not have the funds to pay the interest and to pay for the programs."

Speaker McPike: "Representative Olson."

Olson, R.: "Thank you, Mr. Speaker. Several of the previous speakers alluded to the fact that the state wasn't paying its bills to providers, to small businesses, and that is all very true. It's very true, but that's not really germane to this Bill. This Bill says that we're going to automatically pay interest, that's automatically pay interest which they can currently get if they file and ask for it. Now, if we start adding on interest to paying these bills which we're delinquent on, it only makes those bills which remain delinquent in that status for a longer period of time. We're going to be spending more money that we don't have to pay interest to delinquent bills which will delay us in servicing other delinquent bills. We're talking here only about interest, interest, and not about the fact that we're so far behind in paying providers and small businesses. We're just creating another cost to delay those payments. I suggest, I ask that we do not vote to override this Veto."

Speaker McPike: "Mr. Hoffman."

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

Speaker McPike: "Mr. Edley, to close."

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Edley: "Thank you, Mr. Speaker. Well, not only is Illinois rapidly gaining the reputation as the biggest deadbeat in the Midwest, but I think when you look at the party...partisan Roll Call, we know which party is the biggest deadbeat. There are hundreds and hundreds of millions of dollars of unpaid bills. There are phony accounting systems. This budget isn't balanced. We've got hundreds of millions of dollars that aren't being paid, and those on the other side of the aisle are saying, 'We don't have the money to pay the interest.' Well, where are they going to get the money to pay the bill in full if they don't have the money to pay the interest? Where's the proposals on the other side of the aisle? No, what they want to do is stiff-arm every hospital, nursing home, physician, pharmacist and small business in the state and say, 'You go to the bank and borrow at 10, 12, 14% interested. You go to the bank and borrow the money. You miss the payroll. You may go out of business, simply because you're providing services to hundreds and thousands of people who depend on the state for medical care and for other state services.' It's a shame. This is a shameful Roll Call, and I think the word should go out, the Republican Party are comprised of deadbeats. They're stiff-arming people and are unwilling to pay their bills."

Speaker McPike: "Have all voted? Have voted who wish? The Clerk will take the record. I have two people seeking to explain their vote, is that correct? All right, on this Motion, there are 70 'ayes' and 27 'noes'. To explain his vote, the first one with a light on was Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I mean, I can't stand here and let the previous speaker demigod(sic). You know, if you're going to talk about having stuff that is pro-Republican or pro-Democrat,

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or you're going to have legislation that affects the business community, may I respectfully remind my colleagues on the other side of the aisle, that traditionally, day after day, we stay down here and you vote for spending Bills one after another, that you vote for tax increases that hurt the government and...I mean hurt the small businessman, and you have got the gall, the gall to stand there and say on one Roll Call that because we don't have the money to pay the bills that now you're going to say that we're bums? I got news for you, what we're talking about is a process here. A process. Day after day after day, you vote for spending Bills that put this state in bankruptcy, cause you guys vote for those Bills. You don't see Republican votes on it. You got a lot of nerve, a lot of nerve talking about how one Roll Call...what the good or the bad or one party over another. I mean..."

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

Daniels: "Well, I think we all know the subject of the speech. The man had a camera on him during the whole time of that goofy speech and his goofy statements, so I think we could just realize that he does that just for his own publicity. Maybe he'll have a videotape for his home show, so he could watch it at night to watch himself speak, and that's why we hear those kind of ridiculous speeches."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Well, point of order. The Gentleman did not call the Republicans 'bums'. He called them 'deadbeats'."

Speaker McPike: "Is anyone else seeking recognition, to vote 'aye'? On this Motion, there are 70 'ayes' and 27 'noes'. The Chair is going to take the record. On this Motion, there are 70 'ayes' and 27 'noes', and this Motion, having failed to receive the Three-Fifths Constitutional Majority, is hereby declared lost. House Bill 1545 on a Motion,

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Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to waive the posting requirements so House Bill 1545 may be heard before the Rules Committee this afternoon at 4:00. I've checked..."

Speaker McPike: "The Gentleman's Motion has been cleared on both sides. Hearing no objections the Attendance Roll Call will be used, and the Motion carries. House Bill 1340, Representative McCracken. Mr. McCracken, please."

McCracken: "House Bill 1340, I move to accept the Governor's Amendatory Veto. It clarifies that the prohibitions in this Bill do not apply to the...no, I take that back. It cleans up language amending the prohibited office...Public Officers' Prohibited Activities Act to clarify that advisory boards are not exempt. The underlying Bill passed out of here with 1 'present' vote and merely makes clear the fact that where professional services of a particular nature are governed by law other than the bid-rigging statute that other prohibition or other law applies. I move that we accept the Amendatory Veto."

Speaker McPike: "And the Motion, Representative Preston."

Preston: "Mr. Speaker, has the Gentleman cleared this Motion with his side of the aisle?"

Speaker McPike: "Mr. McCracken."

McCracken: "I'm trying to sneak it through."

Speaker McPike: "Representative Homer. Mr. Homer."

Homer: "Mr. Speaker, I would like to ask the Sponsor if he would take the Bill out of the record. The reason...he's nodding yes...so we'll take it out of the record."

Speaker McPike: "All right, the Bill is out of the record. Mr. Kirkland, House Bill 1843. Mr. Kirkland here?"

Kirkland: "Thank you..."

Speaker McPike: "You want to take this out of the record? Out of

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the record? Okay, out of the record. Ms. Hasara.
Representative Hasara, on House Bill 2177."

Hasara: "Thank you, Mr. Speaker. I move to accept the Amendatory Veto on House Bill 2177. The Bill enables disabled people to have a better chance at getting state jobs. Some of the disabled members of the Humans Rights Commission came to me concerned about the definition of the word disabled in the Bill, and so I worked with them and the Governor's Office to Amendatorily Veto, to make it better."

Speaker McPike: "And on that Motion Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House. I would ask Members and, particularly Members on this side of the aisle to vote 'present' on this issue because...First of all, I, in a sense, want to commend Governor Edgar. I don't think he used the Amendatory Veto process as much as Governor Thompson did and the Governor Thompson abuse of the Amendatory Veto process led us to try to use the recommendation of the Rules Committee where we feel that the Governor has violated a constitution (sic-constitutional) authority. I believe in House Bill 2177 Governor Edgar has violated the Constitutional intent that it be...strictly for technical reasons. The Bill contains a definition of disability which was taken from the federal Americans with Disabilities Act and the Governor...changed that statutory definition of disability included in the Bill and in search and lieu thereof the authority for a state agency to develop a definition of disability. This, I believe, is in contravention of the intent of the Amendatory Veto language and, therefore, I would urge Members to vote 'present' on this Motion."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I would just simply rise to a point...I'm not going to get into a argument with

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my esteemed colleague on the noncompliance but, you know, in an effort to move the process along, we have moved two Bills out of here with out one word of opposition from us, one peep from us, that we're on noncompliance that had Democrat Sponsors. And you moved both of them out of here, I think, on a unanimous vote. Now, if you have a objection the Lady's Bill of a nature that you need to object to, fine. But, you know, I was under the impression we were unless there was an underlying problem with the Bill we weren't going to get into these hassles on the noncompliance Amendatory Veto. We didn't say one word about two of your Bills. We'd simply like a little reciprocity. If there's a problem with the Bill, let's talk about it. But let's not derail her Bill when we didn't do one thing to disrupt the process on noncompliance with two of your Bills. A little fairness is all we ask."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I totally agree with Representative Matijevech. The process of the Amendatory Veto is for minor changes in the Bill. This Governor and, I might add, the previous Governor before him...felt it necessary to make wholesale changes, completely change the text, completely change the import of particular Bills, and so he does with this by changing the entire definition, of the word disability. When you do that you change the reason for the Bill, the meaning of the Bill. You include or exclude certain individuals by changing the definition, thus changing the the...goal of the Bill. Now whether the Sponsor agrees with this or not, the fact is that the integrity of the General Assembly, the integrity of Bills pursuant to the Amendatory Veto process through the Constitution, requires that we demand that the Governor adhere to what...what we

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would call reasonable principles on how to use the Amendatory Veto. He has not done this here and I would urge all Members of the Democratic side of the aisle to vote 'no' or 'present'."

Speaker McPike: "Representative Matijeich, for what reason do you arise?"

Matijeich: "Only in response because Representative Black referred to my judgment. Representative Black, I speak when I want to and I got up and I spoke. I would say if you think I'm doing anything that is opposed to the Sponsor of this Bill, let me tell you if she went for complete override, I would support that Motion. I would support her Bill as introduced. I thought she had a good Bill. She used the definition in the Americans Disabilities Act. I think that's right. By changing that definition, I believe the Governor's abused his Amendatory Veto process. Let me tell you further Representative Black, if it were me only, and not the Rules Committee, I would be opposed to what the Governor using the Amendatory Veto process in entirety, in entirety unless there was some language change. That's the way I personally feel, but if she would change her Motion to total override, I'm with her."

Speaker McPike: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Since when is it a good idea in state law to link definitions in our laws for the purposes of our state government administration with federal Acts which can change at any time without our control? What the Governor has done in this Amendatory Veto is simply to say, rather than referring to some federal Act passed in Washington D.C., subject to potential Amendment in Washington D.C., we should have our own definition for this purpose that is drawn with this Act in mind. We do that all the time; nothing could be more normal or routine in

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Illinois government. In fact, the idea of linking this definition to a federal Act and referring to the federal Act instead of writing our own definition for purposes of state administration is far more foreign to our process or to good sense. The Lady's Bill should be supported but is should be supported with the Governor's Amendatory Veto. That Amendment strengthens the Bill, is certainly not of great substantive difference but makes much more sense than passing the Bill in its original form, and I would urge adoption of the Lady's Amendment or the Lady's Motion so that everyone in Illinois can know what definition we're really talking about and not have to go to a federal Act in order to administer an Illinois law. Thank you."

Speaker McPike: "Representative Hasara, to close."

Hasara: "Thank you, Mr. Speaker. I would like to explain what I think is going on here, and I'd like for the Body to know that I am the one who went to the Governor and asked him to make this change, and I did so because, as most of you know, I represent in many cases the disabled community and Saul Morris, in particular, who many of you know and respect, came to me at end of Session and felt that this was not a good definition to use to accomplish what we want to accomplish in this Bill and that is to assist disabled people in being able to get state jobs. So with the help of Saul and several of the other members of the Human Rights Commission who also represent the disabled community, we asked the Governor to make this change, in order to make the Bill better. I resent using the disabled community of the State of Illinois as the scape goat for the gubernatorial noncompliance. Please pick another Bill and another group of people if you want to get your point about the Governor's authority to amend a Bill. Don't use them to fight this political battle. If this is not

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accepted, it means the Bill goes down the tube and I will...we will still have difficulty trying to find jobs for people in wheelchairs in this state. I ask you to vote to accept this Amendatory Veto which the Governor did not initiate. I initiated myself on behalf of the disabled community."

Speaker McPike: "The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 2177?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker. I'm glad to see this move on because I know a number of people who are disabled that have been in a position where they've been not able to seek employment because of particular guidelines and regulations. I think this will help address that because these are dedicated, committed people that are very loyal and will do a excellent job, and I think the Sponsor of this Bill did an excellent job in presenting it. Thank you."

Speaker McPike: "Mr. Homer, to explain his vote."

Homer: "Thank you, Mr. Speaker. I'm voting 'yes' on the Motion although I'm going to support...the initiative of the speaker to ordinarily to object to acceptance of Amendatory Vetoes that exceed the Governor's bounds. I respectfully disagree on this particular Bill with the Rules Committee determination that this Bill is in noncompliance. I think the Governor's action here is within the purview of the rule and the Constitution and that all that he did was...change the definition of disability so as to make sure the net was not unduly widened so that the affirmative action, hiring goals for disabled would be targeted toward those who are traditionally discriminated against because

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of their disability or handicap. So I'm going to break ranks and vote 'yes' on this particular Bill, but reserve my right to vote against other noncompliance Motions."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, I had no intent to use the Disability Act. I'm going to ask Members on this side to change their vote to 'aye'. I had no intent to use the disabled in what somebody might say a political matter and change and vote 'aye' on this matter. But I do want to say, because I know the Governor's people always listen, that he did a fair job with the Amendatory Veto process, and we don't like to see too many veer off, and I recognize that we did it on a couple other Bills. I didn't like that to tell you the truth, but hopefully in the future, that we're not opening the door no matter who it is because there are other ways rather than the Amendatory Veto. We don't want the Governor's Office to be used as the Third House. Every Legislator ought to be for that, not using the Governor's Office for a Third House. We are the legislative process, not the Governor's Office. That's what I stand for."

Speaker McPike: "Representative Trotter votes 'aye'. Someone took Representative Trotter's key out of his switch. Mr. Doorman, if you can find Mr. Trotter's key, please return it to him. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 118 'ayes' and no 'nays'. This Motion, having received the required Constitutional Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change, and House Bill 2177 is hereby declared passed. Mr. Hicks, on House Bill 2366."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2366, I would move to override the Governor on this Bill. The Bill amends the Code of Civil

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Procedure, and requirements of the state to provide specific information in regards to eminent domain cases and specific information to those property owners. Be happy to try to answer any questions on it."

Speaker McPike: "And on the Motion, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in support of the Motion...the changes that were made were not appropriate, and I would support Mr. Hicks in this Motion."

Speaker McPike: "Mr. Black. Mr. Wennlund."

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

Speaker McPike: "Sure."

Wennlund: "Could you tell the Members of the House what changes that the Governor did make that were offensive to the purposes of the original Bill?"

Hicks: "Yes, I'd be happy to do that, Mr. Wennlund. Specifically, there were four recommendations the Governor made. One that deleted the requirement of state employees advising property owners, and he wants to also allow outside agencies to be able to do that on a contracted of basis, which I don't personally have much problem with that specific change. But I do have with the other three. One requires that the 60-day notice to property owners be changed from 60 days to 10 days notice prior to filing condemnations acts in court. It also allows the agency to provide merely a summary for the amount of compensation to property owners, rather than providing the entire basis for which that compensation was to be received. Also, required information be provided to the property owner when an agency first offers to purchase that property rather than the time of initial contact. Those are the three I basically have problems with, Representative. I would rather see it stay as current in the current Bill."

Wennlund: "Well, the public utilities are required to give, I

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believe it's 15 days notice instead of an inordinate amount of time of 60 days, so this more closely...the changes that the Governor made more closely parallel those with respect to public utilities using powers of eminent domain, instead of the unduly long 60-day period."

Hicks: "Representative, I don't think 60 days, if somebody's going to condemn my property and take possession of it, is too much time to ask."

Wennlund: "Thank you."

Speaker McPike: "The question is, 'Shall the...Shall House Bill 2366 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed vote 'no'. 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', and this Motion, having received the required Three-Fifths Majority, the Motion is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Returning to Total Veto Motions, Mr. DeLeo. House Bill 1230, Representative DeJaegher."

DeJaegher: "Thank you, Mr. Chairman, Members of the General Assembly. House Bill 1230 is a drug-related Bill, and when I say drug related, I don't mean cocaine, crack, and stuff like that. What I'm talking about is alcoholic abuse. This...What I am attempting to do affects many families. Perhaps many of you are grandparents, and you realize there are problems. What this does is basically put a counseling service intact for children from 3 to 6 years of age. It goes without saying that alcohol can be just as decisive as any drug there is on the current market today. It's a chronic (sic-crying) shame when we don't listen to children, their pleas and their concerns. This is getting to be quite prominent (sic-prevalent). It goes without saying that basically what this program is, is just a pilot

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program. This program would sunset in 1993 if the results were not positive, and there's a possibility even if they are positive at that particular time that we could not continue on this program. This is basically what the extent of the Bill. Let me make one observation also. In the Governor's Veto message, he addressed himself to the fact that I did not ask for an appropriation of \$38,000. The reason I did not ask for an appropriation of \$38,000 was DASA. DASA informed me that currently, in their present budget, they had enough money to fund this particular program. It's important that we address ourselves not only to the hard stuff, but also to the substance abuse which is alcohol. I feel that this program has merit. It's been successful in the State of Minnesota. We're talking about children...children that can't receive counseling from their own parents because they're in a stupor. Children that basically have a difficult time coping with the situation because the love of their parents is lost, because they've went (sic-gone) to the bottle. It's important that we give these children consideration, and it goes without saying that the best way that we can help a child as at their early age. So for these reasons, hopefully, you will support me in this particular endeavor to override the Governor. Thank you."

Speaker McPike: "And on the Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There is currently underway a model comprehensive prevention program for high-risk youth in Rock Island County, in the Rock Island elementary schools, and the Governor vetoed this because another model program in the same locality, at this particular point in time, is simply not needed. So wait and see what the results of this model comprehensive program derive in Rock Island County appears

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to be the best way to go. And the only way this Bill can be implemented is with funds that are specifically appropriated for this purpose, and there was no such appropriation made...and so the enactment of this law would create an unfunded mandate and the expectations and pressure for future funding. So the money is specifically not there. In order to implement the program, there would have to be a separate appropriation to fund it, and there has been no such separate appropriation. So the position of DASA is, is that there would have to be another appropriation to follow it up. And this is the reason the Governor vetoed the Bill, and to send an unmandated, unfunded program to the same area and locality without any dollars to it simply is not fair to that area. And that's why the Governor vetoed it, and that's why the appropriate vote is 'no'."

Speaker McPike: "Mr. DeJaegher, to close."

DeJaegher: "Mr. Speaker, it's quite possible that Representative Wennlund did not understand what I said to him. The reason the appropriation wasn't asked for is that the the Director of DASA informed me explicitly that there was enough money to implement the program, which was \$38,000. I have proof that basically this determination was made. Secondly, the program that Representative Wennlund made reference to is not identical to what I have said. And thirdly, this program was instituted and asked for by the Lutheran Social Services Agencies, and they're the ones that basically made me aware of this legislation and that we should get consideration, because basically this thing is getting to be widespread."

Speaker McPike: "The question is, 'Shall House Bill 1230 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have

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all voted who wish? The Clerk will take the record. On this Motion, there are 71 'ayes' and 44 'noes', and this Motion, having received the required Three-Fifths Majority, is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Mr. DeLeo. Representative Marinaro, House Bill 1537. Mr. Marinaro. Mr. Saltsman. Don Saltsman. Mr. Hannig. Gary Hannig. Mr. Steczo. Mr. Steczo. Mr. Edley. All right, House Bill 1432, Representative Munizzi. I'm sorry, it's Mr. DeLeo's Bill."

DeLeo: "Thank you, Mr. Speaker. I move to, at this time to override the Total Veto and ask for a favorable Roll Call."

Speaker McPike: "Question is 'Shall House Bill 1432 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed vote 'no'. Mr. Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker. This is another of a half a dozen Bills that are unfunded. It's simply a false promise. The Department of Professional Regulation is laying people off. Should it get the requisite number of votes, I will request a verification."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 75 'ayes' and 38 'noes'. Mr. Black, it looks like it has the necessary votes. Let it go? All right. This Bill, having received the required Three-Fifths Majority, the Motion is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Mr. Saltsman. Mr. Hanning. Mr. Steczo. Mr. Edley. Mr. Mautino. Mr. McGann. House Bill 2162, Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I move to override the Veto of the Governor on House Bill 2162. House Bill 2162 amends the Act on Aging to treat

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home-delivered meals for the elderly as a necessary preventive service. The department had treated this by administrative rule, and then we brought about this legislation. The Department of Aging had no problem with it whatsoever. It passed out of the House by 103 to 1, out of the Senate 59 to nothing. The Senate on yesterday overrode the Senate version of this Bill. I believe there was a gross misunderstanding on the part of those that were preparing this legislation for the Governor. This is only asking that those monies that had been dedicated will be spent accordingly, and these moneys were dedicated for these meals which take care of the needy and that are people that (sic—who) are in their homes, and most of them are very elderly. So, what we're doing here is codifying the money to be spent as appropriated, and I ask for full cooperation of the Assembly in overriding House Bill 2162's Veto."

Speaker McPike: "And on this Motion, Repres...Does anyone stand in opposition or support the Motion? Ms. Cowlshaw, you in support of the Motion? In support of the Motion or in opposition to the Motion?"

Cowlshaw: "Mr. Speaker, I am rising to ask a favor for the record in relation to the vote on the prior Bill."

Speaker McPike: "Oh, certainly. Proceed."

Cowlshaw: "Thank you very much, Mr. Speaker. On the override Motion on House Bill 1432, I wanted to vote 'yes' for that, and I was busy looking the...I touched the wrong button and didn't realize I had voted 'no'. Would the record please reflect that that was an error, and I should have voted 'yes' on the override Motion on House Bill 1432. Thank you, Mr. Speaker."

Speaker McPike: "Yes. The record will reflect that. All right, and now on this Motion, Mr. Hultgren are you rising on this

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Motion? On this Motion? All right, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I rise in support of the Motion to override the Governor's Veto. In vetoing this measure, the Governor went against the recommendations of the Department on Aging, which said that this was a revenue-neutral proposal and had taken a neutral position on the legislation. There is no question that home-delivered meals, even in the short term, is a cost effective measure for the State of Illinois. If we do not provide home-delivered meals to the elderly, they will end up in nursing homes at a cost of about \$12,000 per year for the state if they go on Medicaid. This will prevent people from going into nursing homes, and I urge all of you to override this inappropriate Veto."

Speaker McPike: "All right, on the Motion...on the Gentleman's Motions, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If there was ever a vote that has motherhood, the flag and apple pie wrapped up all in one, it's this one. But I think there's (sic-there're) a couple of cogent facts that need to be brought into the debate. The effect of this Bill is to make the delivery of home-delivered meals an entitlement, which means that the number of meals delivered is not limited by the appropriation, but rather by the demand for the services. Now, you should know that currently, in the budget as approved, we have \$1.8 million in GRF for home-delivered meals, and we have \$3.8 million in federal funds for the same program. A total of \$5.6 million that has been appropriated and approved for home-delivered meals. But, and I would concede, the demand for meals exceeds the amount of that appropriation, and, in fact, if we were to override this Veto, if this were to

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become an entitlement, and if we had to meet the entire demand, it would cost another \$2.3 million. So that's the cost of this, \$2.3 million. If this override fails, there still will be home-delivered meals in Illinois...\$5.6 million worth of home-delivered meals in Illinois. The issue is whether we will limit the delivery of that service by our appropriation process or whether we'll allow the demand to drive that program. Let me suggest to you that in a time when we struggled to balance the budget in the months of May and June, and indeed, 18 days in July, that this may not be the most prudent step that we can take. Thank you, Mr. Speaker."

Speaker McPike: "Mr. Black."

Black: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. I don't think I can add anything more eloquently than the spokesman of the committee, Representative Hultgren, has already done. I would just simply ask each of you in this chamber to stop and think what you are doing. If you mandate this service as an entitlement, you are then driving this program by demand and not dollars. You will have no choice but to find the dollars. That means you have to take those dollars away from someone else, some other program, education, social services, whatever the case may be. It's easy to sit here and say it's a good idea. It probably is, but you are making this an entitlement available to everyone in the state who demands it at the appropriate age level regardless of income or resources. An entitlement, which I doubt seriously you will find the dollars for in the next fiscal year. Meals on wheels is whole this fiscal year. It is working. Hopefully, it will work again next year, but I don't know if we can say that if you persist in making this an entitlement program. Stop and think what

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you're doing. The dollars may not be there to make it an entitlement. I would suggest a 'no' or a 'present' vote is the vote you need to make if you have a conscience and are serious about what you're sent down here to do."

Speaker McPike: "Representative McGann, to close."

McGann: "Thank you Mr. Speaker, Members of the Assembly. It's unfortunate that the two previous speakers that spoke in opposition are not...have not been made...have not had the facts made available to them. Surely the Department of Aging would not make out...issue statements that would hurt their (sic-its) budget or hurt their (sic-its) operation in any fiscal year. Under the existing entitlement program for home-delivered meals, what will occur by this legislation is that where we are paying \$7.10 for unit of chore service, people going into the homes and making the preparation of these meals provided for these individuals, they can be home-delivered for \$3.53. Those are the facts. That is the issue. The department said that there would be no additional cost because of the savings that will be had from here. They can serve more and take care of the obligation to those individuals. Though we're not speaking of any kind of havoc with the budget, because these are existing dollars. I urge an 'aye' vote to override this Veto."

Speaker McPike: "Question is, 'Shall House Bill 2162 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Laurino is voting 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 73 'ayes' and 14 'noes', and this Motion, having received the required Three-Fifths Majority is adopted, and the Bill is hereby declared passed, the Veto of the Governor notwithstanding."

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All right, returning to Amendatory Veto Motions, for Representative Santiago, appears on Page 14, House Bill 1699."

Santiago: "Thank you, Mr. Speaker. I move to accept the Amendatory Veto to House Bill 1699. What this Bill does...This is an insurance code. It's in relation to the insurance code subordinated indebtedness. The Governor...what the Governor did was to add amendatory language stating that an insurance company which renegotiates the interest rate on an existing loan to the new...to the new one, the lower rate authorized by this Bill must obtain the approval of the Director of Insurance. So, I move to accept the Governor's Amendatory Veto."

Speaker McPike: "All right, does anyone stand in opposition? There being no opposition, the question is 'Shall the House accept the specific recommendations for change with respect to House Bill 1699?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes' and no 'nays', and this Motion, having received the required Constitutional Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change, and House Bill 1699, having received a Constitutional Majority, is hereby declared passed. I think you were too late on that one. I already declared it passed. We're on the next Bill would be House Bill 1700. Let the record reflect that Representative Monique Davis would have voted 'aye' on House Bill 1699. Mr. Santiago."

Santiago: "Thank you, Mr. Speaker. This is also an insurance code Bill. What we do is...here is add Article 32(a) to the insurance code, premium finance regulation to govern the life insurance and the operation of premium finance

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company. What the Governor did was, the Governor didn't make any significant substantive change to the Bill. There are no other technical changes, so I move to accept the Governor's recommendations."

Speaker McPike: "All right, there being no opposition to the Motion, the question is 'Shall the House accept the specific recommendations for change with respect to House Bill 1700?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 113 'ayes'; no 'nays', and this Motion, having received the required Constitutional Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change, in House Bill 1700 is hereby declared passed. Now returning to Total Veto Motions, Mr. Jesse White. House Bill 2293. Out of the record? Representative John Dunn. Mr. Dunn. Mr. Edley. Mr. Mautino. Mr. Morrow. Charles Morrow. House Bill 2451. Out of the record. Representative Walsh. Representative Woolard. Representative Giorgi, on House Bill 2476."

Giorgi: "Mr. Speaker, in all the years I've been in the General Assembly, I don't very often apologize, but I really want to apologize for calling this Veto Message to attention of the General Assembly. This Bill has to do with what's happened to many of us when we post bond or bail for a defendant. All my Bill says was that the bail forms indicate that the bail posted by a person other than the accused, may be used to pay costs, attorney fees, fines, and so on. That's all the Bill does, and I'd like to restore it to its original form, and I'd like to have you support me in it, and I apologize for taking the time of the House."

Speaker McPike: "The question is, 'Shall House Bill 2476 pass,

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the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed vote 'no'. Mr. Black to explain his vote."

Black: "Thank you very much, Mr. Speaker. I would like to have asked the Gentleman a question. I...I'll try that. It doesn't appear that the Bill really does anything. It changes one sentence, two or three words, I'm not sure it's necessary."

Speaker McPike: "Mr. Giorgi. Mr. Giorgi."

Giorgi: "Bill, the original Bill only covers what the...the defendant's bail. This is if a guy like you and I puts the bail up."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 80...92...93 'ayes'. On this Motion there are 92 'ayes' and 23 'noes'. This Motion, having received the required Three-Fifths Majority, is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Mr. Phelps. Mr. Curran. Representative Stern. Marinaro. Representative Kirkland, on a Motion."

Kirkland: "Thank you, Mr. Speaker. I move to take from the table Senate Bill 389 and have it placed on the Interim Study Calendar. It's in the Housing Committee at this point, and Chairman Turner and Spokesman Doederlein are agreed to this Motion."

Speaker McPike: "All right, you've heard the Gentleman's Motion. Are there any objections? Hearing none, the Attendance Roll Call will be used, and the Motion carries. Representative Giorgi. Mr. Preston, you have another Motion, I believe, on 583. Did you want to call that? Representative Preston."

Preston: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I...Mr. Speaker, if you could correct the board to

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reflect House Bill 583 on a Veto Motion to override. Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I move to override the Governor's Veto of House Bill 583, which passed with great support in both the House and the Senate. What this Bill does is to require the placing when it's in the best interest of the child, to place children who are put in foster care...siblings, brothers and sisters, who are put in foster care when it is feasible and when it is in the best interest of the child to place those children together in a single foster household rather than separating these children that have been taken away from their parents because of abuse or neglect and put in a foster care environment. Secondly, the Bill requires, again, only with the discretion that it's in the best interest of the child, when children have to be split up, when siblings, brothers and sisters have to be split up when they're placed in foster care, that they be permitted to see each other, or as a minimum, to call each other on a bi-weekly basis. This is the only way in which any family connection can be kept. Now it is not any longer a mandate to the extent that this must be done, only when it is in the best interest of the child. This meets some objections that were raised about when perhaps it is not, for various reasons, is the best interest of the child. But view the situation. Two children, maybe your own children, God forbid, are removed from the household for any one of a variety of reasons because maybe both parents are no longer alive and these children are put into foster care and right now a brother could be put into one foster care household, a sister in a second foster care household, and, under existing law and existing provisions, they may indeed not even be able to call one another or see one another for a period of years. Think of that. Think of how these

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children have become now, a second time, a traumatized victim of our system that is supposedly looking out for their best interest. This Bill simply says when it's in the best interest of the child, brothers will be put together with brothers in a single foster care family, or if that cannot be reasonably done, that they at least be permitted to call one another to keep that minimal family contact or to see one another every couple of weeks to keep that semblance of family together. Again, you voted for this when it came up. The Senate passed it. I urge you to vote to override the Governor's Veto of this very good Bill."

Speaker McPike: "Does anyone rise in opposition to this? Oh yes, Mr. Black is rising in..."

Black: "Thank you very much, Mr. Speaker. I know that that surprises you, but I do rise reluctantly in opposition to the Gentleman's Motion. I think the Governor's Veto Motion on this Bill is succinct and to the point. And let me just summarize it for you. The department is often forced to separate siblings due to a limited supply of foster homes. This Bill will do nothing to increase the supply of those homes. There is no statutory language or case call to define what evidence is needed to justify placing a child in some other setting than with relatives. This leaves the department with no criteria to follow. Lastly, last and most perhaps importantly, negotiations are ongoing trying to settle this matter in a court case, Aristotle versus Suter, and those negotiations are ongoing and a consent decree is accepted. The Sponsor of this total override said you voted for it, 66 of you voted for it. But I would suggest that the Governor's Veto message is succinct and to the point. You need to uphold the Governor's Veto message, and, Mr. Speaker, should this get the requisite number of

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votes for passage, I will request a verification."

Speaker McPike: "Mr. Preston, to close."

Preston: "Thank you, Mr. Speaker. If there could be some order, Mr. Speaker, cause this is not a frivolous measure, it only deals with the most deprived children in our society. I hope the Members of this Body are aware of what this..."

Speaker McPike: "Mr. Preston. Mr. Preston, let me get order please."

Preston: "Outstanding. Outstanding job, Mr. Speaker, as always. Thank you."

Speaker McPike: "Proceed."

Preston: "Mr. Speaker and Ladies and Gentlemen of the House, I hope the Members on both sides of the aisle understand what this Bill does, so when you vote should you vote not to override this Veto, what you are simply doing is saying that it is perfectly all right with you when a child has been so abused, so neglected, that children in a single family are removed from the household because things are so bad that the court has said this family...these children, must be removed, you are saying not only, if you don't vote for this, you're saying not only is it okay to remove these children but it's okay and certainly okay with our Department of Children and Family Services that these children not be permitted to call one another or to ever visit one another. So not only are they removed from their mothers and fathers because of neglectful, abusive situation, but they are also told by us, the ones who are supposed to protect us, our Department of Children and Family Services, that is supposed to protect these children want you to say that they can't even talk to each other on the damned telephone. Think of that. They can't even talk to a brother or a sister on the telephone. That's all this Bill is saying. Allow them to talk to one another so they

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know that their brother is alive or their sister is alive. And we have our brilliant, hard working, dependable Department of Children and Family Services working the floor to say 'no', once we take a brother away from a brother they should not be able to ever see one another, we should not provide for them even to talk to one another on the damned telephone. Every single organization is looking for the welfare of children as DCFS is walking around and whispering what you should say against this Bill as if there's no definition of what's in the best interest of children. Well, I'll define it for you. It's in damned good interest for a child to be able to talk to a brother and sister when the rest of their family has been taken away. That's all this Bill does. It requires a phone call, Ladies and Gentlemen. A stinking phone call from a brother to a brother or a brother to a sister when they've been put in foster care. Or maybe visitation, maybe visitation once every couple of weeks. If you don't vote for this, don't tell me that you care about children and don't tell me that this wonderful department that abuses kids cares about children."

Speaker McPike: "The question is, 'Shall House Bill 583 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Mr. Regan, to explain his vote."

Regan: "Thank you, Mr. Speaker and Members of the House. DCFS has a terrible, terrible job to do. They place siblings together wherever possible, they put siblings together. But when it's not possible, what do you want them to do with these kids? You have to give them some liberality in what they do in their judgments, and they are allowed to speak on the phone to each other if they have to be separated. Where this idea came from, I don't understand.

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DCFS has convinced me that certainly communication between siblings, until they can be placed back together again (sic - is) acceptable."

Speaker McPike: "Mr. Wolf. Mr. Richmond, two seats in front of you. Mr. Preston, to explain his vote. Representative Currie, did you want to explain your vote?"

Currie: "Thank you, Mr. Speaker and Members of the House. It really is hard to understand the Governor's Veto of a Bill that requires little more than fair play from the Department of Children and Family Services when they are in charge of children in the foster care program. Even the Governor's Veto message doesn't talk about inordinate costs. The only concern the Governor reflects is the concern that we don't have enough places to put children in foster care. The lack of those placements should not mean that children can't see their sisters and brothers while we wait to sort out that problem. The issue here is not a cost issue, it's only an issue about how we think our children, Illinois children, should be reared, should be brought up. When the state is in charge, that's no excuse for meaning that the children cannot connect with one another. The studies show us the children who are denied that opportunity are the children who do not grow up well and happily and healthily. The cost of a phone call is not going to break this State Treasury, not going to break the bank of the State of Illinois. We're talking about the most simple, the most courteous, the most civil kind of requirement that should be applied to the youngsters that (sic - who) are our special charges. The youngsters that for no fault of their own, for no reason of their own, find themselves in our care instead of in the care of their own families. I can't understand how there can be fewer than 115 votes on this override measure. I think there was a

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misunderstanding in the Governor's Office and on the part of the Department of Children and Family Services. The idea that our state agency, in charge of children, should recommend a Veto to the Governor of a Bill that only says 'let's treat our children with a minimum amount of civility,' is appalling. I can't think there isn't an individual on this floor who's not had complaints from people about the way the Department of Children and Family Services does its business. There isn't a single colleague who has not had complaints brought to him or her by constituents who are concerned with what the department does or doesn't do. This is a simple, straightforward, inexpensive, cost effective proposition. For the people on this floor to say no, the department should not encourage telephone calls and communications among siblings, among children and their families while they are in foster placement, while they're awaiting foster placement, makes no sense at all. The only respectable vote is a 'yes' vote."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Speaker, Ladies and Gentlemen of the House, I'd like to explain my vote. I know that many of you are voting based on what somebody from DCFS is asking you to do on the floor of the House. And think about that. If there's any one agency that we've received more complaints about, other than DCCA, it's the Department of Children and Family Services. Our main concern is, what is the best interest of children? That ought to be our main concern. And we ought to place in the courts what is in the best interest of the children. That is what this Bill does. It places that in the hands of the court and then when the court believes that it is not in the best interest of the children, where they should be separated, then that they at

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least twice a month be able to communicate with each other. I don't know how that can be other than the best interest of children. Think about...you know, the old saying always is, 'Put yourself in the other person's shoes.' Put yourself in the place of children. Put yourself in the place of a brother and sister. Put yourself in the place of a brother and sister who may be separated and can't speak to one another. I don't think that is in the best interest of the children. I would urge an 'aye' vote on this matter. Forget for a moment that somebody from DCFS asked you to vote this way. Vote the way you think is in the best interest of children, and I urge an 'aye' vote."

Speaker McPike: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker. I rise in support of this Gentleman's Motion to override the Veto for the simple reason that I don't think children need to be traumatized who have already been traumatized. If something happens in a family and children are being removed...I don't think they know what this Bill is all about. And what it's saying is, because of the lack of number of foster homes, sometimes children have to be split up. Brothers and sisters are parted, not because there is anything wrong with their association, but because there's a lack of foster homes that will take large numbers of children. So maybe one family will take three of the children and another family is taking two. And it is definitely harmful for those children to be separated also from their siblings and not given the opportunity to at least speak to them on occasion. I really...It's no cost to the state for them to do that, and I think it's cruel and humane (sic- inhumane) not to let that happen. Think of yourselves as parents or grandparents and if something were to happen and you were totally incapacitated, no family member available to take

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your children or your grandchildren, do you want them not to be able to even speak to each other? Because Ms. Jones, her home will only accommodate four children but you have six. Are we saying that those four and two should never talk to each other just because of some circumstances that adults have created? I certainly urge an 'aye' vote on this piece of legislation."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. Every once in awhile I am able to hark back to an experience that took place 40 years ago when I took a foster child, then 7. That young man...Well, I guess he's a middleaged man now, he's 47 years old now, and he has lost contact with his sister and two brothers who were dear to him once, but he does not know where they are and although, to tell you the truth, we haven't discussed this between us recently, I know that this was a real heartache for him years ago. He lost his mother, he lost his father, by virtue of their poor parenting. He lived with us for the years up until he was through college but he never again spoke to his one sister and two brothers. Passage of this Bill will prevent that kind of tragedy. It may not seem like a tragedy to you, but it is a tragedy to him to this day. I would urge you to reconsider your 'present' vote or your red vote and prevent that kind of thing from happening in 1991."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. To explain my vote it's necessary to make an inquiry of the Chair. I don't remember a Roll Call being held open this long since the gas tax vote in 1989. The Roll Call's been held open..."

Speaker McPike: "All right. Yes, you're right, Mr. Wennlund. Cut Mr. Wennlund off. Mr. Preston. We've had a lot of people to want to explain their vote and the Chair's been

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recognizing them. If people would stop putting their lights on, we could bring it to a close. Mr. Preston wants to explain his vote."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't want to explain my vote any further 'cause I spoke in debate."

Speaker McPike: "No. You spoke in debate, but... No, you didn't explain your vote."

Preston: "All right, Mr. Speaker, thank you."

Speaker McPike: "He did not. I asked him. I asked him earlier if he wanted to explain his vote and he said no, he didn't. No, he didn't. He did not explain his vote yet, did you?"

Preston: "I didn't yet. I would like to now though, Mr. Speaker. Thank you for your courtesy."

Speaker McPike: "Yes, Proceed. All right."

Preston: "Mr. Speaker, the Governor's Veto message also points out that the subject matter of this Bill, the ability of siblings to contact one another or even to call one another, is a subject of another federal law suit. Aristotle P. versus Johnson, and he cites that...the Governor cites that in his Veto message as among the reasons, the very few reasons, that he thought that this should be vetoed. However, the Cook County Public Guardian, Patrick Murphy, has indicated that under the negotiations on this lawsuit, the matter of communications between siblings is not even under consideration. So, the Governor, the reason he gave, simply doesn't exist for vetoing this Bill. To not permit children...and again if they were your children, to simply call one another if they had to be put into a foster home, separate foster homes, is really unconscionable. I would urge that you wouldn't want that for your children. If you have grandchildren you wouldn't want them to be treated in that manner, and

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really, with the Department of Children and Family Services working against the override of this Veto, it is simply disgraceful. It's a disgrace for our own department that is called on to oversee the well being of children. I urge you to reconsider those yellow and red votes. Those orange and red votes."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion there are 68 'ayes' and 12 'noes' and this Motion, having failed to receive the required Three-Fifths Majority, is hereby declared lost. John Dunn, on House Bill 2329."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2329 is the legislation to create the Dietetic and Nutrition Services Practices Act. This legislation is supported by many, many groups around the state, including the American Dietetic Association of Chicago, the American Diabetes Association of Northern Illinois, the American Diabetes Association of Downstate, the American Heart Association of Chicago, the American Heart Association of Illinois, the American Society for Hospital Food Service Administrators, Central Illinois Society for Parental and Arterial Nutrition, Chicago Home Health Services Incorporated, Diabetes Educators of Chicago Area, Diversey Clinic of Chicago, DuPage Senior Citizens Council, DuPage County Council of Area Agencies on Agency. That was on Aging, pardon me. Five Hospital Homebound Elderly Program of Chicago, Illinois Association of Allied Health Professions, the Illinois Council Against Health Fraud, Illinois Home Economics Association, The International Association of Clinical Nutritionists, The National Dairy Council of Illinois. This legislation is the end product of many years of negotiation between

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professional groups affected by this concept. They have worked out their differences. This legislation passed the General Assembly overwhelmingly and has been vetoed only because it is a new licensing Act. What the Members should know is that this Bill is not only revenue neutral, it is revenue positive. Contained in the language of the Bill is language which provides that the fees paid by those licensed shall always and in every case and in every instance provide sufficient funds to save the State of Illinois whole and harmless from any expense connected with this licensing Act. In addition, the...those to be licensed will pay the start-up cost. Soon as this Bill is implemented and as soon as fees come in, they'll be used to pay the start-up cost. This Bill doesn't cost the State of Illinois anything. I'll be happy to answer questions. I ask for your 'aye' vote. This is a good piece of legislation brought forward by professionals of the State of Illinois who want to license themselves, and we ought to cooperate with them."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Let us recall now exactly what licensing does. When a group is licensed, all they do is increase their (sic - its) testing patterns, reduce their membership and increase their fees. In this case it's extremely serious when they increase their fees, because where are most of the dieticians going to be? They're going to be in hospitals. One of the major problems we have today is the cost of health insurance and the cost of medical care. I see no damage and no harm, but the professional training that goes on right now in our colleges for a person to go through and tell you the four food groups and to feed the nutritious food that's required in hospitals without paying outrageous salaries. Please

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vote 'no'."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I hate to get up here and sound like a broken record, but of the six regulatory Acts that you seem bound and determined to override the Governor's Veto on, your start-up costs... your start-up costs approach \$800,000, which we did not budget for. Now, the Department of Professional Regulation reduced its head count by 69 people and 22 of those have been laid off. Maybe as the Gentleman says, on down the road it'll be revenue neutral, but it isn't revenue neutral this year. Why can't we just read the Veto message and see that we didn't put the \$800,000 in DPR's budget to start up six new regulatory Acts and for once uphold the Governor's Veto unless you're willing to put the money there in FY '92. I think you ought to uphold the Governor's Veto on this Bill."

Speaker McPike: "Mr. Dunn."

Dunn: "To close, Mr. Speaker? Mr. Speaker, to close? To close?"

Speaker McPike: "Yes."

Dunn: "Mr. Speaker and Ladies and Gentlemen, there have only been two people stand up and make comments about this particular piece of legislation, one of whom is attacking the legislation because it's a new licensing Act and he indicated that all people want to do when they create a new licensing Act is to pay dues and have certificates. That's not the purpose, certainly of this legislation. The purpose of this legislation is to police a profession. The professionals who are working in this area now want to make sure that the people they serve are served by qualified professionals and not crackpots. The purpose of this legislation is to set up a licensing procedure so that only those who are qualified professionals will be able to do

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the things that nutritionists and nutrition counselors will...dieticians will be licensed to do under this legislation. This legislation is for the benefit of the people in this State who receive these services. The comment by the other speaker that the legislation is costly, a large number, \$800,000 was thrown out and I'm looking at the fiscal note from the department which will do the regulating, the Illinois Department of Professional Regulation. That fiscal note indicates that the income will be \$677,600 in four years from this program. That fiscal note neglects to include the initial fees to be paid by those licensed, which are approximately \$200,000 so the first year income from this legislation will exceed \$400,000. The legislation has been carefully drafted to make sure that all start-up costs are more than recovered. The legislation has been carefully drafted to make absolutely certain that all annual costs to the State of Illinois are more than covered by licensing fees. This profession does not want the taxpayers of the State of Illinois to spend one dime, one red cent on their behalf. All they want is policy in the statute books enabling them to regulate themselves and they need that permission. They don't want the taxpayers to pay for this. They want to pay for it themselves. They have set up a fee schedule and they have built into the legislation language to specifically provide that if the cost of the state go up, their fees go up automatically to cover those costs. There will be no revenue impact upon the State of Illinois as a result of this legislation. This legislation is being pursued by a group of good people I have indicated to you all around the state, every dietetic association, the DuPage council...DuPage County Area Agency on Aging, the Five Hospital Homebound Elderly Program in Chicago, DuPage

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Senior Citizens Council is on record in support of this legislation. Central Illinois, Downstate Illinois, all over the State of Illinois the people want this legislation. We need 71 green votes. Please put them up on the board for this good piece of legislation. Thank you very much."

Speaker McPike: "The Chair is in error. The question is, for what reason do you rise?"

Wojcik: "Yes, Mr. Speaker. Should this vote get the required number, I would like to have a verified Roll Call."

Speaker McPike: "The question is, 'Shall House Bill 2329 pass, the Veto of the Governor notwithstanding?'"

Wennlund: "Thank you, Mr. Speaker I request a verification. I believe there was a slight error in the previous Speaker requesting a verified Roll Call which is not the same as a verification."

Speaker McPike: "Well Mr. Wennlund, the Chair...The Clerk will take the record (Tape Malfunction)...and 28 'noes' and Mr...the roll of those not voting."

Clerk Leone: "Representative Keane and are not voting."

Speaker McPike: "Read the affirmative. Just a minute for...the Members...We're coming in tomorrow at 9:30. We're not going to adjourn yet, but we're coming in tomorrow at 9:30. Republicans will caucus at 8:30. I'm sorry, Representative Ryder wanted to announce that. Mr. Ryder."

Ryder: "I wanted to announce we're going to have a conference in room 400 one hour before we come in. Right? Thanks."

Speaker McPike: "The Republicans are meeting (Tape Malfunction)...We're not going to adjourn. Representative Matijevich had an announcement."

Matijevich: "Two announcements. After we adjourn the Rules Committee will meet in Room 114. Also I've been told to announce that the retirement reception for Bob Shrimple

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which all of us know Bob, rather than next week, it's been moved up to tonight at Baur's Opera House from 7 to 9 p.m."

Speaker McPike: "Representative...on an override. Yeah, Poll of the Affirmative. Poll of the Affirmative."

Clerk Leone: "Balanoff. Brunsvold. Bugielski. Capparelli. Currie. Davis. DeJaegher. DeLeo. Edley. Farley. Flowers. Harris. (Tape Malfunctions) Manny Hoffman. Homer. Shirley Jones. Kulas..."

Speaker McPike: "...verify Mr. Wennlund?"

Clerk Leone: "Laurino. Marinaro. Levin - Mautino - Morrow - Satterthwaite - Trotter. (Tape Malfunction)."

Speaker McPike: "Wennlund."

Wennlund: "Representative McNamara. Representative Laurino. Representative Turner. Representative Hartke. Representative Harris."

Speaker McPike: "Harris is here."

Wennlund: "Representative Stern. Representative Williams. Representative Flowers. Representative Weaver. Representative Hoffman. Manny Hoffman...Representative Hannig...Nothing further, Mr. Speaker. Thank you."

Speaker McPike: "Weller."

Weller: "Yes, thank you, Mr. Speaker. Ladies and Gentlemen, this started out being the Prevailing Wage Act...Buy American Act, Domestic Product Bill must consist of at least 50% in 1992, must contain 60% in 1993, 70% in 1994, 1995 consist of at least it being it must 70 percent in 19...This Act shall apply to contracts that become effective or before January 1st, of 1997...people of the State of Illinois, and I do ask for its passage. (Tape Malfunction)"

Speaker McPike: "Saltsman."

Saltsman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Buy American Bill. And I know many of

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you remember it. This is a Buy American Bill that would not let the state, for instance, purchase commodities from companies like Motorola Illinois companies, who work and make their living here in Illinois. It's a destructive Bill for the industry because you can't Caterpillar tractor, in some instances cannot have the percentage required of American-made products because they have plants overseas. This type of Bill is destructive to Illinois industries and Illinois jobs. A 'yes' vote on this is a job loss Bill. It's as simple as that. This is the Buy American Bill, and it will not work, and it will put Illinois companies at a serious disadvantage because they cannot possibly, particularly in the computer industry, IBM, buy parts and sell a product that contains the required percentages of Buy American products. This is anti-jobs, it is anti-union, and it's anti-American."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen, we talk about that we have tight budgets here. This could cost us annually \$6 to \$7 million, and it really doesn't help anybody. It's detrimental to the state, it's detrimental to all of us, and, in addition to that, instead of feeding some poor people, it's going to cost \$6 or \$7 million and is almost impossible to determine. I have an article here that says when an American buys a Pontiac Lemans from General Motors, he engages unwittingly in an international transaction. Of the \$10,000 he pays, \$3,000 goes to South Korea for routine labor and assembly parts; \$1,850 to Japan for advance components; \$700 to West Germany; engineering to Taiwan of \$400, and Japan for other component parts; and \$250 to Britain for advertising and marketing. Now how are we going to determine that? You think you're buying a Pontiac LeMans, and it's an American-made car, and it

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isn't. We're going to have to get CMS to go down there, and John Headrick will be taking the car apart to find out if it's American or not. This is ridiculous. We'll be retaliated against. We know that upfront, and a 'no' vote is the right vote, and I'd like to have a verification of the vote if it receives the requisite number."

Speaker McPike: "Mr. McCracken."

Weller: "Mr. Speaker, this is Representative Weller. My speaker light won't work, and I'm trying to...I want to speak. Could I have it turned on so I could use my mike?"

Speaker McPike: "Turn Mr. Weller on, please."

Weller: "Thank you, Mr. Speaker. Explanation of my vote: I come from a very export-sensitive part of Illinois. Caterpillar is a major employer in the Will County area, and Caterpillar is very export sensitive. If you want to take jobs away from companies like Caterpillar, then you should be voting 'yes', because this is a bad Bill for companies like Caterpillar. Also, if you come from areas or districts like mine, and you care about the farmers and agriculture who are also extremely sensitive to the export market, then you should also vote 'no', because this is a bad Bill for agriculture. And third, if you care about countries like Mexico this Bill is prejudiced against part of North America which is Mexico. And I think for my friends who have relatives and families and do business in Mexico, this is Bill biased against against a very important part of North America. That's why you should vote 'no'. Thank you."

Speaker McPike: "Mr. Saltsman, to explain his vote."

Saltsman: "Yes, Mr. Speaker, I don't know who's put the word in their minds about Caterpillar Tractor Company. They're not opposed to this Bill or they're not for it. They put out a fact sheet about three years ago; they were opposed to that

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Bill that was introduced then. This is a different concept. This is not as stringent. Now when we pass this Bill, there's...some editorials went out about Caterpillar opposing it. Their lobbyists told me they did not even talk to the press. Now they didn't say they're for it, but they're not opposing this, and they don't think that it's too bad of Bill, but they just haven't taken a stand yet. They are neutral on this Bill. They were very much opposed to Bills that were here before. So let's not use a company that's in my district. If you think I'm going to take jobs away from the 18,000 people who work in my district, you're foolish. The Caterpillar lobbyists apologized to me out there for the press that was given. So with that, let's not use them. It only pertains to state purchases anyhow, and it only has to be within 10% of the bid. There's nothing wrong with this Bill. This isn't as stringent as Bills that have been passed before. This is just a small amount of legislation that we need to show that we respect the working people in this country that (sic - who) deserve to earn the money from it."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 72 'ayes' and 43 'noes' and a verification has been requested by Representative Parcels. Mr. Clerk, Mr. Clerk, read the names of those not voting."

Clerk Leone: "Representative Noland is the only Member who is not voting."

Speaker McPike: "Mr. Noland. Proceed with the Poll of the Affirmative."

Clerk Leone: "Poll of the Affirmative. Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig.

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Hartke. Hicks. J. Hoffman. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. Mautino. McAfee. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky..."

Speaker McPike: "Mr. Shaw would like to be verified. Ms. Parcels, Mr. Shaw would like to be verified. Mr. Obrzut would like to be verified. Ms. Parcels, did you hear that? Thank you. Obrzut and Shaw. Proceed, Mr. Clerk."

Clerk Leone: "Schakowsky. Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge, and Mr. Speaker."

Speaker McPike: "All right, any questions? Any questions?"

Parcells: "Yes, Sir."

Speaker McPike: "All right, proceed."

Parcells: "Representative DeLeo?"

Speaker McPike: "DeLeo is here. He's here. He's here, Ms. Parcels."

Parcells: "I hear that. I was just looking for him, Sir."

Speaker McPike: "Well this Chair is not misleading you. He's here."

Parcells: "Thank you, Sir. Representative Burke."

Speaker McPike: "Representative Burke. Right here...he's here."

Parcells: "Thank you. Representative Turner?"

Speaker McPike: "Mr. Turner. He's here."

Parcells: "Representative Lou Jones?"

Speaker McPike: "Representative Lou Jones. Lou Jones. Is the Lady here? Representative Jones here? Lady's not here, remove her from the roll."

Parcells: "Representative White?"

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Speaker McPike: "Jesse White. Representative Jesse White is here."

Parcells: "Representative Woolard?"

Speaker McPike: "Who?"

Parcells: "Woolard?"

Speaker McPike: "Representative Woolard. Mr. Woolard is in his chair."

Parcells: "Representative Levin?"

Speaker McPike: "Mr. Levin. Mr...Mr. Levin is here."

Parcells: "I'm sorry, did you say..."

Speaker McPike: "He's here."

Parcells: "Representative Schakowsky?"

Speaker McPike: "She's here."

Parcells: "Representative Steczo?"

Speaker McPike: "Mr. Steczo. Terry Steczo. Steczo. There he is. Thank you."

Parcells: "Thank you. Representative Flowers?"

Speaker McPike: "Ms. Flowers. Mary Flowers. Mary Flowers. The Lady's not here, remove the diaper. Sorry...remove her from the Roll Call."

Parcells: "Representative Novak?"

Speaker McPike: "Remove Mary Flowers from the Roll Call. Mr. Novak is here."

Parcells: "Representative Santiago?"

Speaker McPike: "Mr. Santiago is here."

Parcells: "Representative Dunn? Oh no, I see Representative Dunn is here. Representative Williams?"

Speaker McPike: "Who? Ronan? Mr. Ronan. He's here."

Parcells: "No, I said 'Williams'."

Speaker McPike: "Williams. Paul Williams. Paul Williams. The Gentleman is not here. Remove him from the roll."

Parcells: "No further."

Speaker McPike: "Okay, Paul Williams is back. Return him to the

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Roll Call. Return Mr. Williams to the Roll Call. He wants to vote 'aye'.

Parcells: "Take the record. I have no further questions."

Speaker McPike: "Mary Flowers has returned, please return her to the roll. On this question, there are 71 'ayes' and 43 'noes'. On this Motion, there are 71 'ayes' and 43 'noes', and this Motion, having received the required Three-Fifths Majority, is adopted and House Bill 1811 is hereby declared passed, the Veto of the Governor notwithstanding. Mr. Hannig, did you want to call 1892? All right, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move that we override the Governor's Veto on House Bill 1892. Basically, the Bill did two things. First of all, it defined 'educational support personnel' to include custodians and food service personnel, paralegals, and secretaries and that part of the Bill, apparently, is not controversial. The second part of the Bill provides that school boards and districts provide that the same liability insurance for persons of firms holding contracts with school districts and which have daily contact with pupils, that the district provides for its regular employees. In other words, for example, a school district has the option of paying their (sic - its) own school bus drivers and maintaining that for themselves or as an option they have the ability to go out and contract with someone to provide those school bus services. What this Bill says is that if the school board establishes, for example, that employees should be insured for liability purposes of say \$100,000 that the school board then if they put those services out for bids require the companies who take the bids, who make the bid, to also provide that same level of liability. Now the Governor, I think, misunderstood what we were trying to do with the Bill. He seems to think that somehow the

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school district would have to pay for this insurance, but that's not so. The Bill provides that the school board, when it contracts with these people, simply make sure that the same level of liability is provided for as they normally provide for their own employees. So the easiest way to do it, is when they give the specifications to the bus companies that are interested in bidding is to say that we require so much insurance per employee. That's what the Bill does. It passed by an overwhelming margin in both the House and the Senate, 109 to 1 in the House and 59 to nothing in the Senate, originally. And I don't believe that it will cost school districts anything, and at this point I'd ask for your 'yes' vote to override the Governor's Veto."

Speaker McPike: "And on the Gentleman's Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, I didn't understand one thing you said...that the Governor felt that the district would have to pick up the expense. If they don't pick up the expense, who does?"

Hannig: "Representative, I think in the Governor's Veto, and I was reading it, he somehow was under the impression that the school district, for example, would buy the insurance policy on, for example, on these bus drivers. What I'm saying is that the school would not do that, but rather they would simply say, as a part of the contractual requirements, that they would expect certain buses to meet certain requirements that the state laid out, and they would also expect that the insurance levels that the contractor has would be at the same level that they have

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for their other employees. What we're trying to really address is the situation to make sure that the contractual people come in and that are not under-insured simply because no one looked at that aspect. In other words, we want the school districts to simply make that a part of the specs when they ask for bids."

Black: "So, it's your intent in the Bill that you're only talking about contracting agencies, not an employee of the district as such?"

Hannig: "Yes, the Bill applies when you let a contract to certain groups that deal with the students on a regular basis. For example, lawyers are not included or accountants are not included. You know, professional people that deal with the school board nearly exclusively are not included. We're talking about probably bus drivers, maybe if you had a cafeteria where you...instead of having your own help there where you sign a contract with some group to provide you with food service that they would have the same level of liability insurance for their employees as the school district normally maintains for their own employees."

Black: "So, you're saying, in effect, that if I go back and talk to my school board and they ask me about a mandated cost that I could then tell them no it isn't your cost, it's a cost that the ABC Bus Company must pick up. It's a cost that the ARA Food Service Company must pick up to do business. They must carry the same kind, of liability insurance that you do on your certificated and support personnel. You do not pay for the insurance, your contractor pays for the insurance."

Hannig: "Yes. That is correct, Representative."

Black: "What if they come back and say the contractor will just simply raise the price to cover his or her cost of the insurance."

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Hannig: "Well, first of all, I think in many cases you'll find that the reputable companies will already have this. So it may be already included in most of the bids that school districts have anyway. As far as the issue of whether or not they have insurance, I think it's important that we insure that there is insurance by these contractual groups. We're saying that they do have to provide insurance. We're not saying at what level. Really, the school boards still can determine what level they feel their people ought to be insured, but, in effect, we're saying they must then extend that as part of the contractual agreement with anybody that they enter into a contract with. And I suppose you could always criticize anything, but to me this seems like only a logical way to run a business, and we should extend that to the way we run the schools."

Black: "Okay, I appreciate your time. Thank you."

Speaker McPike: "The question is 'Shall House Bill 1892 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 91 'ayes'. On this Motion there are 91 'ayes' and 24 'noes', and this Motion, having received the required Three-Fifths Majority, is adopted. And House Bill 1892 is hereby declared passed, the Veto of the Governor notwithstanding. Can the Chair have your attention? House Resolution 949. Is that correct, Mr. Clerk?"

Clerk O'Brien: "Yes."

Speaker McPike: "The Chair intends to adjourn tonight on the Death Resolution of a former Member. Yes, Representative Matijevich for an announcement."

Matijevich: "Mr. Speaker, before you do I'd ask leave of the House and the Attendance Roll Call for that purpose to

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waive posting of House Bill 104 so it may be heard in Rules Committee immediately after adjournment. We've cleared this with Representative Black."

Speaker McPike: "All right, you've heard the Gentleman's Motion. Hearing no objections, the Attendance Roll Call will be used and the Motion carries. Representative Black."

Black: "Thank you very much, Mr. Speaker. We have no objection to 104. I was under the impression there was one more Bill. Representative Leitch, I thought, had a Bill that we were supposed to do the same thing for. Had it been cleared on both sides?"

Speaker McPike: "Mr. Leitch. Mr. Matijevich."

Matijevich: "I hadn't heard about that Bill yet, but I think there may be a Rules Committee meeting tomorrow...We'd be happy to cooperate with him, but I have not heard about that Bill yet."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Just a reminder to the Republicans that at 8:30 tomorrow morning in Room 400, that's on the 4th floor, House Republican Conference. Both of the rooms on the first floor are occupied tomorrow morning with other meetings. So, we'll be in Room 400 at 8:30. Thank you, Mr. Speaker."

Speaker McPike: "Mr. Leitch."

Leitch: "I'd like to move the appropriate rule be suspended so that..."

Speaker McPike: "Well, this hasn't been cleared with the other side..."

Leitch: "Gary LaPaille agreed to it, so I think..."

Speaker McPike: "Alright, is Representative LaPaille here? Mr. Leitch, what's the Bill number?"

Leitch: "The Bill is House Bill 1352."

Speaker McPike: "All right, the Gentleman's Motion on 1352 is to

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waive the appropriate rules so the Bill can be heard in Rules tomorrow...or this evening...that's a House Bill 1352, and that's to be heard in Rules tonight so that's the Motion. Hearing no objections, the Attendance Roll Call will be used, and the Motion carries. The House on the adoption of this Resolution will Adjourn until tomorrow at the hour of 9:30 a.m. Mr. Clerk."

Clerk O'Brien: "House Resolution 949, offered by Representative LeFlore.

WHEREAS, The members of this body have learned with great sorrow of the recent death of Ozie Hutchins, our former colleague from Chicago; and

WHEREAS, Born on September 22, 1931, Ozie Hutchins was the son of the late Gene and Hannah Hutchins and attended Hayes Elementary School and Crane High School; and

WHEREAS, He was employed at Simon's Hardware on Lake Street and later became an employee of the Velsico Company until his decision to pursue his political career; and

WHEREAS, His dream of developing gracious and affordable housing for his people became a reality with the creation of the Ike Sims Village Apartments in 1982; and

WHEREAS, In 1982, he was elected as State Representative from the 17th Legislative District, a position from which he later resigned; and

WHEREAS, He later became Entrepreneur of the Wash House in 1985; and

WHEREAS, The passing of Ozie Hutchins will be deeply felt by his family and friends; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE

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EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our profound sorrow upon the death of Ozie Hutchins; that we join with those individuals who mourn the loss of a close friend and colleague; and that we extend our heartfelt sympathy to his family; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to the family of Ozie Hutchins. And as a further token of our respect, the House does now stand adjourned."

Speaker McPike: "Mr. Clerk, put the Resolution on the...Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. Ozie Hutchins was in the 1983 class, which was a rather large class. I think we had 33 Members in this class. I didn't know him too well, but his sister and I attended the same parish on the west side of Chicago. He and I met once he became a Member of this House, and I think he served about 13 months...13 or 14 months. Unfortunately, he had to resign. The one thing I'd like to say about Ozie, he had a goal, and his goal was the Ike Sims project, which is a senior citizen complex and low income housing. He also had his Wash...he was a person who had a mind set, and he was determined that these projects be developed, and they was (sic - were). Unfortunately, he lost his life, and with that, we have lost a good friend in Ozie. Whenever you needed something from Springfield, from the General Assembly, he always would contact me. He wasn't a very outgoing person as far as conversation is concerned, but he's a person that you would (sic - have) liked to know. With that, I would like...would ask that all Members names be added to the Resolution. Thank you."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In 1983, I was seated as a rookie with that large

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class, and my first seatmate was Ozie Hutchins. He sat on my left here and, as new Members do, we got to talking about our areas. Of course, Ozie had a lot of stories about Chicago. He was a neighborhood representative, if I remember right. I told him we didn't have any of those in Western Illinois, and went through some of the ward politics and just interesting to talk to Ozie about his area and he was interested in my area and what politics were like in Western Illinois. He coined the term we used to get the per diem checks, and he coined the term 'chump change', and I've used it ever since. Ozie was a good friend. As Bob has said, he was only here for a few months, but I got to know him very well in those times, sharing stories, working on legislation together. I would like to give my condolences to the family and say that it was a true pleasure to know Ozie. Thank you."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Some of you may or may not know that Ozie Hutchins was the guy I would say changed my record, but I had a fairly successful re-election bid for the last 10 years, and Ozie was one of the guys I lost against in '83. I then came down a two months later. Ozie and I became very close, although I represented another district our district were very similar. The ward make-up was much the same. The guy, who in three weeks time defeated me I don't know how easy that would be today, but back in those days the Democratic machine was fairly strong in the city of Chicago, and Ozie was very much a part of one the strong ward organizations on the West Side. As mentioned earlier, he died due to violent causes...the next day when his mother discovered that Ozie was dead...she also passed away and they had a double funeral. And the family suffered a

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tremendous loss. It was mentioned that he was a pioneer in terms of development in our community. He certainly will be missed, and we ask that all Members be added to the Roll Call."

Speaker McPike: "The House will stand adjourned until tomorrow at the hour of 9:30 a.m..."

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