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voting 'no'...Representative Hicks votes 'no'. There's 60 'yes' and 52 'nos'. Monique Davis asks verification. Mr. Clerk, proceed with the verification."

Clerk Leone: "A poll of those voting in the affirmative. Brunsvold. Bugielski. Burke. Capparelli. Churchill. Curran. Daniels. Deering. DeJaegher. DeLeo. Edley. Farley. Flinn. Giglio. Giorgi. Granberg. Hannig. Hartke. Hensel. J. Hoffman. Homer. Keane. Kulas. Lang. Laurino. Levin. Marinaro. Martinez. Matijevich. Mautino. McAfee. McAuliffe. McGann. McGuire. McNamara. McPike. Mulcahey. Munizzi. Novak. Obrzut. Myron Olson. Phelan. Phelps. Preston. Richmond. Ronan. Rotello. Ryder. Saltsman. Santiago. Satterthwaite. Schoenberg. Steczo. Stepan. Stern. Walsh. Wennlund. Wolf. Woolard and Mr. Speaker."

Speaker Giglio: "Any questions of the affirmative, Representative Davis? Representative Mulcahey."

Davis: "Representative Mulcahey, Representative McAuliffe?"

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

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Restore Representative Mulcahey to the Roll Call. Representative Davis, Mulcahey has returned to the chamber. Restore Representative Mulcahey."

Davis: "Representative McAuliffe?"

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

Davis: "Representative Deering?"

Speaker Giglio: "Representative Deering. Representative Deering is in back of you."

Davis: "Well, we have to say David Duke has won. Sorry."

Speaker Giglio: "On this question there's 60 voting 'yes' and 53

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voting 'no', and Senate Bill 1097 having received the required Constitutional Majority, is hereby declared passed. On Amendatory...Representative Matijevich, do you have an announcement?"

Matijevich: "Yes. Mr. Speaker, I would ask leave of the House for use of the Attendance Roll Call for that purpose; to suspend the posting notice and the provision whereby committees cannot meet while the House is in Session, so that the Rules Committee can meet immediately in the conference room to consider House Bill 1528, House Bill 2292, Senate Bill 62 and Senate Bill 774. This has been cleared with Representative Bill Black."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Sam Wolf. Representative Wolf, Supplemental Calendar #1, Amendatory Veto Motions, appears House Bill 971. The Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I move to accept the Governor's Amendatory Veto to House Bill 971, the Pension Omnibus Bill. The Governor's Amendatory Veto does two things: #1. It eliminates the provision that would have allowed the employees of the soil and water conservation district to participate in the state employees deferred compensation plan. The reason for that being, it was estimated by the Central Management Services that it would cost some \$85,000. #2. It also removes the provision that would have allowed the mayor of the City of Chicago to have made certain appointments to two pension systems in the City of Chicago. Mr. Speaker, I would move to accept the Amendatory Veto of the Governor."

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

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. We have looked over the Bill 971 and we concur with Representative Wolf. And, we feel that it's acceptable and we would ask this side of the aisle also to support it."

Speaker Giglio: "The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 971?' 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 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 to House Bill 971. Let the record show that Representative McPike wishes to be voting 'aye' on that previous Bill. Representative McNamara. Excuse me. Representative Jones, for what purpose do you rise? Let the record indicate that Representative Lou Jones wishes to be recorded as voting 'aye' on the previous Bill, House Bill 971. Representative McNamara. There's been a number of inquiries of the Chair as to the time we're going to adjourn. The Chair would like to make an announcement that we are not ready to adjourn at this time. We've got at least another hour - hour and a half's work to be accomplished before we...before we leave. So, bear with us and we'll move on as quickly as possible. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on November 8, 1991: House Bills #1528 and 2292; Senate Bills #774 and 62, signed John Matijeovich, Chairman."

Speaker Giglio: "Representative Matijeovich."

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Speaker McPike: "The House will come to order. The chaplain for today is Pastor Jerry Nichols of First United Methodist in Springfield. Pastor Nichols is a guest of Representative Curran. Guests in the balcony may wish to rise and join us for the invocation."

Pastor Nichols: "Let us pray. Dear God, hear us as we come before You today. There are so many needs set before us which place us in difficult situations, but You are always with us to give strength, wisdom, and compassion. Help us to trust You and follow Your lead. May the fruits of our labor today be counted for the common good of all people everywhere. Thank You for the blessing of Your presence here among us. Help us to hear You and follow You. In Thy name we pray this, Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Trotter."

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

Speaker McPike: "Roll Call for Attendance. Mr. Clerk, take the Roll. Representative Matijevecich."

Matijevecich: "We're all here."

Speaker McPike: "Mr. Kubik."

Kubik: "No excused absences today, Mr. Speaker."

McPike: "Thank you. 118 Members answering Roll Call a quorum is present. Committee Report."

Clerk O'Brien: "The Committee on Rules has met, and pursuant to Rule 29(c)-3 the following Bills have been ruled exempt on November 8, 1991. House Bills 1097 and 2680, Signed John Matijevecich, Chairman."

Speaker McPike: "Agreed Resolutions."

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Clerk O'Brien: "House Resolution 1207, offered by Representative Leitch; 1208, Brunsvold; 1209, Kubik; 1210, Giglio; 1214, Wennlund; 1215, Schoenberg; 1217, Rice; 1218, Hicks; 1219, McAfee; 1220, Novak; 1221, Cowlshaw; 1222, Kubik; 1223, Davis; 1224, Daniels; 1225, McAfee; 1226, Petka; 1228, Wojick and 1229, Keane."

Speaker McPike: "Representative Matijeich."

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

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1211, offered by Representative McCracken, with respect to the memory of Harry B. Reese. House Resolution 1216, offered by Representative Cowlshaw, with respect to the memory of Helen G. Oswald Kester."

Speaker McPike: "Representative Matijeich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Death Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1227, offered by Representative Matijeich, and House Joint Resolution 87, offered by Representative Granberg."

Speaker McPike: "Committee on Assignment. Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. We're trying to get our files in order so we can proceed in an orderly fashion and help you do business today. Might we go to page 5 of the calendar on Motions in the near future? HJR84, I'm not aware of any major opposition to that."

Speaker McPike: "Neither am I, Mr. Black. It appears to be the last item on the calendar, so I suppose in all fairness,

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we'll get there last."

Black: "Well, is there any chance maybe we could reverse the order today? Start at the back and move to the front."

Speaker McPike: "...The last item would be Representative Matijevich moving for adjournment..."

Black: "Well, we don't want to do that just now."

Speaker McPike: "...So, we could start there."

Black: "Well, if you would take our request under advisement, we'd appreciate it."

Speaker McPike: "Yes. Okay, the Chair certainly will. Introduction and First reading. Representative Giglio in the Chair."

Clerk O'Brien: "House Bill 2683, offered by Representative Anthony Young, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 2684, offered by Representative Anthony Young, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill."

Speaker Giglio: "Supplemental Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Giglio: "The House will come to order. On page 2 of the calendar, under Senate Bills Third Reading appears Senate Bill 1033. Representative Burke. Is Representative Burke in the chamber? Out of the record. Representative Shirley Jones, for what reason do you seek recognition?"

Jones, S.: "Mr. Speaker and Members of the House. Can I have your attention please? This is very important. May I have your attention please? This is very important. Mr. Speaker, I wish to say to you, I know November 9th is your birthday, and I wish you a happy birthday."

Speaker Giglio: "Thank you, Shirley. Thank you. I thought I was going to keep it quiet this year. Alright, Supplemental Calendar #1; Conference Committee Reports. Representative

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McNamara. Is Representative McNamara in the chamber? Out of the record. Representative Steczo, Senate Bill 699. Out of the record. Senate Bill 922, Representative Steczo. 922."

Steczko: "Thank you, Mr. Speaker. I would move for the adoption of the First Conference Committee Report on Senate Bill 922. This Bill contains a number of provisions, many of which are the provisions in Bills that we held in noncompliance over here in the House. I'll recite those numbers for you, Mr. Speaker and Members. It's House Bill 1843 which was Representative Kirkland. House Bill 2338, Representative Hannig. Senate Bill 1006, Representative Giorgi...Representative Deering. Senate Bill 1172 which was Representative Keane. Senate Bill 1283, Representative Wennlund. House Bill 493, Representative Curran. This also provides some...I should say under House Bill 493 information, Mr. Speaker, it provides for an immediate effective date. This also provides some new language in updating of House Bill 954 which was sponsored by Representative Daniels with relation to early intervention. It also makes a small change in House Bill 1254 which...in which the General Assembly made an error as it related to fire fighters pensions in that Bill. It provides for language that provides for the regulation of the crossing of golf carts in...along municipal roadways. It provides...a provision regarding fire protection districts and referendums regarding the organizations of those fire protection districts. It makes a small change regarding the intent of the prudent investor rule, and also, Mr. Speaker, takes one provision relating to townships that was ...township governments in road funds which was requested by DCCA. Provides for the conveyance of some property in Will County to the Village of Mokena for \$1. Provides for

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another provision that clarifies the prohibited activities of public officers which was requested by the township officials and by the people representing counties, and also places into this Act, Mr. Speaker, the agreement that was reached this summer between the Illinois State Historic Preservation Agency and the Illinois Home Builders. I would answer any questions, and if not, would ask for the approval of the House of Conference Committee Report #1 to Senate Bill 922."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, on page 54 of the Conference Committee Report, it has some township language. Does any of that language have anything to do with changing tax levys, tax rates, back door, front door?"

Steczo: "On page 54, Mr. Black?"

Black: "Page 54 and 55 of the report, there's some language dealing with township indebtedness."

Steczo: "No. That has nothing to do with tax rates or anything else."

Black: "Okay. Thank you very much."

Speaker Giglio: "Further discussion? Representative Young. Anthony Young."

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

Speaker Giglio: "Indicates he will."

Young: "Terry, I didn't hear that explanation. Does anything in here affect the Chicago Election Code?"

Steczo: "The Chicago Election Code?"

Young: "Yes."

Steczo: "Not a thing. There's no election information in this...provisions in this at all."



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Speaker Giglio: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. The provisions in this Conference Committee Report have been discussed and are noncontroversial, and I would ask for the House to approve this report on Senate Bill 922."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 922?' 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' and none voting 'no', and the House does adopt the First Conference Committee Report to Senate Bill 922, and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. On page 2 of the calendar, under Senate Bills Third Reading, Representative Burke. Senate Bill 1033. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1033, a Bill for an Act to amend the Clerks of the Circuit Court Act. Third Reading of the Bill."

Burke: "Mr. Speaker, I'd ask the Body to bring this back to Second Reading for the purposes of an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? Hearing none, leave is granted. The Bill is on the Order of Second Reading. Read the Bill Mr. Clerk."

Clerk Leone: "On the Order of Second Reading, Amendment #2 is being offered by Representative Lang."

Speaker Giglio: "Gentleman from Cook, Representative Lang, on Amendment #2."

Lang: "Thank you, Mr. Speaker. This is a package from Cook County. It has a few provisions in it. The first

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provision requires that a Judge, when there's a home detention, determine whether the person has a financial ability to pay the fees. If they don't have the financial ability to pay the fees, the Judge can determine whether the person has the physical ability to do community service to pay off the fees. But it would not prohibit the Judge from ordering community service. Second, there's a small increase for fees for bus driving permits and small increases for teacher's certificates. We're talking a dollar or two dollars. I move...adoption of the Amendment."

Speaker Giglio: "Any discussion? Representative Hoffman."

Hoffman: "I just...I got a real brief question. Is that...I could just ask you couldn't I? Never mind, I'll just ask him."

Speaker Giglio: "Representative Young. Representative Anthony Young."

Young, A.: "Will the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Young, A.: "Is this the same Amendment that only got two votes yesterday, or has there been some changes?"

Lang: "Actually, it's the same Amendment that only got six votes two days ago. There are no changes in it. However, there was some misconceptions, particularly about the part dealing with home confinement. The facts are, that this would not prohibit a Judge from giving somebody home confinement for probation, and it's merely an effort to make sure that the person can pay the fees or will do whatever is necessary to work off the fees."

Speaker Giglio: "All those in favor of the Amendment, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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Clerk Leone: "Floor Amendment #3, offered by Representative McCracken and Homer."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I offer Amendment #3 which grants authority to the state's attorneys the power to deputize investigators. Now, the controversy in the past had been with the state police which had felt that it encroached on their authority. That has been resolved. The state police are not opposed to this Amendment. This is requested by state's attorneys primarily in the northeastern Illinois, but is applicable throughout the state. A question had been raised, whether the state's attorneys can deputize these people regardless of the county board's wishes and that, obviously, is not the case. They can deputize or hire investigators only with the consent and approval of the county board because of the budget that the county board sets for this particular office. I move its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment, signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks leave by the Attendance Roll Call for immediate consideration. Hearing none, leave is granted. The Bill is on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1033, a Bill for an Act to amend the Clerks of the Court Act. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Cook, Representative Burke."

Burke: "Yes, Mr. Speaker, I'd ask for the favorable Roll Call on this Bill."

Speaker Giglio: "Any discussion? Representative Black."

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Black: "Thank you very much, Mr. Speaker. Just a quick question of the Sponsor."

Speaker Giglio: "Proceed."

Black: "Representative, in the Amendment that was just adopted, does that give full police powers to the investigators of the attorney general or the state's attorneys' offices?"

Burke: "Representative, the answer to that question is yes if they pass the local law enforcement requirements. Training program...training program."

Black: "In other words, they would have to go through the full police training?"

Burke: "Yes."

Black: "Would they be authorized to carry a firearm?"

Burke: "Yes."

Black: "Would they have arrest powers over and beyond the scope of their duties? In other words, on their way to work could they decide to pull over a speeder?"

Burke: "No."

Black: "Thank you very much."

Speaker Giglio: "Alright, the question is, 'Shall Senate Bill 1033 pass?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Gentleman from Will, Representative Regan. Were you seeking recognition?"

Regan: "No, Sir."

Speaker Giglio: "Are you voting? Have all voted who wish? Are you voting, Representative Regan? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 89 voting 'yes', 25 voting 'no', and Senate Bill 1033 having received the required Three-Fifths Constitutional Majority, is hereby declared passed. It's the Chairs intent to call Senate Bill 1097,

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and after that we're going to go to Senate Bill 1231.  
Representative...Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1097, a Bill for an Act to amend the  
Public Community College Act. Third Reading of the Bill."

Speaker Giglio: "Representative Ryder. Representative Ryder."

Ryder: "We would like to call a Republican Conference at this  
time, if you please. Thank you very much."

Speaker Giglio: "Is this on both Bills, Representative Ryder. Is  
this on both Bills? Are you going to conference for both  
of these Bills that I just read into the record, 1097...?"

Ryder: "Well, we're not restricting the subject matter of our  
conference, but the occasion of calling the conference may  
have some connection with the order of Bills that you just  
called."

Speaker Giglio: "How long should we recess until? Alright, the  
House will stand in recess until 11:30 for a Republican  
Conference. The Republicans will conference in Room 118,  
and the Democrats will have an early lunch or a late  
breakfast. Representative Keane, are you seeking  
recognition?"

Keane: "Yes. I think it would be appropriate if we stood down  
until 1:00. That way, you know, we could all get something  
to eat. It's an inappropriate time to take a break. So,  
why don't we just add a lunch hour to it."

Speaker Giglio: "Well, we may do that later on. Alright, the  
House will stand in recess until 11:30. Republican Caucus  
in Room 118."

Speaker Giglio: "Page 2 of the Calendar, Senate Bills Third  
Reading, appears Senate Bill 1097. The Gentleman from  
Cook, Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1097, a Bill for an Act to amend the  
Public Community College Act. Third Reading of the Bill."

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

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Keane: "Thank you, Mr. Speaker. As everyone is aware, this is the legislation that deals with the Chicago public school situation. The Bill, as amended, puts a balance of...the balance to the Chicago School Finance Authority is reduced in FY '92 by \$17.5 million and is also reduced by a similar amount in FY '93 and those dollars are made available to the Chicago Board of Ed. It reinstates the supervisory power over the Chicago Board of Education that we gave to the School Finance Authority in 1979. As the Members will remember, the supervisory powers were relinquished after the Board compiled its 6th successive fiscal year with a balanced budget. This legislation does the same thing again. It says that with six successful balanced budgets, we will reduce their powers again. It also provides that the Chief Financial Officer of the Chicago Board of Education shall report to the General Superintendent rather than directly to the board, and it also says that the submission required by...of the Board to submit a system wide educational reform goals and objectives plan has been changed from July 15 to April 1, which allows the Authority to review the plan in advance of the Board's submission of its budget on August 1st. The Board has 60 days after it is notified by the SFA that it has rejected the plan to submit a revised plan. The Bill is effective July 1, 1992, which will cover the schools...schools are on a September 1 fiscal year, and so it will give them the financial relief that they will need this year. As far as I know at the present time, this is the only game in town, and I would ask my colleagues for a favorable vote."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's important that the Members of this

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House have some answers to some of the questions that popped up yesterday regarding this bail-out, and first of all, I want to clarify that the Chairman of the Chicago School Finance Authority is opposed to this Bill, and let me tell you why he's opposed to it. Number one, the reserve that's set by the Chicago School Finance Authority is a reserve to make sure that the Chicago School Board can pay its bills that are already committed. To pay for lapsed period spending and for contractual commitments it made during the school year, so that at the end of the fiscal year, the Chicago School Board will have funds on hand to pay its debts that it incurred all during the school year, and that's why the School Finance Authority is opposed to it. There has to be money to pay for everything that was purchased during the year that had just passed, and to pay for all the obligations that were incurred, even salaries, during the prior year. With this 35 million gone, there will be no money to pay those bills, and I guarantee you the Chicago School Board will be back here to the General Assembly asking the entire state again to bail out a school district that is bankrupt. That's what this Bill is about, and that's why the Chicago School Finance Authority opposes it. Now, the CFA does not have any 150 million or \$180 million stashed away whatsoever. They've got about \$75,000 in their bank account that's used for administrative and operating expenses. If this Bill is passed, the current deficit of the Chicago Board of Education at the end of the current year will be \$178 million. With another \$35 million added on to it, the Chicago School Board will be in debt and in the red over \$200 million. There simply isn't enough money there, and because it's fiscally irresponsible to allow the Chicago School Board to use this money, instead of paying its debts

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that it incurs, to bail out a situation now without addressing the problem on a permanent basis, everyone ought to think about this, including downstaters ought to think about this bail out, and what's going to happen next spring when they come back here saying 'hey, wait a minute folks, we're \$200 million in the red, and we don't have the money to pay it, and we're going to have to shut down the entire Chicago School System.' Then you're going to have to think about a way of funding to the extent of 300 to \$400 million in new money to the Chicago school district. That's what you ought to think about before you make a vote on this issue."

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

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise, as I did last night, in opposition to this Bill, but before I do, I'd like to refute some of the statements that the prior speaker made and make it clear that the school system in the City of Chicago has an absolute right to this money. This is a reserve fund. There's no difference between this fund and the sound economy principles that say the state's balance should be 200 million every day. We use that 200 million as a barometer. That's what we should have, and we dip into it in an emergency situation. The balance hasn't been 200 million in the last year. Its been as low as 8 million. This is an emergency situation for the Chicago public schools and they are entitled to that \$35 million. As I said that though, I still oppose this particular proposition, because pure and simple, Ladies and Gentlemen, this Bill is a power grab by the Governor and the Mayor to put them in control of the Chicago School System. Our system is short of money as are the rest of the systems in



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this state, because the Governor refused to raise taxes, the Mayor refused to raise taxes, so the two individuals with the most responsibility for the system did not do what it takes to provide the money and now the people want to take their own tax money this comes solely from Chicago real estate taxes and use it and in return for that, we want to turn over control of the system from a board that comes up through...from the parents to one that's appointed by the Mayor and the Governor. A vote for this Bill is a vote to take control of the school system away from the parents and give it to the Mayor and the Governor. I urge a 'no' vote."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to express a certain amount of apathy to the citizens of the City of Chicago about the problem that they face annually with the funding of the Chicago School System, and as I stated yesterday, I believe it's time for the Chicago City Council to assume the responsibility of which they were elected to make sure that they tax the citizens of the City of Chicago for their school system and provide the funding that is needed for adequate public funding, and I think that's a responsibility the Chicago City Council should assume, and as we have in Springfield on an annual basis in assuming the responsibility of providing funding for a school system that is desperately needed to provide a quality education for their children. But again, I may respectfully point out that this is a band aid on a major hemorrhage that needs major addressment by this Body, and we cannot just keep bumming back and piece mealing passing pieces of legislation that we will hope will be a stop gap. It's time for the citizens in the City of Chicago to rise up and hold their leaders accountable to

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help solving the problem. It is time for this legislature, including the House and the Senate, and the Governor's office to address this issue and now address it in a way that is meaningful and brings stability to that Chicago School System that is desperately needed on behalf of not only the children of Chicago but all the citizens of this state, and I will respectfully rise in opposition to this band aid approach."

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

Santiago: "Thank you, Mr. Speaker. Once in a while, we're asked to make tough decisions, and this is one of those situations. Do I like the deal? No. I think this deal stinks. But what choice do we have? Do we either go back with \$17 million back to Chicago, or do we go back with nothing? In this...this is unfair what the Finance Authority is doing. It's unfair, and I'll tell you why. They do not have any business in holding \$150 million that is not theirs. This is the Chicago Board of Education's money, and why should the Board of Education go and ask the Finance Authority to spend their own money. They...the State of Illinois, which has \$26 million of this budget does not have \$150 million in reserve. Why does the Chicago Board of Education have to have \$150 million in reserve when they only have a \$2 billion budget? I think it is ridiculous, and I think we should let the Chicago Board of Education control its own money. But what choice do we have? This is what's going to happen here...this Bill is not going to change anything, and I think we're going to go on strike...the teachers are going to go on strike because 1% of a raise requires \$9 million. The Chicago Board of Education is obligated to take \$9 million or \$8 million from this proposal and pay off two law suits

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that are pending. So, we're going to be left with only maybe 8 or \$9 million to solve what has been called a crisis. Is the teacher union going to go for this? I doubt it. If I were them, I would not. So, what choice do we have? Do we go back with \$17 million, or do we go back with nothing. I say we take the \$17 million and take it back and try to find a solution. Thank you very much."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. I guess the question that somebody ought to raise is, why was a Finance Authority ever established. The intent, at that time, was to provide some kind of scrutiny over financial concerns for that particular operation. It seems like now, we're absolutely taking away any attempts that we had given them for authority to deal with this crisis. I don't know why we want to take that authority away from them. I'm not sure that even if this is passed, it's going to prevent any strike anyway. If I was assured that this was going to help for sure and that we would not have a strike then I think that would be given some consideration. The question that I have is, at what point in time do we ever start to think about the kids? At what point in time are we ever going to attempt to deal with the dropouts that we have in that particular area? At what particular point in time are we going to actually deal with preparing kids for the world of work opportunity? I'm not sure that this is going to do any of that, and I think it's a sad state of affairs when we don't...expect some kind of accountability. We have seen money go into this system year after year after year, and we haven't seen very many positive results. Unfortunately now, we're attempting to take away the authority that was given the Finance Authority to deal with a very serious situation, and I just think that it's a sad

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day when we have to come down here and mandate or tell them what they should do when, in fact, we passed that law a number of years ago that allowed them to keep this financial picture in a positive mode. So, I certainly will not support this."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Do you know whose proposal this is? This proposal doesn't come from the Chicago Board of Education. It doesn't come from the Speaker of the House. It comes from the Governor of the State of Illinois. The Governor of the State of Illinois says he would sign this Bill, or his staff at least says he would sign this Bill. And he say's this is what the School Finance Authority could live with. Why then, if this is the Governor's proposal, are we getting opposition from the other side of the aisle? We're getting opposition from the other side of the aisle because they see the opportunity for a trade off, for a crass political opportunity to get a toll road, to trade a toll road for the kids of the City of Chicago. This is not taxpayers money we're talking about moving from somebody else is district. This is taxpayers money from the taxpayers of Chicago, that they would like to have the opportunity to spend to prevent a school strike, which will have devastating effects on all the school children in Chicago. This is hypocritical to say, we want accountability. This proposal is the one the School Finance Authority said they can live with. This is the one the Governor said he can sign. I don't like it particularly, but I don't want a strike. I don't want my kids sitting at home when we can come up with a solution. Not necessarily a very good solution, but a solution to resolve and prevent a school strike. I urge the 60 votes

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be put on this Bill, so at least we can it to the Senate and come up with a solution before we leave tonight."

Speaker Giglio: "The Gentleman from Grundy County, Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this legislation. Frankly, we here some rhetoric from the other side of the aisle about trade offs. I don't think there are any trade offs in this, cause frankly, the trade off that we should be asking for was where's the accountability. Where's the accountability to know that Chicago public schools aren't going to come out...come back here again next year with their hands out once again saying, 'we need you to bail us out again'. Where's the action from the Chicago public schools on frankly, reforming that bureaucratic mess over on Pershing Road? Frankly, the taxpayers in my district, in my school district, the elementary school district where my children went, is \$2 million in debt. You don't see Morris Elementary District down here saying 'hey, we need Springfield to bail us out'. But the Chicago public schools do it, and they do it every year. It's time for accountability. It's time for a 'no' vote on this kind of action, because frankly, when I see the Superintendent of Public Education whining and dining his friends at taxpayer expense for \$65,000 a year, I get pretty disappointed in what's going on in Chicago. The best...excuse me, I guess it's more than \$65,000. That's an outrage, and frankly, until we cut off the dragon's head, until we eliminate that burdensome bureaucracy that cares more about its own pocketbook, the bureaucracy there cares more about salaries for their employees and salaries for their bureaucrats. I don't see any effort here on dollars for text books. I don't see any efforts here for dollars for improving the

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classrooms. I don't see any effort here for dollars for taking care of the kids in that school. I care about those kids, cause we don't take care of them now, we're going to have to take care of them in the future in a much more expensive way. It's a bad plan, there's no accountability, and the best vote is a 'no' vote, let's send this back and start over again. Thank you."

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

Kulas: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, let's get one thing clear. First of all, this is not a bail out. We all know what a bail out is. This is not a bail out. All we are asking for is for money, which is the money of the people of the City of Chicago, which my constituents have paid in with their real estate taxes which is sitting there in order to avert a teachers' strike. We do a lot of bail outs in this General Assembly. We've bailed out the coal miners. We've bailed out the farmers. We've bailed out Chrysler, but this is not a bail out. This is all our money, and we want to use it in order to avert a strike, and I would ask you all to vote 'yes' on this Bill."

Speaker Giglio: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I ask every Member of this Body not to buy into the only game in town mentality. Every time they want you to do something that's wrong, that's absolutely wrong, they tell you it's the only game in town. Well, I stand here to tell you that if you buy into that mentality this afternoon, we have a guarantee. We...I guarantee you that the teachers will be out on strike and our children out on the streets on November 18th. I give you that guarantee. \$17.5 million just ain't gonna do it. The money in the reserve fund, and depending on who you want to believe, the school

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financial reserve fund has between 80 and \$170 million in it, is to be used to avoid emergencies. Well, we are in an emergency situation. The education of our children, that's exactly what this fund is for. The...we all know that this isn't a permanent solution, taking money from the School Finance Authority, but \$17.5 million is just not going to get it. In the last couple of days, I've expressed many other reasons that I disagree with this piece of legislation and why it's a bad idea to expand the authority and the time period for the School Finance Authority, because they, in this situation, not allowing that money...that is in reserve, that tremendous amount of money that's in reserve to be used means that they're part of the problem, and to allow this to continue to the year 2004 would be a disaster. The...there are many schools in the State of Illinois, and the Chicago public school system is not one of them that are on a watch list, that don't have an oversight, that are not required to keep money in reserves. I ask us, every Member of this Body to vote this down, and I guarantee you there will be another game in town then. Thank you very much."

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

Davis: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. You know, I think we...most of us listened to debate on this issue yesterday evening. I'm really glad that there's so many people in the House of Representatives concerned with the boys and girls in the City of Chicago. I'm glad to know their concern that those children are dying at a rate of eight per month, and I don't see or hear anybody in this Body doing anything to prevent what is happening in reference to the slaughter of African American and Hispanic children. But when it comes to how they spend their dollars to educate them, you have this vast concern

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for the children in the City of Chicago. There are a number of school reform groups in the building today who have met with Gary LaPaille, who oppose this legislation. Number one, they do not want the Chief Financial Officer for the Chicago Board of Education to bypass the Board of Education in reporting and only report to the Superintendent. Is it because you don't want the board to know that sometimes people spend \$30,000 on scuba diving equipment? Is that why you only want the Chief Finance Authority...the Chief Financial Officer to only report to the Superintendent and not have to be questioned by the 15 member board? I don't believe \$35 million is worth the lives of the children in the City of Chicago. I don't believe the year 2000 is the magic number in which anything would have changed, and we should not allow a chain, a chain to be placed around the necks of the parents and those children in Chicago until the year 2004. I actually have two grandchildren who go to the Chicago public schools. I do care. Another concern that we have, is that this threat of, if we don't pass this Bill, there will be a school strike. So, let there be one. There's another piece of legislation in the Senate that has a much better opportunity to keep us from having a strike than this piece of legislation which is really something that belongs in South Africa with Botha. Botha (DeKlerk). This is a Botha (DeKlerk) Bill. We will tell you how to educate your children, because we know best. When I look at Mary Flowers holding her baby, I don't believe that you, Andy McGann, care more about the education of that baby than Mary Flowers. I think that this farce that's being perpetrated on the people of Chicago should end. It's not Reagan. It's not Bush. It's the people in this Body, Democrats, and I say enough is enough. Enough is enough.



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Let us educate our children. Those are our dollars. We pay...we pay taxes. We pay sales taxes. Those are our dollars. Let us decide how to use them. We don't need your Finance Authority for the next 20 years. No other school district has it. Take off those masks and put on the Botha (DeKlerk) one."

Speaker Giglio: "Representative Paul Williams."

Williams: "Thank you very much. Ladies and Gentlemen of the General Assembly, I've got a slight cold, a headache, or what have you, but I want to point out in this Bill some very strange things. You know, let's be for real about what this Bill is. This Bill is the let's bail Mayor Daily out of a school strike Bill. I'd almost like to think that this is a deal struck by the Mayor and not by the Speaker, because I believe the Speaker is too smart to make a deal like this on his own. What kind of deal are we talking about? Let's go back and review the history of how we got here. Three years ago, we started out with school reform. We came here and we said, 'we want something to get some money to these kids in the City of Chicago'. So, we done changed the whole system to make a deal. We changed the system and we came home without a penny. We came back here, we passed taxes for school, but not for Chicago but for all of Illinois because your schools were as bad as ours. Don't tell us you ever bailed us out. You bailed yourself out in the deal, and you left us here. I'm not going to talk about colors or anything, but at that time we had a different Mayor of a different hue. It was okay to turn over the authority of that board to a citizens elected board which we wanted in place. When we got another Mayor of a different hue, we sped up like lightning the interim board and put it in place with this Body. Then that board put in place contracts that is crippling our education

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system today, and we sat up there and we watched them cripple them. We sat by, and we almost said go ahead and cripple them. And now, after crippling them we slowed down the real board. Then we put that board in place and we said, now you handle the mess, and then we turn around and act like that board is the one that can't operate. It's this Body in conjunction with playing games with that Mayor in order to pour our hopes on this Body again. Now, we come down here today and we talk about that citizens board which we put in place, and we are about to strip it of all its control over contracts, over everything again. For 12 years, in exchange for \$17 million a year. \$2 billion a year for 12 years, we will lose control for \$17 million a year. One reason, and one reason only. We gonna protect this Mayor from a strike. The press covered up, the press covered up the mess that was in this school board all through the election. After election, it wasn't a problem. When our dear friend had to be elected, the day after he was elected we realized that the books were out of place. Do you believe that 'Mister Press', or do you believe that we're going to do whatever we have to do to protect this Mayor? All I can say is you cannot make a silk purse out of a sow's ear. I say in my law practice, I cannot stop somebody from shooting themselves in the ass, but I can tell them that it's gonna hurt. So, please go on with your deal. I know enough about politics to know this is going to pass, but I'm certainly not going to let you do it in the dark. Have a good day, and thank you very much."

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

Black: "Well, thank you very much, Mr. Speaker. Will the Sponsor yield for a question or two?"

Speaker Giglio: "The Gentleman indicates he will."

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Black: "Thank you. Representative, let me see if I can get to the bottom of some issues that might be of concern to many of us in the chamber. The dollars that accrue to the Chicago Finance Authority comes from what revenue stream?"

Keane: "The real...the real property tax of the City of Chicago."

Black: "I'm sorry, Mr. Speaker. I can't hear his answer."

Keane: "Am I on? They come from Chicago real estate taxes."

Black: "Do any of the dollars that accrue to the Chicago Finance Authority also come from the general state aid distribution formula?"

Keane: "It does not affect general state aid."

Black: "No, I didn't ask you that. Does any of the money that accrues to the Chicago Finance Authority come from the payments ordinarily sent to the Chicago schools out of the general state aid distribution formula?"

Keane: "I can't answer that. My understanding is that what we did in 1979 when we did this, was we allowed Chicago the ability to increase the tax. And the increase in the tax of the property tax went into fund this reserve with the School Finance Authority. That's to the best of my recollection."

Black: "Well, I think you have, indeed, given me the genesis of the Chicago School Finance Authority, but it is my understanding that the bulk of those dollars accrue from the general state aid formula. But we..."

Keane: "No. That is...that is wrong. That is incorrect, because if you go back, and I was here in '79 when we did this, and in fact, I voted against the Bill, because what we did was we were big heroes, and we said will save the Chicago people. And what we did was, we taxed the real estate owners of the Chicago area for that fund. Now, what has happened in the fund and how they account for it since then, I don't know."

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Black: "Alright. Well let me pursue this. If it doesn't involve any dollars from the general aid formula, then would it be...could I go...go ahead, go ahead. You want to..."

Keane: "Okay. I've been informed that the Chicago Board has told staff that the state aid does not work into this at all. This is all local real estate property money."

Black: "I think that's a very important point we need to make. That whatever we do here is not going to affect the pool of dollars from the general state aid formula, so that my school districts in my downstate district could not then come to me and say, what you have done here, Representative, is to allow our state aid dollars to flow to Chicago. And that would...you're answer, and you're intent is that my districts will not lose one penny from their state aid distribution to go to this package."

Keane: "That is correct."

Black: "Alright, if that is correct, now let me ask you one more question. Does the Chicago School Finance Authority currently have a cash balance of say 35 to \$100 million?"

Keane: "It's a...it's called a reserve fund."

Black: "Alright. But is not the issue at hand not an actual transfer of cash dollars, but simply, as I read the Amendment, allowing the...or not allowing, maybe that's the wrong word, simply saying that the Chicago School Board can draw down it's fund balance."

Keane: "It reduces the fund balance each year by \$17,500,000."

Black: "So, in fact, it may not be any kind of cash transfer whatsoever."

Keane: "No. Right:"

Black: "Then I think what we need to focus on is the advisability of allowing any school district in this state to draw down its fund balance to a deficit, that if I am correct, will exceed \$150 million at the end of the current school term."

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Is that about what their deficit will be projected?"

Keane: "What we're talking about are two different things. We have a fund balance under the control of the SFA, and that amount...that fund has...it's about...we're talking about a fund that the SFA has of about \$151 million. So, we're taking a little more than 10% of that fund each year and that will be...those are the funds we're talking about. These funds are not funds that are currently available for the operation and expenses of the Chicago Board of Education."

Black: "And I think, Representative Keane, I think this is some of the confusion that we have. If my information is correct, the Chairman of the Chicago School Finance Authority has indicated that at this point in time, the actual balance in the CFA account is probably less than \$100,000."

Keane: "That's...there's two accounts. There's an account, an operation account that SFA has and that...he's talking about, I think he's talking about their operations. Their day to day...their money for salaries and that. This is a reserve fund. The \$150 million plus is a reserve fund that the SFA has for the credit...for the vitality and the credit of the Board of Ed."

Black: "Alright, then if that be the case, is there..."

Keane: "We're not taking any of that \$100,000 away."

Black: "Alright, okay. Now, any of these funds that we're talking about, do they have a dedicated purpose? Are they being used to retire bonds, or are they simply being...was this set up in effect, and in fact, to not let the Chicago School System get to the point where they were in 1979?"

Keane: "This fund was set up in 1979. The level was set up by the SFA, and as you remember the legislation said that if the Chicago Board of Education functions for six years with

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balanced budgets, then certain of the powers of SFA would be reduced. So, they've done that, and in '86 the SFA powers were reduced. What's...what happened was this fund was set up exactly for situations like this. It is...it is not dedicated money to any bonding indebtedness, or it's not dedicated as a...it's not a revenue collecting fund where revenue bonds are dependent on it or anything like that. There may be a disagreement..."

Black: "Alright, okay. I can appreciate your answer. I don't remember what happened in 1979, because contrary to certain things that have been alluded to my age, I was in high school I think in 1979. But to the point, what I need to know and I think many Members need to know who do not live in the Chicago school district, and you said this earlier, and let me again for the record, you are not diverting any general state aid dollars that would accrue to the other school districts in this state in any way, in any shape, or any form?"

Keane: "That is correct."

Black: "In your opinion, Representative, are you going to fix the problem if you get this passed today, or are we going to postpone the problem?"

Keane: "Well, the one thing I think we have to be in the General Assembly is realists. Yesterday, I worked with Representative McGann, and we put in a \$35 million proposal. I mean we adopted that a few days ago. The reality of the situation is the Governor has said he will not sign \$35 million. Both he and the Mayor of the City of Chicago feel that the 17.5 is an appropriate amount. They'll give it to them over a two year period instead of \$35,000 one year...\$35 million one year, and he'll sign the Bill. So, I don't care if we had 70 million or 10 million or whatever, I think we have to...and I also have learned

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the hard way, as I think many of us have, when this Governor says that he's going to veto something, he's going to veto it. And if we pass \$35 million, which I would like to pass, and it got...and it got on the Governor's desk, he would veto it. What that means is a strike in the City of Chicago, and for that reason we have adjusted the Bill. We have made it something that we know he will sign, or he says he will sign. He told the press that, and that's why the Bill is in the shape that it's in."

Black: "Well, I appreciate the time you've taken to answer the questions. It is a difficult issue, but I would like...and I do appreciate you making very clear that there is no diversion of general state aid dollars. It is a tough issue. It is the largest school system in the State of Illinois. I'd like to think I could keep an open mind and listen to the additional debate, but I do thank you for taking time to answer some legitimate questions and legitimate concerns that we have."

Keane: "Thank you."

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

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of my colleagues just said, let's be real. And after the vote that was taken yesterday to put Amendment #2 on to Senate Bill 1097, I asked my learned colleague who carried Amendment #2, why was Amendment #2 put on the Bill when Amendment #1 which was put on Senate Bill 1097 which would just transfer the \$35 million from the School Finance Authority? I said, who came up with Amendment #2? Well someone said, and someone has said it today, that the Governor won't sign the Bill. Well, I recall when that Governor was out here trying to campaign and get the votes of the people to put him in that office on the 2nd floor, he said he was an education Governor. And I told the

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people from the City of Chicago, I said, let's hold him to his word then. If he's an education Governor, he'll put the money in there. He won't oppose it. Then I started thinking, I said, well they're going to give them 17.5 one year and 17.5 another year. And I started thinking how much interest is made on \$17.5 million? Well, I just calculated it. It's \$850,000. That's \$850,000 that's going to be kept in somebody's bank, possibly in somebody's pocket. I don't know whose bank the money is in, but is it real that all of a sudden the mindset went from \$35 million without any safeguard, without the School Finance Authority being in place for another 12 years. What happened, the realist came up and said, oh wait a minute. We're giving away too much money. We're going to lose money. We're going to lose \$850,000. That keeps a whole lot of people in power. It keeps a whole lot of people in their status quo. But yet, my learned colleague said they want to bail out the Chicago School System. The press needs to listen to this. Some of the people who are now purporting to save the Chicago School System, last spring voted to tear it up when they voted for the school voucher Bill. So where's their commitment to the Chicago School System. I don't think there's any real commitment. The commitment is to keep in the status quo and helping the bankers and the lawyers and whoever else has got their hand in the \$850,000. Let's be real. I haven't heard anyone else say it, but \$850,000 could go a long way to try to buy some books, try to repair some buildings. So, I reluctantly rise to oppose Senate Bill 1097, and I want to say something to the teachers of the Chicago public school system. You're going to fall into this game too if you go out on strike, cause if you go out on strike, you're going to stay out on strike. And for those of you teachers who



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are single, there's no public aid out here anymore. If you're single, you won't be able to get on public aid, so think about what you're going to be doing. You say you're for the kids, but let's be real. Put your money and your vote where your mouth is, and help these young people in the City of Chicago. I had a downstate Legislator that came to me, there's a Bill coming up to help the downstaters with their school situation, and I'm willing to help. I helped the coal miners. I helped the farmers. I'm here to help, but when I ask for help, everyone tells me, we can't do it. So, the Bill is going to pass, but if the press get off your duffs and report the reality of what's going on down here in Springfield."

Speaker Giglio: "The Minority Leader, Representative Daniels."

Daniels: "Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have lived with, listened to, worked with, been part of the development of, and legislatively participated in discussions relating to the educational problems of the State of Illinois for the last 17 years. During the point of those 17 years, I have time and time again, over and over again, without exception every single year, listened to the problems of the City of Chicago as it relates to its school system. Today is no different. Once again, we are listening to individuals doing their best to represent their constituents and bringing forth problems to this state in order to improve the educational quality for the children of the City of Chicago. And I'm not offended that some people may say we have a downstate school problem, and we should bring that school problem up now and help resolve that as part of an overall package. That doesn't bother me when some of my colleagues on the other side of the aisle come over and say, would you help us with our downstate school problem, because I think that's what the legislative

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process is about. It doesn't bother me when other people try to put a package together to assist in the development of problems of their constituents, cause I think that's what the legislative process is about. But I do tell you this, that it's almost as if the state is now continuing to divide itself in an upstate, downstate atmosphere in a problem where we're going to take 400,000 students out of Chicago and say, it's your problem, we shouldn't be concerned with it. And yet, each and every one of us know, as we have heard for so many years, we are one, this state. We are undivided. We do have a responsibility to every student in the State of Illinois, and at the same time I ask myself, what is going on during this discussion. Why are we having these yearly problems with the City of Chicago and it's school system? We have a strike in Elgin, and the strike goes on for well over two weeks. And Elgin doesn't come to the State of Illinois and say, solve our strike. Elgin solves it, the second largest school district in the State of Illinois, solves it own strike problems internally. One of my communities in my district, Addison, Illinois, you remember the strike that lasted for 14 days. Terrible problem. Parents having trouble when they were trying to work with their children, because they weren't in the classroom. They didn't come to the State of Illinois and say, solve our problem. They solved it internally. And yet, every single year, Chicago Board of Education comes to Springfield and says, we can't handle our problems internally. We either need more money, or we need to do new things to create new opportunities to get more money from a reserve fund that we set up previously in order to protect the school system of Chicago. Now, why are we here again today? You know why we're here. I know why we're here, because the interim board of the City of

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Chicago's School Board signed a three year contract for teachers that they couldn't afford when they signed it. For 21% increase in teachers' salary when no other district in the State of Illinois would sign a contract like that. And you know right now, that yes, the school funds are balanced for this year, but in FY '93 there's a \$178 million deficit in the Chicago School System that we're going to be asked to pay for. You know it, and I know it, because they aren't handling their problems internally in a proper fashion. Now, I looked at this resolution, and I looked at the proposal that's being brought forth for us today, and I met with the Governor, and I met with the Governor's staff, and I discussed it with them at length. And I said, just if we take this \$35 million, 17.5 for two years, aren't we really increasing a deficit? Doesn't it really add to our problems? Aren't we reducing the budget that we have available to us and spending and doing the reverse of what we want to do? And the answer is yes, we are. We're taking a band aid approach. It doesn't solve the ultimate problem. What really ought to be done, is the school board ought to go back and tell the teachers they can't afford the pay raises, and do what Elgin did. Do what Addison did and negotiate internally, but they're not going to do it. And talking to the Governor he said, you know, if we get some additional oversight, and if we understand and they understand that we cannot continue to do this year in and year out. I'm willing to go along with what the Governor told me, and I asked him a series of questions, and he answered those questions. And he worked with the school board of Chicago, with the Mayor of Chicago in trying to resolve some of those problems. And he brought to me the resolution of those problems, and today we had an extensive caucus. And I turned to the Members on

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the Republican side, and I said, here's what we have in front of us. What do you think about these problems? And for an hour and a half, we debated what position we should take on this legislation, and Ladies and Gentlemen, let me tell you something, every Member on our side of the aisle is concerned about the net result of what we may be doing here today to the City of Chicago and its school system, because we are not addressing or attacking the prime problem. And the problem is, you don't have the money. You have to cut spending. You have to cut the bureaucracy, and Pershing Road further, and you have to do more for your own school system, because the state doesn't have the money to bail you out. What this proposal does, is allow the City of Chicago to use some reserve funds, up to 35 million total, in order to provide a stipend, perhaps, for teachers, in order, perhaps, to answer a court suit that has been brought on summer school programs. In order to bring us through another critical stage to prepare once again for the school year that will start next August, where another teacher salary increase of 7% is due to kick in. I think it's fair to say that every one of us should recognize they're going to be back before us again. This will not solve that problem. But in asking the Governor what we should do and seeking his advice, he feels that we need to act on this problem today, and we cannot afford to allow it to rest for a resolution beyond the current legislative session. He feels that it would be disastrous for the people of Chicago and the 404,000 students of the City of Chicago public school system if they went out on strike. And this Governor is standing up and saying, I will take the stand and if this Bill hits my desk, I will approve this Bill, because it is a way of helping us through this current crisis, and is a method of assisting. Because the

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Governor has asked, and because he has pointed out the necessity to move, and because of my meetings with his staff, school board representatives, representatives of the School Finance Authority, assurances of oversight, and the requirements that we are going to be able to put into place as a result of this passage, I have told the Governor that I will support this legislation. It does not carry widespread support on my side of the aisle. As a matter of fact, I think that we, on this side of the aisle, expect, you, on that side of the aisle, the majority party to do what is responsible and cast the overwhelming votes, because you believe that your system is working as you have created in your party in the City of Chicago on behalf of your students. And we expect you to stand up and say, we will do what we have to do with your assistance. Because of the Governor's actions and his leadership, I think it's necessary for us on the Republican side to add a few votes to assist you in getting through this problem. I, for one, will be one of those votes. A few other Members on my side of the aisle will join. And I know that when I expect and look at some of the green votes on this, understand from our side, we are tired of the system of school education in Chicago not doing it's job in educating the pupils of Chicago. We are tired of the inferior product that you're delivering in the City of Chicago and be on notice, the rest of the state is watching. We expect you to educate your kids properly and do it in the right manner, and you've got a long ways to go. It's on your shoulders. It's your responsibility, and we expect to see leadership from you and changes made now. And, Mr. Speaker, with that understanding and with the leadership of this Governor, I will join in supporting, reluctantly, this piece of legislation."

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Speaker Giglio: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I won't take much of your time, because we debated this issue for the last couple of days. But I would say at this moment, that every part of the statement that the Minority Leader of this House has made, Representative Daniels, you are totally correct. In every phrase that you have set forth from your oral cavity is totally correct. The only thing that is missing is the fact that this legislature has failed through the years in overall funding for education throughout the state, not just the City of Chicago. And the mandates that we've placed upon the taxpayers in the City of Chicago and throughout the state toward a better educational methods but never funded them from the state treasury. You are totally correct, and I join with you on this matter. I would like just to point out a couple of items to you that may...that's been going on in debate here. I'm not going to get into the stone casting and stuff like that. That accomplishes nothing. But our state aid formula provides the City of Chicago, roughly, about 850 round figures, \$850 million a year. The taxpayers in the City of Chicago pay close to a billion or a little over a billion in helping for support education. The over two billion budget in the City of Chicago, is derived from these two components plus some dollars that come from the federal government. We, and other school districts, Elgin and anywhere else you talk about, have the same kind of problem except Chicago is a greater problem, because it has a greater number of students. The only issue here today is thank the dear Lord the Governor is going to go along with us. Let's get on the train, move it out of the station. It's not going to solve the total problem, but it will do is that it will be a move in the right direction to

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hopefully get the teachers continuing in their classroom instead of spending time after time and endless hours discussing their labor problems with their students. And, Representative Daniels, I have 15 years plus on the City College Board, plus my years down here. I have a number of years that have been totally dedicated towards education, and I didn't like what was happening all through these years when we have these strikes, because they're counter-productive. But also, the teachers should be treated properly, and in some cases throughout this state, they are not being treated properly. And that goes back to our own consciences here on this Floor. I think we've got to move forward. We have got to put the votes on this Senate Bill 1097, and thanks for your cooperation, Representative Daniels."

Speaker Giglio: "Representative Flinn."

Flinn: "Mr. Speaker, I think all of us have heard enough. I move the previous question."

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

Keane: "Thank you, Mr. Speaker. I cannot agree more than I do with the Minority Leader. He hit the nail on the head. The reason we are down here is because the Chicago Board of Education did not do the job that they were supposed to do. They are incapable of making a hard decision. Every time a difficult, a difficult decision was made to cut or to cut, make cuts so that they could meet their budget, they refused to take the vote. So, the hard votes come down here, and that's what we're doing. The SFA from 1979 through 1986 made the hard decisions, that to me, this Board of Ed is not willing to do, and I totally agree with

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the Minority Leader. This...these items to not belong down here year after year after year. One other thing, and I'll finish. All four of my children attended private...not...the public schools. None of them went to private grammar schools and so on. One of the problems that my wife and I faced every year was, will the schools open or will we have a strike. The system in Chicago is getting destroyed because of things...everyone says we're for the kids. Bologna. Bologna. The kids mean little in a lot of these things. What we're talking about is we're talking about fiefdoms. We get the union locked in. We get the board locked in. No one can move, and what happens? We go out on strike. My kids suffered. Over a period of about 12 years, we experienced 4 strikes. What happens with most people when that happens? If they can afford to leave the system, they go, and they're gone. We don't need anymore strikes in the City of Chicago. We don't need a board that doesn't do their job. We don't need a board that doesn't...isn't willing to make the tough decisions for the kids, not for their political futures, not for who's going to get this award or that award. If we're really for the kids, this Bill will keep the schools open, and the kids will win. Let the board, let the unions, let the rest of them fight it out. But, I would ask for your vote...your 'aye' vote on this Bill. Thank you."

Speaker Giglio: "Question is, 'Shall Senate Bill 1097 pass?' 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 Trotter, one minute to explain your vote."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. It's a sad state of affairs when the Illinois House of



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Representatives starts drifting into the David Duke mentality, and this is what we're seeing here when we start using these words of shiftless of needing an oversight committee. Whereas we have inferior products. These are the same code words that are being used down in Louisiana now. It's a sad state of affairs when this august Body starts reaching back into the old days in trying to say that we cannot have any kind of self-determination, and that is what's happening with this legislation. We're taking away the self-determination of the people of the City of Chicago. Saying that we do not have the power nor the brainpower and the willpower to govern our own system. We have it. Just unfortunately this group thinks we should not have it, and I vote 'no'."

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

Matijevich: "Mr. Speaker and Members of the House, I voted for the Amendment yesterday. I think that the Governor's right, that this is something that can keep the schools open, and I'm going to vote for it today. However, during the debate I heard one of the Gentleman mention a rumor that I had heard yesterday and it got a little stronger today, and that's that this Bill might be a trade-off for the Fox Valley Expressway. A \$1.3 billion expressway. If that happens late...in the late minutes of this Session, like 3:30 a.m. in 1989 when we passed the Comprehensive Tollway Act without any environmental safeguards, without any planning, then I know it's more than the kids that are at stake. I'm voting for this, but I'm keeping my ears and my eyes open so that we don't environmentally rape northeastern Illinois."

Speaker Giglio: "The Lady from Cook, Representative Lou Jones."

Jones, Lou: "Thank you, Mr. Speaker. I just meant to explain my

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vote. I've heard several speakers previously place the blame for this situation on the Chicago School Board, and I'm rising to tell you where the actual blame is. Who is partially responsible for the situation that we are in now, that I have to agree with one thing that Representative Daniels said. They negotiated a contract with the interim board knowing...playing politics with the children in the City of Chicago knowing that the money was not there. And, they figured further on down the road we would get to this...where we are today and we would come back..and you can place the blame on a number of people, and it is a bailout. But I'm here to tell you, passing this Bill will not avert a strike in the City of Chicago, and I would like to appeal to my colleagues that don't live in Cook County, don't live in Chicago, that myself and several others of us have voted with you on issues of importance to you, and I'm here to tell you this is not going to stop a strike in Chicago. You're taking the powers away from the board in Chicago and blaming the board, and you're giving the powers to the mayor of Chicago and also to the Governor of the state. I feel the Governor of this state, your good Governor, has stripped my community enough. He has taken everything away from the City of Chicago and now he wants to control a \$2 billion corporation, which is District 299. I want to thank the ones of you that put the red votes up there and the ones that have the green votes up there, I'll ask you again, don't play politics with my black children in Chicago. Please vote 'no' on this legislation."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Keane."

Keane: "Poll the absentees, please."

Speaker Giglio: "Poll the absentees, Mr. Clerk."

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Clerk Leone: "A poll of those not voting. Representative Black, Hicks. Shirley Jones. Martinez. McCracken. Shaw and Wyvetter Younge."

Speaker Giglio: "Representative Edley, do you seek recognition?"

Edley: "There isn't any quid pro quo here with the toll road for the collar counties, and I'll switch my vote from 'no' to 'yes'."

Speaker Giglio: "Change the Gentleman's vote from 'no' to 'aye'. Representative Rotello. Representative Rotello wishes to be recorded as voting 'aye'. Representative Deering. Representative Deering wishes to be recorded as voting 'aye', Mr. Clerk. Representative Davis. You...would like a verification if this receives 60 votes. Representative Martinez. Representative Martinez wishes to vote 'aye'. Representative McCracken votes 'no'. Representative Hicks, are you seeking recognition? Representative Black, are you seeking recognition?"

Black: "Yes, Mr. Speaker. How am I recorded?"

Speaker Giglio: "You're not recorded...as not voting."

Black: "Vote me 'no'."

Speaker Giglio: "Representative Olson."

Olson, Myron: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have listened very carefully to this stirring debate. I am mightily impressed by the Minority Leader who so graciously looks on the education of Chicago children as a must for this community, and I'm particularly pleased in having talked with Jim Keane who has just announced he will be Republican candidate for election to the House in 1993. Therefore, I'm going to cast a 'yes' vote for all the children in Chicago and all my good friends on the other side of the aisle."

Speaker Giglio: "Change Representative Olson's vote from 'no' to 'aye'. On this question there are 60 voting 'yes' and 52

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Matijevich: "Mr. Speaker, I see Dale Yung on the floor. He's retiring after 35 years with the Department of Revenue. Oh, are you going to do something...oh, I'm sorry. I didn't know Jim Keane's going to...I was wondering why he was here. Alright, Jim Keane's going to do something."

Speaker Giglio: "Representative Keane in the Chair."

Speaker Keane: "Mr. Clerk, would you please read the Resolution."

Clerk O'Brien: "House Resolution..."

WHEREAS, The members of this House have learned of the impending retirement of R. Dale Yung after a long and distinguished career in the service of the people of Illinois; and

WHEREAS, When Dale was born to Roy and Leola Yung on October 29, 1931, in Sesser, Illinois, his proud parents could not have guessed that he would spend nearly 35 years in public service to his home State; and

WHEREAS, Dale married his wife, Anita, on February 7, 1953; and

WHEREAS, Dale was educated in his home State where he received his bachelor's and law degrees from the University of Illinois which was and is one of the premier institutions of higher education in the nation; and

WHEREAS, He began his career of public service as a drafter at the Legislative Reference Bureau where he honed his legal and verbal skills from February 1957 to April 1964; and

WHEREAS, Dale's commanding skill and breadth of vision took him from administrative assistant to Secretary of State William Chamberlain from April 1964 to December 1964; to assistant to Governor Otto Kerner from December 1964 to January 1969; to counsel for the State Property Tax Appeal Board from January 1969 to October 1970; to chief counsel for the Illinois Department of

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Local Government Affairs from November 1970 to October 1979; and

WHEREAS, Dale joined the Illinois Department of Revenue in October 1979 where he has continued to serve this State with great distinction as a deputy director, general counsel and administrator of legal services; and

WHEREAS, During his many years of service at the Departments of Revenue and Local Government Affairs, Dale became legendary for his enthusiasm, knowledge and dedication not only within the Department and the executive branch of State government but also in the Illinois General Assembly as he appeared on behalf of the Department as a recognized expert in all areas of taxation during innumerable committee hearings lasting interminable hours; and

WHEREAS, It is not an exaggeration to assert that Dale has detailed knowledge of every word and punctuation mark in the Illinois Income Tax Act, the State occupation and use tax Acts and the Revenue Act of 1939, a fact that has made him a truly irreplaceable, indispensable State employee; and

WHEREAS, Dale's accessibility and wealth of knowledge has also made him an invaluable resource for units of local government and members of the general public; and

WHEREAS, Dale's industriousness, resourcefulness, and knowledge, tempered with his practicality and pleasant nature has always made it a pleasure to deal with Dale on any issue; and

WHEREAS, While the members of this House and indeed all citizens of Illinois will greatly miss Dale's expertise, the prospect of Dale enjoying his family and frequent games of golf is cause for all of us to wish him many years of happiness in his retirement; 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 offer our heartfelt gratitude, our warmest congratulations and our heartiest applause to R. Dale Yung for his many years of dedicated and distinguished service to his home State; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to R. Dale Yung as a token of our gratitude and esteem."

Speaker Keane: "On the Resolution, Representative Johnson."

Johnson: "No, I have something else, but I'll wait."

Speaker Keane: "Okay. Representative McCracken on the Resolution."

McCracken: "Thank you, Mr. Speaker. Dale, with your leaving the state there will no longer be an authority...I don't know how to put it. Dale Yung, for those of you who don't know, for many years has been the final authority on Illinois taxes. The courts call him; they want to know his interpretation of the law. The Legislature calls up; they want to know his interpretation of the law. We are going to miss your expertise, many years of experience. Dale has done a fine job for the Department of Revenue and he richly deserves such a send-off congratulating him on his many years of service. If I have a question in state tax I don't know what I'm going to do anymore with Dale Yung gone. So, Dale, you have our best and thank you for 35 years of all your efforts."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. For those of us who hang out in the Revenue Committee, Dale Yung has been our guru. He is available and approachable to people who are Democrats, who are Republicans, to those of us who are Legislators, to our staffs, to people in the

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courts, to people across the State of Illinois. Our tax code is an arcane one. I think maybe it's time to do a little revision, and Dale, I hope you'll leave us a forwarding address so that we can find out from you exactly how we ought to do it in the future. To me you represent the very best that is in the meaning of the term public service. You know what you're talking about. You share your information. You're not a partisan, you're someone who's willing to help us learn and to help us do our jobs better. I don't know what we're going to do without you, but I do know that we all owe you a major debt of gratitude for all that you have done, not just for us, but for the people of the State of Illinois. Many thanks and Godspeed."

Speaker Keane: "I will just take a minute to add my congratulations to Dale Yung on his retirement and echo what previous speakers have said. He is an outstanding...the outstanding expert in revenue. Quite often...we always went to him for...as a final authority. He will be very very much missed. He exemplifies everything that's good and great about the staff and the people that we have in state government, and I'd like to ask Dale to just say a few words. Dale."

Dale Yung: "I certainly appreciate the honor that I have received today. I would have to comment that I was drug over here by deception to discuss some particular legislation, and had no idea that this was about to come, and during the vote and the wait I couldn't help thinking this is just like waiting to testify in a legislative committee. So, I want to thank all of you very much. I appreciate it."

Speaker Keane: "Representative Giglio in the Chair."

Speaker Giglio: "Mr. Clerk, would you kindly read House Resolution 1243."

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Clerk O'Brien: "House Resolution 1243 offered by Representative Novak, et al.

WHEREAS, December 7, 1991, marks the fiftieth anniversary of a day that has gone down in infamy, the aerial attack on Pearl Harbor by the Japanese air force; and

WHEREAS, At 7:55 on Sunday morning, December 7, 1941, Japanese dive bombers, fighters, and torpedo planes destroyed three United States battleships: the "West Virginia", the "Oklahoma", and the "Arizona"; a second wave swept into Pearl Harbor and inflicted heavy damage on the battleships "Nevada" and "Pennsylvania"; and

WHEREAS, The Japanese inflicted on the U.S. Navy casualties to the number of 2,718, of which 2,000 were fatalities, and Army casualties exceed 600, of whom more than 200 were killed; and

WHEREAS, Though they were successful in destroying the strength of the U.S. battleships, the Japanese missed the entire aircraft carrier fleet, which was at sea; and

WHEREAS, The attack culminated worsening relations between the United States and Japan that had extended over a decade and drew the United States into World War II; and

WHEREAS, A national memorial stands above the hull of the "Arizona" and serves as a monument to the Americans who gave their lives for their country on that "Day of Infamy"; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we pay homage to the memory of those who lost their lives at Pearl Harbor on December 7, 1941, and urge all citizens of Illinois to remember them on this, the fiftieth anniversary of the attack."

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



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Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'm proud to sponsor this Resolution commemorating the 50th anniversary of the attack on Pearl Harbor on December 7th, 1941. I think everyone in the chamber here...we can all remember certain events in our lives, we can all recall where we were at that particular hour, minute and day when that event occurred. I'm sure we can all recall the day that President John F. Kennedy was assassinated in 1963; what we did, where we were and what we were doing. For those of us who were alive in 1941, who may have been in the service or had families in the service or loved ones, and for those of us who were in our workplace or at home or on the farm when we heard that morning from President Roosevelt that the Japanese attacked Pearl Harbor, December 7th, 1941, that too, was a day that went down in infamy according to our President, that will always be remembered by the people of the United States of America. I think it's a great honor that we pay tribute to the veterans that lost their lives, that gave their lives to that cause for peace and freedom. For those people that survived...I have Pearl Harbor survivors that live in my district. I'm sure that many of us also have members that live in their district also. But I think it's a great honor that we commemorate them and honor them. Fifty years has passed. And, that we also pay tribute to the service and dedication to all the veterans in the United States of America and the great State of Illinois. And I would wish that all Members of the House of Representatives would be added as Co-Sponsors to this Resolution. Thank you."

Speaker Giglio: "You heard the Gentleman's Motion. Representative Matijevich."

Matijevich: "Mr. Speaker, I would just like to say that it's right and proper that on the 50th anniversary of Pearl

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Harbor Day, that we finally allowed the Pearl Harbor survivors to have a special plate. I was in Secretary George Ryan's Office when the officers of that organization were there to receive their plates, and I think it's right that we did finally honor them in that way. I also would add everybody's name to this Resolution in memory of those who lost their lives and the families of those who lost their lives and for all Americans."

Speaker Giglio: "Leave to have all Members added as Co-Sponsors. Hearing none, leave is granted. All those in favor of the Resolution signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Resolution is adopted. On Supplemental Calendar #1 appears House Bill 1097, Representative McNamara. Are you ready on 1097? Out of the record. Representative Steczo, Senate Bill 699. Representative Steczo in the chamber? Out of the record. Representative Preston on Senate Bill 250, Conference Committee Reports - Consideration Postponed. Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Conference Committee Report on Senate Bill 250 would provide for the Circuit Court of Cook County...in Cook county, the same number of associate judges that Cook County currently enjoys. The backlog in the Cook county court system is very lengthy, both in criminal cases, but more so in civil cases. In the area of personal injury suits, for example, it can take today seven to ten years from the time a case is filed to ever get to a courtroom to resolve a matter. Keeping in mind that somebody who has been seriously injured can't wait seven or ten years to have a matter resolved, that person may very well, if he or she should die in the interim, will end up never getting justice or the enjoyment of the fruits of the recovery that

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might otherwise be available. We have got to cut down the court backlog, and under the current situation with population shifts, Cook County is going to lose some of its judges and thus have an even higher backlog of cases. This Bill doesn't add anything, it just allows Cook County to keep the same number of associate judges it currently enjoys. I ask and encourage your 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. This Bill is on Postponed Consideration. It didn't get enough votes for passage yesterday. I think that was a wise decision. Would like very briefly to refresh your memory as to why I think it's the same decision you should make today. While the Gentleman is correct saying it doesn't add any cost to the judicial machinery in Cook County because you're changing the population level so that you can keep the same number of associate judges, you don't have to do that. You can accept that loss in population and reduce the number of associate judges which would in fact save money. I don't recall this legislation being introduced on behalf of any county other than Cook, so that we can keep associate judges or so that we can keep the same number of circuit judges or so that we won't even have to have our legislative districts approaching, in some cases, 800 square miles because of the census. I don't think it's right. I don't think it's necessary, and I would say to you that while the Gentleman certainly speaks the truth in that there's no extra cost and money, at some point you have to vote to save money, and a 'no' vote on this Bill could in fact save taxpayer's dollars, and I would urge you to vote 'no' on this Bill that is in fact on Postponed

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Consideration."

Speaker Giglio: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. I'd just like to point out, and I don't know if all the Members were aware of what happened last Session, but indeed I had a situation like that where some of my downstate counties had lost population. We came and asked for some help from this Body, and in fact we passed that Bill, and I think it helped not only my district downstate, it helped some Republican districts in the suburban areas. Probably you should have had that in that Bill, Lee. But in any case, just to point out that this Body has indeed, even last year, made an effort to try to accommodate counties that have lost population, whether they be downstate or suburban. I don't see where it makes any difference if this is in Cook County. Sometimes we get fired up about things in the City of Chicago or the things in Cook County, but let's face it, those people have to deal with their problems the same way that we do, day in and day out. And to think that they lost a few thousand people on a census that maybe even was undercounted, doesn't in anyway diminish the number of problems that they have or the case load that they have. We've been helped before in downstate, you've been helped before in suburbia. There's nothing wrong with helping out the Cook County people deal with their problems, and I'd urge a 'yes' vote."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, and thank you, Representative Hannig, for your very accurate words of encouragement. This legislation has been done for other counties around the state. As

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Representative Hannig has pointed out, this does nothing but allow the Circuit Court of Cook County to keep the same number of judges it has now to deal with the problems that they have of more litigation than any other county, not just in the state, but I believe more litigation than any other county in the United States. It is the busiest court system in this country, and if they lose their judges there's going to be a greater backlog. So, this does nothing but allow them to deal with the problems that they have with the same personnel they now enjoy, so I encourage and urge and hope you will vote 'yes' on this legislation."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 250?' 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? Representative Black."

Black: "Just an inquiry of the Chair since it's zooming up to 70. How many votes does this require?"

Speaker Giglio: "71."

Black: "I thought so. And, Mr. Speaker, should it get the requisite number of votes I will request a verification, and on every Bill from now on that's close, every Bill that we can't reach agreement on, we're going to verify every vote."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 71 voting 'yes', 44 voting 'no'. The Gentleman asks for a Poll of the Absentees."

Clerk O'Brien: "A poll of those not voting. DeJaegher and Kubik. No further."

Speaker Giglio: "Poll the affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeLeo.

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Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi.  
Granberg. Hannig. Harris. 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. Ronan.  
Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky.  
Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter.  
Turner. Walsh. White. Williams. Wolf. Woolard.  
Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker Giglio: "Representative Black, questions of the affirmative?"

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

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

Clerk O'Brien: "He's recorded as voting 'present'."

Speaker Giglio: "Gentleman is recorded as voting 'present'."

Black: "My glasses aren't what they use to be. I'm sorry, Mr. Speaker. Representative DeLeo?"

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

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

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

Black: "Representative Shaw?"

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

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

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

Black: "Representative Wyvetter Young?"

Speaker Giglio: "Representative Wyvetter Young. Is the Lady in the chamber? How's the Lady recorded, Mr. Clerk?"

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

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

Black: "Representative LeFlore?"

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

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

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

Black: "Representative Lou Jones?"

Speaker Giglio: "Representative Lou Jones. Representative Lou  
Jones in the chamber? How's the Lady recorded?"

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

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

Black: "Representative Farley?"

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

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

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

Black: "Representative Flowers?"

Speaker Giglio: "The Lady is in her seat."

Black: "Representative Turner?"

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

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

Speaker Giglio: "Remove the Gentleman from the Roll Call.  
Representative Brunsvold votes 'no', Mr. Clerk."

Black: "I'm sorry. Did Representative Brunsvold change his vote  
to 'no'?"

Speaker Giglio: "Changed...voted 'no'."

Black: "Representative Capparelli?"

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

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

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

Black: "Representative Trotter?"

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

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

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

Black: "Representative Laurino?"

Speaker Giglio: "Representative Laurino. Representative Laurino. How's he recorded?"

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

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

Black: "Representative Paul Williams?"

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

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

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

Black: "Representative Morrow?"

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

Clerk O'Brien: "The Gentleman's..."

Speaker Giglio: "Representative Morrow is in the back of the chamber."

Black: "Representative Martinez?"

Speaker Giglio: "Martinez. Representative Martinez? How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

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

Black: "Representative Flinn?"

Speaker Giglio: "Representative Monroe Flinn is in his chair."

Black: "I have nothing further, Mr. Speaker."

Speaker Giglio: "On this question there are 50...Representative Mulcahey."

Mulcahey: "Mr. Speaker, I'm going to leave the chamber, so take



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me off the RollCall."

Speaker Giglio: "Representative Preston."

Preston: "Mr. Speaker, would you ask Representative Black if he would continue with his verification until we get down to only 2 'aye' votes."

Speaker Giglio: "On this question there are 58 voting 'yes' and 45 voting 'no', and Senate Bill 250 having failed to receive the required number of votes, the...Representative...Representative Preston."

Preston: "Mr. Speaker, I'd ask that a Second Conference Committee be appointed."

Speaker Giglio: "The Gentleman asks for a Second Conference Committee. Alright. Did the Bill...Senate Bill 250 having failed to receive the required Constitutional Majority, is hereby declared lost. The Gentleman now moves that the...that a Second Conference Committee be appointed. Does the Gentleman have leave? Hearing none, leave is granted. Representative Matijeich."

Matijeich: "Mr. Speaker, I thought I'd better do this as long as we're still in a fairly good mood, and this is agreed. I would ask leave of the House and the use of the Attendance Roll Call to suspend the Rule to bypass committee and ask for the immediate consideration of House Resolution...what number is it? The...1245, I think it is. The change in the Rules that is on your desks. All it does is change the Rules with regards to deadlines...to comport to the deadlines that are being adopted in the Senate. I've cleared this with Representative Black. I would ask leave for the immediate consideration of the Resolution."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave for the Attendance Roll Call? Hearing none, leave is granted. Representative Matijeich."

Matijeich: "I would now ask for the adoption of the Resolution."

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I explained it. It just changes the dates for next years Session of the Legislature."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Representative Black."

Black: "Just very quickly, Mr. Speaker. It puts us in sync with the Senate Calendar. Is that right, John?"

Matijevich: "Alright."

Black: "Thank you." Speaker Giglio: "Alright. You heard the Gentleman's Motion. All those in favor signify by voting 'aye', all 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 ques...Representative Woolard. On this...on this question there are 113 voting 'yes', none voting 'no', and House Resolution 1245 having received the required Constitutional Majority, is hereby declared passed. Representative Woolard."

Woolard: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to just make a statement about a Bill that a lot of people have had some concern. Senate Bill 841 we won't be calling today, but we are going to have some elementary and secondary education hearing committee...committee hearings, and hopefully this Bill will be resolved in some fashion in the very near future after the first of the year. I wanted to make that announcement."

Speaker Giglio: "Alright. On Conference Committee Reports, House Bill 1545, Representative Preston. Representative Woolard, you have one too."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1545 incorporates new Supportive Residences Licensing Act that authorizes the Department of Public Health to license up to six support residences for

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persons with the HIV disease in Chicago. This proposal originates from the Catholic Conference of Illinois in relation to Bonaventure House and the operator of Chicago House, both located in Chicago, which are both existing supportive residences for persons with HIV disease that are the type that would be licensed under this legislation. This report has been reviewed and approved by the Illinois Department of Public Health. What this...the reason this Bill is needed is because of a technical provision, actually an opinion, an attorney's opinion regarding the existing legislation. The Attorney General or one of the attorneys for the Department of Public Health felt that these two residences might not be included in existing legislation, so it was felt that this additional legislation was necessary for the operation of these two existing residences for victims of the HIV virus. I know of absolutely no opposition to this legislation. It becomes effective immediately upon passage and signing by the Governor, and I urge your 'aye' vote and be glad to answer any questions I am able to."

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

Black: "Thank you very much, Mr. Speaker. I just simply rise to support the Gentleman's Motion. He's worked very hard on this Bill. I commend the Sponsor for his diligence, his effort, his skills at negotiating a compromise, and I would say I know of no opposition to this Bill. It is supported by the Catholic Conference of Illinois, Chicago House, Jewish Federation, AIDS Foundation of Chicago, the Governor and hopefully my colleagues on this side of the aisle. An outstanding job. And when you're right, Representative, it is my pleasure to stand in support of your Bill and I only wish I was a Co-Sponsor on it with you."

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Speaker Giglio: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker. I'm not certain if this Bill has just been...effectively been killed, but I hope everyone will vote 'aye' for this good legislation."

Speaker Giglio: "You heard the Gentleman's Motion. The question is, 'Shall the House accept the First Conference Committee Report to House Bill 1545?' And on that question, 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? 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 First Conference Committee Report to House Bill 1545, and this Bill having received the required Constitutional Majority, is hereby declared passed. On Conference Committee Reports, Representative Hicks, appears Senate Bill 326. 326. The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 326, now, is the Bill that we put together with the changes dealing with the JCAR recommendations for changes. I believe people on both sides of the aisle are very familiar with what the Bill actually is transpiring. Representative Black and I had some discussion about it on the floor the other day, whenever the Amendment was placed on. Be happy to try to answer any questions dealing with it."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 326?' 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,

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Mr. Clerk. On this question there are 110 voting 'yes', none voting 'no', and the House does accept the First Conference Committee Report to Senate Bill 326, and this Bill having received the required Constitutional Majority, is hereby declared passed. Let the record indicate, Mr. Clerk, that Representative Ben Martinez wishes to have voted 'yes' on House Bill 1545. On the Order of Senate Bills Third Reading appears Senate Bill 1410, Representative Brunsvold. Read the Bill, Mr. Clerk. Senate Bill 1410."

Clerk Leone: "Senate Bill 1410, a Bill for an Act to revise the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Brunsvold: "Thank you, Mr. Speaker. This is another Bill in line with LRB's recodification. It makes no substantive changes and would ask for your support."

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

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Morrow: "Representative Brunsvold, does Senate Bill 1410...does it have anything to do with how they elect a board of commissioners in Cook County?"

Brunsvold: "The LRB and law that we passed two years ago, set up a procedure for classifying the statutes in a different order so they'd be easier to use, and this is simply gathering information dealing with this subject area into one place. Staffs have looked through this and...to make sure there weren't any errors in putting it together, but it is to make no substantive changes on anything and it's simply a reorganization."

Morrow: "Alright, so it does not increase the number of commissioners?"

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Brunsvold: "No. There's nothing like that."

Morrow: "Alright, thank you."

Speaker Giglio: "Representative Brunsvold to close."

Brunsvold: "I ask for your affirmative vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 1410 pass?'

All 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 111 voting 'yes', none voting 'no', and Senate Bill 1410 having received the required Constitutional Majority...Three-Fifths Constitutional Majority, is hereby declared passed. Representative Schoenberg, Senate Bill 778. Senate Bill 1410. We didn't declare it? Alright. Have all voted who wish? Representative Martinez, 'aye'. On this question...have all voted? On this question there are 112 voting 'yes', none voting 'no', and Senate Bill 1410 having received the required Three-Fifths Constitutional Majority, is hereby...McCracken 'aye'. There are now 113 voting 'aye', none voting 'no', and Senate Bill 1410 having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Schoenberg, are you ready? Senate Bill Third Reading appears Senate Bill 778. The Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment to Senate Bill 778 provided for the attorney in charge of prosecutorial actions for the Department of Registration and...for the Department on Regulations, should have a minimum of four years practice in the legal profession and should have a valid law license. The other provisions of this Bill have already been passed and signed by the Governor in House Bill 1365.

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I urge an affirmative vote on this."

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

Black: "Thank you very much, Mr. Speaker. The Sponsor gave an explanation of the Bill and I didn't hear one thing he said."

Speaker Giglio: "Representative Schoenberg."

Black: "What does this Bill do now, Representative?"

Schoenberg: "The provisions in the Bill which provided for the certification and regulations for real estate appraisers. I...as I..."

Black: "Oh, oh, oh, oh. Wait a minute. Whoa, whoa, whoa. Whoa now. Get your file. Get your file. This Bill was amended. The Amendment becomes the law, and I don't think this Amendment has anything to do with real estate appraisers."

Schoenberg: "I stand corrected, Representative. The Amendment deals with the attorney in charge of prosecutorial actions and merely...It was adopted two days ago. You're absolutely correct that the Amendment does become the law and provides for minimal standards for the...a particular position in a particular department of the state."

Black: "Thank you. I knew if you looked down at that file of yours that you would discover that Amendment #1 now becomes the Bill. I appreciate that, Representative. Thank you. Mr. Speaker, Ladies and Gentlemen of the House, no matter how well-intentioned Amendment 1 is, it becomes the Bill. And all this Amendment really does, and I know the Sponsor feels very strongly about this Amendment, it attempts to manage a department in state government by micromanagement techniques from the General Assembly. Now that may not be a bad idea on some occasions, but I don't think we want to bring every problem and hassle to the Floor of the General

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Assembly to tell a director of a department who they can hire, who they should hire, what position they should create, what position they should not create, who should be qualified to serve in that position and who should not be qualified to serve in that position. I think we've been there, and I think the decision was called 'Rutan', and it says if there's a problem there is a legal remedy in the courts. So, I don't think Amendment #1, telling the Department of Professional Regulation who they will hire, not by name but by profession or by license, how many years of experience that person must have, and to abolish any position in the department that doesn't meet Section 1 or Section 2 of the Amendment, is really a good idea. I would suggest that the Sponsor of the Amendment take up his or her concern with the director of the department and try to get it ironed out that way. I think it's a very dangerous precedent to bring these kinds of battles to the Floor of the General Assembly, flies in the face of the 'Rutan' decision, and while the Sponsor may be well-intentioned and maybe and probably is justified in being upset at the action, it doesn't belong here for us to correct. He has a course of action he can take, and I would suggest that that's the way it should be handled and not brought to this Floor for concurrence, or how a department shall be run, who they shall hire and what qualifications those positions shall have. It's a dangerous precedent. I think we should vote 'no'. And, Mr. Speaker, in all due respect, should it get the requisite number of votes for passage, I will request a verification."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Well, Mr. Speaker, I guess I should rise since I'm the Sponsor of the Amendment. Representative Black always does a good job and I recognize his position now. He must,



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being the floor leader, defend the Governor on the floor. He must...the Governor...defend the Governor when he's right and evidently he must defend the Governor when he's wrong, too. This doesn't really establish a bad precedent. Really, what we're doing is putting into law what had been the regulations under civil service. That this position had, I think, under civil service was a minimum of five years experience. I think there are those circumstances where we do have to in the statute, and we do it all the time by the way, establish certain policy, and I think the policy is a good one that where there is a prosecutorial division, and it has evidently forty lawyers in that prosecutorial division, that there be an attorney in charge. What happened was that the Governor made a...you know, in these times when we're laying off positions. Even laying off positions, we shouldn't. For example, in the Department of Revenue we're laying off revenue collectors who earn their pay. We're laying those people off, yet we find room for somebody transferred from the Secretary of State's Office where evidently the gentleman worked for the Governor when the Governor was Secretary of State; made a position for him, he graduated from law school but he isn't an attorney, he didn't pass the bar, and placed him in charge of these...this prosecutorial division. This is a matter, I think, that ought to be a policy decision which the Legislature can make, so I would urge the passage of the Bill. I realize the time is late and we probably don't have the votes to do that with the opposition of the other side in their haste to defend the Governor even when he's wrong, but I think we ought to make that attempt and show that we think he's wrong and this ought to be in the statutes. I would urge the passage of it."

Speaker Giglio: "Gentleman from Cook, Representative Parke."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield to a question? Is there anything in here that has to do with the real estate license or that affects realtors."

Schoenberg: "Absolutely not."

Parke: "Then let me address the issue itself. The previous speaker has indicated some kind of a plot here or some kind of a program that's been ongoing over years. Unfortunately the previous speaker is mistaken. He is referring to something that...quite frankly, he does not understand the Bill. This position was established August of this year, and it is an administrative position and it is there as an administrative position. The Governor is not incorrect. The previous speaker is incorrect, and I think he needs to take time instead of ad-libbing while we're standing here taking the time of the people on this floor, he ought to read what's in the Bill. This is a good...this is a bad idea, and I think we should veto and vote against this Bill because it is a bad idea. Let the departments do their job. Let the directors do their job and hire the people that they need to do the job for the people of the State of Illinois. This Governor has hired very qualified directors. Let's allow them to do their job."

Speaker Giglio: "Further discussion? Hold on. Representative Schoenberg to close."

Schoenberg: "Mr. Speaker and Ladies and Gentlemen of the House, in listening to the debate it's clear that both sides have the intention of making sure that state government works more efficiently and far more effectively, but it's also clear that there's no consensus as how we should proceed on that. I would nonetheless encourage my colleagues to vote 'aye'."

Speaker Giglio: "The question is, 'Shall Senate Bill 778 pass?'"

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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 Black."

Black: "I don't think I'm going to have to bother. But just an  
inquiry of the Chair. I believe this carries an immediate  
effective date, and if so, would require 71 votes. Is that  
not correct?"

Speaker Giglio: "Yes, it takes 71 votes."

Black: "71 votes. Why I don't think we'll have to worry about  
it. Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who  
wish? Take the record, Mr. Clerk. On this question there  
are 55 voting 'yes' and 46 voting 'no', and Senate Bill 778  
having failed to receive the required Constitutional  
Majority, is hereby declared lost. Calendar  
announcements."

Clerk O'Brien: "Supplemental Calendar #2 has been distributed."

Speaker Giglio: "Supplemental Calendar #2. Representative  
Giorgi, Homer, McNamara, Hoffman, Steczo, Wolf, Currie,  
Giorgi and Wolf. On concurrence, House Bill 2292,  
Representative Giorgi. Is the Gentleman in the chamber?  
Out of the record, Mr. Clerk. Conference Committee  
Reports. House Bill 104, Representative Homer.  
Representative DeJaegher. Out of the record, Mr. Clerk.  
House Bill 2292, Representative Giorgi. Conference  
Committee Report - Senate Amendments 1, 2 and 3.  
Representative Giorgi, there's a Motion pursuant to Rule  
74(a), that you move to take from the table and suspend  
Rule 79(e) and place on the Order of Concurrence. Does the  
Gentleman have leave by the Attendance Roll Call? Hearing  
none, leave is granted. The Bill now is on the Order of  
Concurrence. Representative Giorgi, House Bill 2292."

Giorgi: "Mr. Speaker, this is for us to concur in Senate

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Amendments 1, 2 and 3, which helps the people that are waiting for money from the vendors of the State of Illinois. It allows the Illinois Development Finance Authority to issue bonds, and it allows the Illinois Association of Relocating Facilities and the mental health people, too. It'll help them get their bills paid from the issuance of the bonds and they put securities up with the Illinois Finance Development Authority, so that we help people that are waiting for state payments."

Speaker Giglio: "You heard the Gentleman's Motion. Representative Black."

Black: "Thank you very much, Mr. Speaker. I think we have a pretty decent Bill here, but I do need to ask the Sponsor a question or two."

Speaker Giglio: "Proceed."

Black: "Amendment #1 in which you're concurring, simply changes the effective date. Correct?"

Giorgi: "But that was wiped out by Amendment #2, so Amendment #1 is moot. Amendment #2 deletes everything after the enacting clause."

Black: "Okay. Alright. So, Senate Amendment #2..."

Giorgi: "And 3."

Black: "Senate Amendment #2 requires the Department of Public Aid to establish a system of payment for day care, and does give priority to families participating in employment training and education programs. Correct?"

Giorgi: "Very correct."

Black: "Alright. Amendment #3 amends the Public Aid Code to provide that certain governmental agencies may accept direct payment from the department if a medicaid provider has assigned a security interest in any payments to the agency."

Giorgi: "That's correct."

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Black: "Is that part of the...that part of the Bill, I think, is agreed to, is it not, by the providers?"

Giorgi: "Yes. The Illinois Hospital Association and all of the participating parties agree."

Black: "I think even the...is pharmaceuticals on board on that?"

Giorgi: "Yes."

Black: "Okay. Hang on just a second, Mr. Speaker."

Giorgi: "And the pharmacists."

Black: "Fine. And there is no...Amendment #2...now...now wait a minute. Is Amendment #3 accepting the amendatory language of the Governor?"

Giorgi: "Amendment #2 does."

Black: "Okay. I'm with you. So, Amendment #2 accepts the language from the Governor and Amendment 3 has something to do with medicaid assessment?"

Giorgi: "Providing providers with cash flow funds until...so they can pay us."

Black: "Alright, I'm with you. Thank you. I appreciate your patience, because this Bill, I know, has just come over. I commend the Sponsors of this legislation for working out the many concerns of the department and others had. The Department of Public Aid stands in full support of this Bill, and I think you heard the Sponsor say that many of the other concerned parties also stand in support of this Bill."

Giorgi: "Thank you, Bill."

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

Giorgi: "Roll Call."

Speaker Giglio: "Question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House House Bill 2292?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? McAfee, 'aye'. Mr. Clerk, vote McAfee 'aye'. On this ques... Take the record. On this question there are now 113 voting 'yes', none voting 'no', and the House does concur with Senate Amendments #1, 2 and 3 to House Bill 2292, and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. ...reports, appears House Bill 104, Representative Homer. House Bill 104, Conference Committee Report."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. The Bill has...approximately eight or nine items in the Bill, that I think, are not of a controversial nature and of which have been discussed with Representative Cowlshaw. They all involve educational issues and I'll run through them very briefly, and then if anyone has a question about any particular item, I would be happy to try to respond. One of the provisions provides that school boards that elect their members from a sub-district, that those members must be residents of the sub-district, and if a resident of a sub-district resigns, then someone from the same sub-district must be appointed. Another provision is that teachers are not required to record every individual contact with parents on the report card section involving parental involvement. Another provision is that the school boards are required to file a copy of their collective bargaining agreements with the Illinois Education and Labor Relations Board, which I understand is just a codification of current practice. Another provision involves my school district. One of them, Canton, that was a defendant in a lawsuit that had an adverse impact in terms of their 1977 equalized assessed valuation. This is an allowance for them to utilize their actual equalized assessed valuation for that purpose and not their inflated one that was there

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before the court made that reduction. Number...the next one has to do with educational service centers that allows them to borrow up to 50% of the payments that are due and payable, as opposed to those that are...that are overdue. The current law is 85% overdue. This would be 50% of those that are due and payable. And, finally, this is a provision that the three chief operating officers of the Chicago Board of Education are not required to be teachers, and I would try to answer any questions on these issues and would urge your acceptance of the report."

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

Cowlshaw: "Thank you very much, Mr. Speaker. I am grateful to Representative Homer for coming over, and because there are a lot of details in this Bill, but he was kind enough to come and sit down and discuss these with me and we've gone through them. Many of them are things that have already been passed in one other form or another. There are no surprises in this Bill, and much of this is something that is really needed now, simply to clarify certain other prior actions that we've already taken, and some of these are things that have been specifically asked for by various school groups throughout the state. There really is nothing controversial in this Bill, and I would point out to you there is one small section that has to do with taking care of a problem of one school district in Representative Homer's district, but I think that's just fine, and we do that for everyone else, we surely should do it for Representative Homer. I stand in support of this Bill."

Speaker Giglio: "Further discussion? Hearing none, Representative Homer to close."

Homer: "Thank you. I'd just like to thank the Lady for her

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graciousness, and I would ask for your support."

Speaker Giglio: "Question is, 'Shall the House accept the First Conference Committee Report to House Bill 104?' 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', none voting 'no', and the House does accept the First Conference Committee Report to House Bill 104, and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative McNamara, House Bill 1097."

McNamara: "Thank you, Mr. Speaker. House Bill 1097 is a Bill that we had over in the Senate. It was originally a Bill with the state aid formulas...it's the original state aid formula and it has been totally stripped out. The provisions are to accommodate a school district in Senator Maitland's area where they need the elections for consolidation in 1992 instead of 1991, and also, some cleanup language on the corrected Conference Committee Report #1. The cleanup language was put in there in order to assure that the petitions that are being passed out for the consolidation right now, would be in effect and would be put forward. There is another provision in the Bill as well, and that is, that the school district that has had a delayed payment from the State of Illinois may borrow the amount of that delayed payment even if they have reached their upper limits of their borrowing. I urge for its approval."

Speaker Giglio: "Any discussion? Representative Davis, the Lady from Cook."

Davis: "Thank you, Mr. Speaker. Representative, will you yield for questions?"



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McNamara: "Always for you."

Davis: "Okay. Is this the Bill that does what to Chicago?"

McNamara: "It does nothing to Chicago. This is a Bill that deals with consolidation of school districts. Normally those consolidations are outside of the Chicago area. It's other than school District 299. And what it does, it's Grace Mary Stern's area, Representative Stern's area has a consolidation issue that's going on right now where they're collecting petitions. The existing law says that that election must be held in the odd-numbered years. And what we're doing is, is we're saying if that happens, it can't...that consolidation...will not allow them to have that consolidation until 1993."

Davis: "Let me ask you this. According to this legislation, it says, 'If any school district has reached its maximum short-term indebtedness limitation, that it may borrow up to 100% of the amount of state aid to be received in July.'"

McNamara: "That's correct. And that provision..."

Davis: "Okay. Now let me ask you this. Is this saying that Chicago also will be able to do some short-term borrowing of up to 100% of its state aid?"

McNamara: "I would imagine that they would be able to if they were at an 85%, if they had borrowed their maximum amount. That's only the amount. Just so we understand that. That is only the amount that has been delayed in payment by the state. In other words, the state has delayed the payment of July, so they would be borrowing that 85% anyway."

Davis: "But, this is my question. Can now...We're giving some other school districts here the opportunity to borrow up to 100% of the state aid dollar they will receive. My question, Representative, is..."

McNamara: "No. No. No. Let me correct that statement, if I

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could, please. Excuse me. It is not...You're hung up on the 100%. We...it is on the basis of 100% of the July payment that they would receive, which is only the delay of the money because of the delay of the state sending the money to the school district, not 100% of their maximum borrowing authority."

Davis: "Okay. In other words, if they need this money, Representative, before July... Let's say they're going to get \$17 1/2 million. Let's just say that, okay? Let's just say they're going to get 17 1/2 million in July. They can borrow the 17 1/2 million before July. Is that correct? They can borrow that money and put it in the bank and use that interest. Is that right?"

McNamara: "I can't answer your question. I do not know."

Davis: "Neither did the other one. The other one didn't have anything to do with Lake County either."

McNamara: "What this Bill, and again, it was Senator Maitland that wished to have it for his school districts, etc, and Senator Berman. What his concern was, and I'm not sure at all whether it applies..."

Davis: "Well see, Representative, my concern is, and I want you to listen to me real good. My concern is that you're giving some school districts the opportunity to borrow up to 100% of the state aid that they will receive in July, and you're giving them the opportunity to go badly into debt. Just what we don't want Chicago to do now. We must protect these people. We must make sure they don't overspend, and if they borrow this money and they spend it up, they'll be back down here asking for more money in July. I think it's a bad piece of legislation. I think it sets a bad precedent, and what you're doing is borrowing from perceived funds. If this Bill receives the required number of votes, I request a Roll Call."

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McNamara: "Let me explain something to your last question, which I'm not sure was a question."

Davis: "And a verification."

McNamara: "Okay. Let me...let me explain something as to how this is...this happens. Right now, what the state has done by delaying the state payment by one month to all of the school districts in this state, there are school districts within this state that are already at their 85% of what they should...or what they are getting in, that's how much they are authorized to borrow. What this Bill is saying, that that delayed payment, which will be coming in July instead of June by the definition that we had, we took that money away from them and put it into another month. We are saying that they can use that money because there was the same thing that happened before, that they had a full 12 month year, that they can borrow 85%, a 100% of the delayed payment in July."

Davis: "Well, what you're saying though, is that you're giving them an opportunity to use money they have not yet gotten. You're going to let them use dollars they have not yet received. You're saying they're going to get it anyway. They can borrow up to the amount they're going to get, but you say Chicago can't even use what it has and already belongs to Chicago. I think this is a bad piece of legislation and I do request a verification. Thank you."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To correct some confusion with regard to this Bill by the previous speaker. This Bill is an important Bill because of the reasons Representative McNamara stated it was, because for this year we delayed the double payment that the school districts would normally get in June, one month, the second payment. All this does is allows them to

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borrow the amount that they would normally have gotten in June but will receive in July, and the Bill requires that the district pay it back one month later in August. So what it does is, is it makes...it gives some relief to those school districts who had that payment delayed when they would normally have obligations to meet in the month of June. They will now be able to meet those obligations even though they may be at their max because the Bill requires that the amount that they do borrow not exceed the amount they would get from the state aid, but they must pay it back in one month. It's a good Bill. It's an important Bill for school districts in Illinois and I urge its passage."

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

Satterthwaite: "Mr. Speaker and Members of the House, this is just something to help those districts who were disadvantaged by the change we made last summer where we are making their books unbalanced for the year because we have delayed a payment that they were suppose to get in June and they will not receive until July. In order to help them to balance their books for this fiscal year, it would be a help for them to have this legislation. They do have to repay it within a very short time frame. It is no giveaway. It is only something to help them with a problem that we created for them and I urge your support."

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

Cowlshaw: "Thank you very much, Mr. Speaker. I think there's been a lot of misunderstanding about this Bill. First of all, there is the tendency to confuse it with Senate Bill 1097 which has exactly the same number and which does apply to Chicago schools. This, however, is an altogether different Bill. This is House Bill 1097, and what

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Representative McNamara has told you is precisely correct. This Bill takes care of a couple of things that Representative Grace Mary Stern needs to have done as far as the whole business of the elections in relation to school districts, and it does, in fact, provide for this...the possibility of one of these short-term loans. It is my understanding that that language was included in this Conference Committee Report as the result of the request of a couple of State Senators whose school districts have reached the limit of their short-term borrowing power, and who would be put at a tremendous disadvantage financially by that delay in that school aid payment. Now, this only applies if, in fact, that limit has been reached, and if, as someone has said, they can't balance their books because of that. But, I would point out to those of you who are concerned about this application to Chicago, that Chicago has a different fiscal year, and consequently, that delayed state aid payment has a different effect on the City of Chicago schools than on those of the two State Senators who requested this language. I don't think there's any danger in what is included here. It is simply something that we need to do to be accommodating to a couple of downstate school districts and a couple of State Senators. It's not dangerous. In fact, I think it is highly unlikely that it even actually applies or would have any application for the City of Chicago schools, and I urge a 'yes' vote."

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

Novak: "Mr. Speaker, will the Sponsor yield? John, whose idea is this? Was this from the Governor's office?"

McNamara: "No. I believe this is from several places, State Board of Education for one thing is totally in favor of

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this concept, and the reason for it, in actuality, the reason for it is very simple. What we did to every school district in the State of Illinois who is at 85% of their borrowing power, when we took and we said you're not going to get your payment until next year, we reduced their borrowing power of what they were going to spend, and we put them at a tremendous disadvantage. This is to rectify a situation that has occurred because of our actions of putting the payment from a June to July. In actuality, it helps any school district throughout the state that's in trouble, that is at 85% of its borrowing level. The second portion of the Bill, so I can explain that portion of it, is one to help Grace Mary Stern in her area. You're not concerned about that. Okay."

Novak: "No. I just wanted to mention, it's just kind of funny. You know, there was a number of us Legislators that voted for Senate Bill 45. Unbeknownst to us, especially us guys, Ladies and Gentlemen from downstate, that I thought we were sold a bill of goods saying that this payment would never be delayed but we found out it was. It was, to quote the superintendent of education, it was a permanent delay. Now, a permanent delay sounds like it's gone. That it's never going to come back. So, I hope this is going to help, but what about the interest that the school districts have to pay back to the banks. Who's going to take care of that?"

McNamara: "This Bill does not address that problem, and nor...what this addresses is a problem that exists for your school districts now, because we have reduced their borrowing power over what had happened before. We have to, you know, we have to rectify that part of the problem. Nobody denies, nobody is saying that we did something that was great and glorious before. What we're trying to do for

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all the school districts in the state that are in trouble of trying to rectify some of the faults that we had, and that's all this does is take one part of that puzzle and help them out, and that's the reason that should be done now."

Novak: "I'm not quarreling with you on that. I'm just trying to make a little point here, and I think I'm speaking for a number of us downstate Legislators or suburban Legislators, but I'm going to support the Bill. But, it's just kind of ironic that when the Senate Elementary and Secondary Education Committee had their hearing last month, early last month before we came back to Veto Session, the budget director made a pretty emphatic statement saying, nobody's losing any money at all. The school districts aren't losing a dime. It's just a little paper shuffle. So, someone I think somewhere in state government has finally acquiesced to the point that they do agree that the money is being lost. So, I certainly hope that this helps school districts, whether in Kankakee or anywhere else in the State of Illinois. Thanks."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I rise in support of the Gentleman's Motion. What...when you put all the side issues on the shelf, what you have here is a microcosm of the problems that we create. You know, all of the school districts had adopted their budgets before we adjourned last July. And then when they found out what we had done, their budgets had already been adopted. They were counting on two payments in June, and then found out after adjournment that we were only going to give them one payment. There's been a lot of debate and, this Bill doesn't solve all of those problems and all of those perceptions. There are people in this chamber on both

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sides of the aisle that say the only way we're ever going to solve this crisis is to get our business completed before July 1. Maybe we need to role our Session back, but I'm sure that issue will be revisited another day. In the meantime, what the Gentleman is proposing here, is only fair. This Body, in its infinite wisdom, said we don't care that all school districts are on the July 1, June 30 fiscal year except the City of Chicago. We don't care that you already adopted your budget. Guess what we're going to do for you? We're not going to give you the money you had budgeted for. So, without the Gentleman's Bill, we will simply compound the errors that we have made. This is a small step towards solving a problem and a crisis that we created, and it's deserving of your support."

Speaker Giglio: "Representative Saltsman."

Saltsman: "Mr. Speaker, move the previous question."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the previous question been moved. Representative McNamara to close."

McNamara: "Thank you, Mr. Speaker, and I was...I'm very thankful that the discussion occurred, because I think we all understand what this Bill does. It is important to point out that there are...everyone signed the Conference Committee Report. It is supported by the State Board of Education. It is rectifying some of the wrongs that are...that were perpetrated by previous Bills that we've passed in the past. It will help out some of our Members in order to get consolidation done better and faster, and I urge your approval of this fine piece of legislation. Thank you."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee...the First Corrected Conference



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Committee Report to House Bill 1097?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Mr. Speaker. Very simply put, what this Bill does is allow school districts to borrow that one month that we've delayed. We already have provisions where we pay the interest payments to them, and if they've exhausted their ability to borrow, that's what this Bill does."

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

Schoenberg: "Mr. Speaker, Ladies and Gentlemen of the House. Because of the potential of a conflict of interest, please record me as 'present'."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 111 voting 'yes', none voting 'no'. Representative McNamara. Representative McNamara."

McNamara: "Yes, Mr. Speaker, is there a verification that was requested? I wouldn't want you to miss that point."

Speaker Giglio: "Representative Black."

Black: "May I have leave to be verified?"

Speaker Giglio: "Does the Gentleman have leave to be verified? Representative Davis. Representative Monique Davis, are you persisting in your verification? Alright, on this question, there's 111 voting 'yes', none voting 'no', and the Lady asks for a verification. Mr...Representative Davis."

Davis: "No. I withdraw my request."

Speaker Giglio: "The Lady has withdrawn her request for verification. Alright, on this question, there are 111 voting 'yes', none voting 'no', and the House does accept

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the First Corrected Conference Committee Report to House Bill 1097, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Hoffman on Senate Bill 264."

Hoffman, J.: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 264 is essentially three provisions. The first one passed out of here 115 to nothing, was amendatorily vetoed by the Governor. It is Representative McCracken's Bill. It exempts contract negotiations under the Local Government Professional Services Act with a provision of the Public Contracts Act and amends the Municipal Code to allow members of municipal advisory panels and commissions to contract with municipalities in limited circumstances. The Governor only made technical changes. In other words, we're putting on this and we're essentially accepting his Amendatory Veto. Another portion of this Bill amends the criminal code to exempt skeetball games from gambling violations. In other words, saying skeetball is not a gambling, a gambling operation. The Governor vetoed the Bill that this was contained in, however, indicated in his Veto Message that he had no objection to the skeetball provision. The third provision of this Bill, has to do with parole and the fact that indicates that if you were placed on parole and you commit a felony that involves the use of a firearm or a knife, that a parole officer will then...is required to issue a warrant and is required to report that and ask for a revocation of the parole to the parole or prison review board. I ask for passage of this piece of legislation."

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

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

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Speaker Giglio: "Indicates he will."

Black: "Representative, the Department of Corrections a day or two ago had some very serious concerns about the provision in your Bill dealing with warrants served. Have you gotten that worked out?"

Hoffman, J.: "Yes. They are neutral on the Bill."

Black: "Are you going to let the Department have a voice in that policy, or are you still mandating how it will be done?"

Hoffman, J.: "We're only...we're not talking about warrants served. We're only saying that if you're on parole and you commit a felony with a gun..."

Black: "You're speaking in the generic sense, of course, not to me right?"

Hoffman, J.: "Excuse me...no, in the generic sense, Sir. I don't think you're on parole."

Black: "I certainly hope not."

Hoffman, J.: "If you were on parole and you committed a felony with a gun or a knife, the parole officer...shall issue a warrant and request that the prison review board have a hearing on that. We're only talking about felonies with guns or knives."

Black: "Alright. So, you have worked out an arrangement with the department where they're now neutral on your Bill?"

Hoffman, J.: "Yes."

Black: "Alright, one other question. What is a redemption machine?"

Hoffman, J.: "That...to my understanding, Representative, it is a skeet ball machine like you would see in Showbiz Pizza where you throw...a ball into the hole and receive tickets and then can exchange them in for certain prizes. My four year old loves to play them. And I don't think it should be a..."

Black: "Well, you must come from a much larger area than I do. I

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don't think we have a Showbiz Pizza in my district. But, you say a skeetball machine?"

Hoffman, J.: "Skit or skeetball, yeah."

Black: "What is the redemption, money or a little teddy bear?"

Hoffman, J.: "No, those are little tickets. They have them at Six Flags. Have you ever been there? Little tickets come out of the machine if you score certain points."

Black: "And you're putting a fee on these machines?"

Hoffman, J.: "My understanding is they're just not a gambling device. The Governor indicated in his Veto Message of this Bill that he had absolutely no problem with this. This Bill passed the House 97 to 14...to 4. He was vetoing the Bill on other basis..."

Black: "But, in effect, aren't we assessing...let me word this very carefully. It appears that we are placing a user fee on these machines? Is that correct?"

Hoffman, J.: "I was just told...this is not my Bill, Representative. The Department of Revenue would license them and I guess there would be a fee on the license."

Black: "Oh, so it's a license fee or a user fee? Whatever."

Hoffman, J.: "It's my understanding, it's not my Bill, but it's my understanding it's a coin operated device, so it would probably be licensed already."

Black: "Well, in other words, those who play would pay."

Hoffman: "Yes."

Black: "Well, that sounds fair to me. Thank you."

Speaker Giglio: "Representative Williams. Paul Williams."

Williams: "Will the Speaker yield?"

Speaker Giglio: "The Sponsor will yield."

Williams: "Representative, as you relate to that aspect of it that deals with the penalties or what have you, dealing with those convicted of, I mean those involved with a felony who happen to be on parole, does it require those

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individuals to be convicted or to be accused of another crime while on parole?"

Hoffman, J.: "It doesn't require a conviction. Right now, what happens is, the parole officer right now has authority to issue warrants if a technical violation or another criminal charge is...happens. They can do it now and then the prison review board makes the determination. This just says in the limited instances of a felony with a gun or a felony with a knife, that they would...shall issue the warrant and shall bring it before the prison review board."

Williams: "They shall...it says that they shall bring him before the prison review board."

Hoffman, J.: "Who rules on parole violations."

Williams: Okay, it says...amends the Unified Code of Corrections, requires a parole officer to issue a warrant for arrest if the parolee commits a felony using a firearm or a knife. I guess my question would be, let's say for instance, I happen to be on parole. Somebody walks in to the local police and says, I know this guy, I think he's the guy who committed...he came in here and he robbed me and he had a knife. They come to my house they don't find the knife or they don't find the gun, but I've been accused of it. What effect will it have on that particular individual?"

Hoffman: "Well, I think that you still have to have probable cause. I mean, in any type of instance to issue a warrant. The Department makes...would make that determination, but if an act is committed and there's going to have to be a preliminary hearing under the parole statute, eventually anyway, that you would have to have the same standard for requiring a warrant in other cases would still apply. But we're saying, we're saying if this act, if there's probable cause to believe that this act has been committed then they shall issue a warrant if it's a felony with a gun or a

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knife."

Williams: "But to the Amendment. I reluctantly rise to oppose this particular section, because I believe the language is too loose as it relates to what, in fact, happens when one commits. It doesn't say that one has to be convicted. It doesn't say he has to be tried. Commits, in my mind, is not...they haven't shown that there has been probable cause, an arraignment. There has been no other hearing. The concept of commits, I guess if it said they had been convicted, obviously, they're gone. But, I'm just not certain the way it's written that it might not allow for some abuse of various parolee's rights on mere accusation alone, not to quote the great, famous Clarence Thomas, but mere accusation alone should not be allowed to relieve one of their particular freedom and their belief, especially in situations where it may be impossible to prove the negative as this might occur."

Speaker Giglio: "Further discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Representative, just to clarify something that Representative Black had started, a redemption machine, for the purposes under this Conference Committee Report, would include such things as pinball machine, bowling machine, skeetball, all of those are included?"

Hoffman, J.: "It's defined as an object which is throwing, rolling, bowling, shooting, place, or throwing a ball or other object into, upon, or against a hole or against a target provided..."

Weaver: "Yeah, I can read the Bill. I just want to understand what your intent is. Is it your intent, that on pinball

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machines and bowling machines in which prizes or tokens are awarded that these now be declared exempt in so far as gambling machines are concerned?"

Hoffman, J.: "Representative, this is a Bill that was put on my Conference Committee Report. It is Representative Lang's Bill. He has informed me that pinball does not apply."

Weaver: "Well, according to page 5, line 25 and 26, any device which rolls a ball or other object on or against a hole or other target, looks to me like we're legalizing some form of payback on pinball machines, but we're charging them \$15 a machine to do that. So, we've got a tax increase..."

Hoffman, J.: "Well, I think if that were the case, the Governor would have probably objected in his Veto Message. I can't speak for the Governor. In his Veto Message, he said he had no problem with this provision. The problem with the other part of the Bill was the problem. Now, if we can turn it over to Representative Lang, maybe he can clear it up for you."

Weaver: "Mr. Speaker, to the Report, I appreciate his willingness to support our Governor, and we all try to do that, but I think we may be opening Pandora's box here in terms of, I guess, exempting a whole lot of different kinds of machines that will pay off as non gambling machines, but we're assessing a \$15 tax per machine to allow them to operate. I would proceed with a great deal of caution on this Bill."

Speaker Giglio: "Representative Hoffman to close."

Hoffman, J.: "Just for the record, Mr. Speaker. I think that my understanding from the Sponsor and for the legislative record is this is specifically for skeetball machines. Problems that have occurred in some areas thinking that they are gambling devices. If my four year old goes to Showbiz Pizza, and my four year old wants to play skeetball and gets little tickets in return, and my four year old

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brings it to the counter and gets a Chuckie Cheese button, I don't think that that's gambling. And I think the State of Illinois probably doesn't want to prohibit that. As far as the other provisions of the Bill, I think we've explained them. We're talking about a person who is getting early release, who has been allowed early release under parole, who commits a felony offense with a gun or a knife, we're asking that a warrant be issued and that there be a hearing on him being sent back to prison. I think it's reasonable. It's good legislation, and I ask for an 'aye' vote."

Speaker Giglio: "Question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 264?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Representative McCracken."

McCracken: "I think we should outlaw skeetball. We should close every Chuckie Cheese in Illinois and America, and put an end to this curse of gambling. When my kids go and play skeetball, all they do is rack up all those useless tickets, they turn them in for prizes that are worth one-tenth the cost of the game. It is a racket that we ought to put to rest now and forever."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Matijevich."

Matijevich: "I asked these two kids here if they're for outlawing skeetball, and they said no. They're for skeetball."

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

Curran: "Mr. Speaker, I would like to address those people who are voting red or green. Do you understand, that you are voting so that if somebody is out on early release commits



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a crime with a gun or a knife...a felony with a gun or a knife, you are voting that they don't have to go back into jail? Do you understand that? Okay. If you don't understand that then keep red or keep yellow. Otherwise, you're voting to allow those people to stay out of jail even if they've committed a felony with a gun or a knife."

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

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Curran said, understand those of us who are pro law enforcement, this is a good vote. If you're voting red on this, it's not a good idea. You're actually keeping those people out on the streets who have committed felonies with a gun or a knife, and you're abolishing skeetball. This is silly. This is absolutely silly. This is a good Bill. This is a good Conference Committee Report, and it's a good vote to vote green on. So, I'd appreciate your help."

Speaker Giglio: "Alright, hold on. Regan, 'aye'. Mr. Clerk, bear with us. Manny Hoffman, 'aye'. Proceed."

Black: "Thank you very much, Mr. Speaker. How many votes does this require?"

Speaker Giglio: "Seventy-one."

Black: "Mr. Speaker, there seems to be some confusion on this Bill, and if anybody's going to rob a skeetball machine with a gun or a knife, I want him put away. And in that case, I would suggest that you dump this Roll Call, and maybe we ought to vote again."

Speaker Giglio: "Dump the Roll Call, Mr. Clerk. Very good suggestion Representative Black. All those in favor signify by voting 'aye', opposed 'no'. The voting is open, and this is final action...71 votes. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?  
Representative Davis, are you seeking recognition?"

Davis: "I'm seeking recognition, because I think the first Roll Call was actually more true to the way people feel. Paul Williams, Representative Williams eloquently pointed out that to convict someone is quite different than accusing someone. The prisons are overcrowded. Now if you want them crowded with people who are charged and not convicted, that's one thing. There are a number...the parole officers, themselves, the numbers have been reduced. You know, there's a new system. There is not even the same kind of parole system that most people are aware of. If this Bill receives the required number of votes, this time, I do request a verification. I request a verification of this Roll Call if it is successful."

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

Novak: "No. I'd just like to say one thing. I wish we would have kept the original Roll Call cause it would have been great on campaign literature in 1992."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 87 voting 'yes' and 8 voting 'no', and...Representative Harris. Representative Harris."

Harris: "Are you doing a verification?"

Speaker Giglio: "Yes. We're going to."

Harris: "May I ask leave to be verified?"

Speaker Giglio: "Does the Gentleman have leave Representative...okay. Representative Stern. Does the Lady have leave? Okay, Representative McCracken. Do you ask leave? Representative Parke. Representative Weller. Representative Weller, Weller. Representative Ryder. Are you all seeking recognition for leave? Representative

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Davis, are you taking note of these Gentlemen that...alright, Ryder, Black...pardon? That's it. Alright, proceed with the verification. Poll those...those that are not voting. The Lady doesn't want to give leave. The Lady doesn't want to give leave..."

Clerk O'Brien: "A poll of those not voting. Edley. Marinaro. Martinez. Rotello and Wyvetter Youngue. No further."

Speaker Giglio: "Proceed with the Affirmative Roll Call, Mr. Clerk."

Clerk O'Brien: "Ackerman. Balthis. Black. Brunsvold. Bugielski. Burke. Capparelli. Churchill. Conkling. Cronin. Curran. Daniels. Deering. DeJaegher. DeLeo. Deuchler. Doederlein. Dunn. Farley. Flinn. Frederick. Giglio. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hensel. Hicks. J. Hoffman. Manny Hoffman. Homer. Hultgren. Keane. Kirkland. Klemm. Kubik. Kulas. Lang. Laurino. Leitch. Matijevich. Mautino. McAfee. McAuliffe. McCracken. McGann. McGuire. McNamara. McPike. Mulcahey. Munizzi. Novak. Obrzut. Bob Olson. Myron Olson. Parke. B. Pedersen. Persico. Phelan. Phelps. Preston. Pullen. Regan. Richmond. Ronan. Ropp. Ryder. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Sieben. Stange. Steczo. Stern. Wait. Walsh. Weller. Wennlund. White. Wojcik. Wolf. Woolard, and Mr. Speaker."

Speaker Giglio: "Questions of the affirmative. Representative Ackerman. How is the Gentleman recorded Mr. Clerk? Mr. Clerk. The Gentleman is in his seat. Ackerman is in his seat. Anybody else?"

Davis: "Yes. Representative Munizzi?"

Speaker Giglio: "Representative Munizzi in the chamber? Is the Lady in the chamber? How's the Lady recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

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Speaker Giglio: "Remove the Lady."

Davis: "Representative Bugielski?"

Speaker Giglio: "Vote Representative Edley 'aye'."

Davis: "Bugielski?"

Speaker Giglio: "Bugielski. Bugielski is right here. Proceed."

Davis: "Representative DeLeo?"

Speaker Giglio: "DeLeo. Is the Gentleman in the chamber? Remove the Gentleman from the...Representative Johnson votes 'aye'."

Davis: "Representative Keane?"

Speaker Giglio: "Representative Keane. Jim Keane. He's over here in the doorway."

Davis: "Representative Farley."

Speaker Giglio: "Bruce Farley. Is Farley in the chamber? Remove the Gentleman from the Roll Call. Further questions Representative Davis?"

Davis: "Yes. Yes. Representative Mike Curran? Oh, Mike is in his seat. Representative Bugielski...but they never took him off. He's up there. You did not take Bugielski off...oh, okay. Representative DeLeo...is DeLeo..."

Speaker Giglio: "DeLeo is already verified off."

Davis: "Santiago?"

Speaker Giglio: "Santiago in the chamber? Remove Representative Santiago."

Davis: "Representative Novak?"

Speaker Giglio: "Novak is in the chamber. Anybody further? Any further questions?"

Davis: "Representative Mautino?"

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

Davis: "Okay. That's okay. Thank you."

Speaker Giglio: "Alright, on this question there are 85 voting 'yes'...Representative Parcells."

Parcells: "Mr. Speaker, would you please change me from 'present'

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to 'aye'?"

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Speaker Giglio: "Vote the Lady 'aye'. Further questions? Hearing none, on this question, there are 86 voting 'yes', and 8 voting 'no'. And the House does accept the First Conference Committee Report to Senate Bill 264, and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Supplemental Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #4 has been distributed."

Speaker Giglio: "Representative Steczo, Senate Bill 697. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Member of the House. I would move for the adoption of the First Conference Committee Report on Senate Bill 697. The Conference Committee Report becomes the Bill and makes two changes in the Lawn Care Products Application Act that we approved a couple of years ago. First, the Department of Agriculture is designated as having the sole responsibility for the regulation of wash water containment areas under that Act. Secondly, at the request of the small commercial pesticide users and in agreement with the Department of Agriculture, it delays the effective date of the rules on wash water containment requirements from January 1, 1992, to January 1, 1993. I would answer any questions, Mr. Speaker, if not, I would ask for the approval of the House to the provisions of this Conference Committee Report."

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

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

Speaker Giglio: "He indicates he will."

Black: Representative, it's my understanding that Chemlawn, just to give one example, Chemlawn is very much opposed to this

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Conference Committee Report and the extension. And I think, if my information is correct, and I'll certainly give you a chance to respond, I think many of the small operators in this state are probably opposed to this extension too. Has not the Department had three years to promulgate the rules? In fact, were they not have been...were they not have supposed to have been promulgated more than a year ago, and now we ask for another extension? Chemlawn and the people in this business are not going to invest money in the State of Illinois if this is an example of how their business is going to be treated. I question whether we should extend it. I believe they have had time to write and promulgate the rules and procedures, and I think the people in the industry are simply telling me, if you can't get your act together in three years, Illinois, then don't extend it, just come back and do it again, or we can't do business in this state. And if I'm wrong, I apologize, but that is the information I've been given, and you may have information to the contrary."

Speaker Giglio: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. Just to respond to Representative Black's comments, actually it was the small operators that approached me in terms of requesting this extension. And the reason...one of the reasons was Representative Black, that there are...there was a problem as to exactly who had jurisdiction. We weren't certain whether by the legislation it was the Department of Agriculture or the EPA. This specifically says it is going to be the Department of Agriculture. The rules, yes, are supposed to go into effect July...January 1, 1992. A financial commitment has to be made by the small operators, as well as the large operators, to have the wash water

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containment areas done according to the rules, but there are no rules. So, the thought is here, at the request of the small operators, that the rules would be postponed for one year, but one department would be given sole discretion as to proposing those rules so that everything would be worked out appropriately. Then everybody would know after that term of one year what the rules were and so the dollars could be spent to comply with those rules. So, this is just a means by which for us to be able to help all of them, and even Chemlawn, for that matter, can't comply with rules that aren't on the books yet. So, this is just a matter for us to extend for one year those provisions, in hopes that at the end of that one year that everything will be up to snuff, and people will again have confidence in the Department of Agriculture."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to Senate 697?' 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? Have all voted who wish? Representative Leitch."

Leitch: "Mr. Speaker, to explain my vote. We routinely pass legislation and impose regulations in this Body and don't either have sufficient personnel to implement them or don't get the regulations done before they're supposed to be regulated and implemented, and it's only reasonable that we pass this legislation and give more time to help the industry comply with what they need to know what to comply with. So, I think it's important we pass this, and would urge Members to support it."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, to explain my vote. If you're very worried about your environmental record, you should be

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voting red on this issue. We passed a comprehensive pesticide Bill three years ago. The Department of Agriculture has been sitting on its hands, not doing anything, and all we're saying...okay, we'll let them go another year while these problems keep continuing. So, I think the right vote here is a 'present' or a 'no' vote."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Just a point that might be brought to the attention of the Body. That if you are currently a commercial agri-chemical facility that stores or mixes more than 300 pounds of dried pesticides or 300 gallons of liquid pesticide, you're already subject to rules administered by the Department of Agriculture and by the EPA. This applies only to those that came under the Lawn Care Application Act, not the others. So, I would...I would think that if you're a larger concern, you're already covered by rules of Agriculture and the EPA."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 39 voting 'yes' and 23 voting 'no'. Representative Steczo."

Steczko: "Mr. Speaker, I ask for the creation of a Second Conference Committee, please."

Speaker Giglio: "The Gentleman asks leave for a Second Conference Committee Report. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. The Gentleman now asks leave for a Second Conference Committee Report. On Supplemental Calendar #4, Senate Bill 1033. Representative Lang."

Lang: "Thank you, Mr. Speaker. The Senate refused to concur in House Amendment #2, which was my Amendment dealing with Judges determining whether the home bound person under probation could afford to pay their fee. It also dealt



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with those additional fees for (Martwick's?) office for teacher's certificates. I would now move that the House recede from Amendment #2."

Speaker Giglio: "Representative Lang, excuse me...alright, okay. The Gentleman...Representative Johnson, do you still seek recognition? The Gentleman moves that the House recede from House Amendment #2 to Senate Bill 1033. This is final action. All those in favor, signify by voting 'aye', opposed 'no'. The voting is open. Representative Black. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 94 voting 'yes', and 4 voting 'no', and the House recedes from House Amendment #2 to Senate Bill 1033, and this Bill now having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Morrow, Senate Bill 774. First Conference Committee Report, Representative Morrow. I'm sorry, Representative Wolf. Representative Wolf, Senate Bill 7074 (sic 774). I had another Bill. Representative Sam Wolf."

Wolf: "Thank you, Mr. Speaker, and Members of the House. I move for the adoption of Conference Committee Report #1 to Senate Bill 774. The Conference Committee Report becomes the Bill. It contains two provisions. Number 1, is an Amendment that was requested by the State University System, and it addresses House Bill 1620 that we passed back in the spring and removes certain individuals from the mandatory social security requirement, because they are not contained in the federal program. Number 2, it also removes a provision in House Bill 971 that we passed earlier, and this is a provision requested by the Teacher's Retirement System to remove a provision pertaining to substitute teachers, which is technically in error, and should be removed. I would move for adoption of Conference

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Committee Report #1 to Senate Bill 774."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've reviewed it on our side of the aisle, and we concur with Representative Wolf on this, and I would like to take a moment to just thank Representative Wolf and his staff for all the hard work that they put in during the Veto Session on this pension material, which is very complicated and also our staff on our side of the aisle, and we concur with this. And also while I'm on the microphone, I'd like to wish all my colleagues a happy holidays and look forward to seeing everybody after the first of the year. Representative Wolf, have a good one. Appreciate your help."

Speaker Giglio: "The question is 'Shall the House accept the First Conference Committee Report to Senate Bill 774?' 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? Representative Leitch, 'aye'. Have all voted who wish? Representative Hultgren."

Hultgren: "Mr. Speaker, I was just kind of curious. Has this been distributed around yet? Could you check and see whether this has been distributed yet."

Speaker Giglio: "The Clerk informs the Chair that it has been distributed."

Hultgren: "Alright. Thank you."

Speaker Giglio: "Alright. The...does the Chair have leave to move this Bill from the table and put on the Order of First Conference Committee Report? Hearing none, leave is granted...alright, hearing none, leave is granted. Alright, have all voted who wish? There are now 117 voting

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'yes', none voting 'no', and the House does accept the First Conference Committee Report to Senate Bill 774, and this Bill, having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Representative Currie, Senate Bill 923. Out of the record. Under the Order of Motions, House Bill 1528, Representative Curran. House Bill 1528. The Gentleman moves pursuant to Rule 74(a) to take from the table and suspend Rule 79(d)(e) and place on the Order of Conference Committee Reports. Does the Gentleman have leave? Hearing none, leave is granted. The Chair would like to remind the Body that when we leave tonight, if we leave, Lincoln Academy is coming to town, and they're going to visit the chamber. So, if you want anything that's on your desk, please put it away. And if anything is left on the desk, it will be thrown out. So, make sure you take everything that you want with your or put it in your drawer or bring it back to your office, because anything left on top of the desk will be removed. Introduction and First Reading."

Clerk O'Brien: "House Bill 2685, offered by Representative Capparelli and Bugielski, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 2686, offered by Representative B. Pedersen, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 2687, offered by Representative Black, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2688, offered by Representative Conkling, a Bill for an Act to amend the Drug Paraphernalia Control Act. First Reading of the Bill. House Bill 2689, offered by Representative Conkling, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 2690, offered by Representative Conkling, a Bill for an Act to amend the Unified Code of Corrections. First

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Reading of the Bill. House Bill 2691, offered by Representative Obrzut, a Bill for an Act to...in relation to high school and college reunion businesses. First Reading of the Bill."

Speaker Giglio: "Representative LeFlore. For what purpose do you rise, Sir?"

LeFlore: "Thank you, Mr. Speaker. I would just like to recognize the 5th and 6th graders from Presentation Parish, which is my parish in Chicago. They're in the balcony in the back. Welcome. Thank you."

Speaker Giglio: "Representative Currie. Is Representative Currie in the chamber? Senate Bill 630. Representative Currie moves to suspend 79(e) and place on the Order of Conference Committee Reports. Does the Lady have leave? Hearing none, leave is granted by the Attendance Roll Call. Representative Currie now moves for the adoption of Senate Bill 630. The Lady from Cook, Representative Currie."

Currie: "Thank you. This is a Conference Committee Report, and it contains several provisions cleaning up revenue issues. One that is of concern to Representative Black, having to do with a benefit to a business located in a single enterprize zone. This correction makes it clear that the benefit applies to only a single enterprize zone. There is an extension of a reporting date with respect to Senate and House Revenue Committee Reports. There are changes in the Public Utilities Act so that telecommunication companies can collect fees for taxes that they collect. There are some fix ups in the Income Tax Act with respect to the new tax on professional athletes, and there is also a correction...a technical flaw...correction of a technical flaw in a Bill we passed this spring that deals with sales tax exemption in enterprize zones. And finally, a verification requested by the Department of Revenue. A

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technical change in the Service Use and Service Occupation Tax Act. I'd be happy to answer your questions, and would appreciate your support for the Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to Senate Bill 630?' 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 the House does accept the First Conference Committee Report to Senate Bill 630, and this Bill having received the required Constitutional Three-Fifths Majority, is hereby declared passed. Representative Leitch. Representative Leitch on House Bill 1352. Representative Johnson. Representative Johnson. Alright, House Bill 1352. Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, too, is an Agreed Bill That it has some technical clean up language in it. It permits the transfer of Lake Dam in Kankakee, on the Kankakee River. It makes a technical change to permit White County's eligibility for the Ag. premium funds, and it has a Danville clean up of the exemption to Senate Bill 385 that was inadvertently passed. And I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Representative Lang."

Lang: "Thank you, Mr. Speaker. I have absolutely no idea what the Sponsor said. I would ask him to repeat it."

Leitch: "Okay. I'll go through it again. What this Bill does is three things. The first thing it does, is clean up a problem that was in Senate Bill 385, which was an exemption that pertained to enterprize zones and the utility taxes."

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It inadvertently, made exemptions to a number of other communities other than Danville, and is a matter that needed to be cleaned up for Peoria, Romeoville, and a series of other communities. The second thing that it does, is it authorizes the Department of Transportation to accept title to the Kankakee River Dam, which is known as the Melrose Dam. It doesn't mandate that they do so, but authorizes it. Third thing that it does, is that it permits Lake County to continue to be eligible for Ag. premium fund receipts, because the population changes are now recorded and needed to be amended. No, that's all out of there."

Speaker Giglio: "Any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Homer: "The part of the Bill that pertains to the utility taxin TIF district...enterprize zones, how does that remedy the problem that was created by the Representative Black Bill?"

Leitch: "Representative Black will give the detail. What it does..."

Homer: "Well, let me just ask, does it repeal all together that..."

Leitch: "Yes. It repeals the exemption."

Homer: "Well, the Chairman of the Revenue Committee is saying something different. Could you yield to Representative Black for an explanation on that?"

Leitch: "Yes."

Black: "Thank you very much, Mr. Speaker. It's my understanding that the initial analysis of the provision of this Bill was not drafted correctly, and in fact, said that five or six cities would still be impacted by this Bill. I believe that our staffer will tell you that that has been

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corrected. Mr. Cross can get with your staff, and it's my understanding, and it's certainly my intent and that of Senator Woodyard, that the utility tax exemption that we had tried to impose last year be repealed in it's entirety. If that language is not correct, we will certainly make sure that it is. But I think it is, and it repeals that measure altogether."

Homer: "Okay. Thank you. Mr. Speaker, to the Bill, this is...that's a very important part of this Bill then. As I understand what the Gentleman said, this repeals a provision that we passed last year, I think, was either an Agreed Bill or at least was not controversial that the Gentleman had offered to resolve a problem regarding General Motors and a...I think the Village of Tilton near Danville. But when the Bill passed, it had the import of prohibiting cities from imposing a utility tax in enterprize zones. In many cities, including the City of Canton that I represent and Peoria and others found out that they were...their utility tax revenues were being jeopardized by that Bill, and that was not the intent, I don't think, of the previous Bill. Now, as I understand it, we're repealing the Bill that passed that created this problem, and I strongly support that, and therefore, would urge support for House Bill 1352."

Speaker Giglio: "Further discussion? Representative Leitch."

Leitch: "No. I think we understand it. I'd ask for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall the House accept the Second Conference Committee Report to House Bill 1352?' 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? Take the record, Mr. Clerk. On this question, there are 107 voting 'yes', none voting 'no', and the House

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does adopt the Second Conference Committee Report to House Bill 1352, and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. Introductions."

Clerk O'Brien: "House Bill 2692, offered by Representative Levin, a Bill for an Act in relation to renting tangible personal property. First Reading of the Bill. Further introduction. House Bill 2693, offered by Representative Schakowsky, a Bill for an Act relating to pharmaceutical assistance. First Reading of the Bill."

Speaker Giglio: "Representative Novak, for what purpose do you rise?"

Novak: "Yes, Mr. Speaker. I don't know how long we're going to be here. I guess, things aren't gelling correctly, but I'd just like to announce that the menu downstairs is ribeye sandwich with french fries, jello, and coconut cream pie or you could go to Showbiz Pizza and play skeetball."

Speaker McPike: "Representative McPike in the Chair. House Bill 2589, Representative Mautino."

Mautino: "Pursuant to Rule 74(a), I move to take from the table, suspend Rule 79(e) and place on the Order of Concurrence."

Speaker McPike: "You've heard the Gentleman's Motion. Any objections? Hearing none, the Attendance Roll Call will be used, and the Motion carries. Representative Mautino...Mr. Black...Mr. Black."

Black: "No. I must have punched my light in error."

Speaker McPike: "Thank you. Representative Mautino."

Mautino: "Okay. Move to concur on Senate Amendment #2, House Bill 2589. This Senate Amendment replaces the language exempting school districts from payment of permit fees to the Illinois Environmental Protection Agency for the construction of sewers or installation...extension of water mains. Under the current...I ask for a favorable Roll



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Call."

Speaker McPike: "Representative Mautino, this will be on Amendments #1 and 2.

Mautino: "Right."

Speaker McPike: "Alright, and on that Motion, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. I rise in strong support of concurrence with these two Amendments."

Speaker McPike: "Representative Parke."

Parke: "My question has been answered. Thank you."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2589?' All those in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Bugielski, 'aye'. On this Motion, there are 116 'ayes' and no 'nays', and the House does concur in Senate Amendments #1 and 2 to House Bill 2589, and this Bill having received a Three-Fifths Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk Leone: "Senate Joint Resolution 102, offered by Representative Brookins, and 103, offered by Representative Munizzi. House Resolution 1212, Barnes and Capparelli; 1230, Curran; 1231, Phelps; 1233, DeJaegher; 1234, DeJaegher; 1235, DeJaegher; 1236, DeJaegher; 1237, DeJaegher; 1238, DeJaegher; 1239, DeJaegher; 1240, DeJaegher; 1241, DeJaegher; 1242, Klemm; 1244, Novak; 1246, Pullen and Kulas; 1247, Weller; 1250, Weller; 1251, Weller; 1252, Harris; 1253, Weller; 1254, Harris and 1255, Harris."

Speaker McPike: "Representative...Representative Matijevich."

Matijevich: "Move the adoption of the Agreed Resolutions, and wish everybody a happy Thanksgiving."

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Speaker McPike: "The Gentleman moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk Leone: "House Resolution 1232, offered by Representative Martinez in respect to the memory of Victor Perez. And House Resolution 1248, offered by Representative Saltsman in respect to the memory of Margaret McCuskey."

Speaker McPike: "Representative Matijeich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Death Resolutions are adopted. General Resolutions."

Clerk Leone: "Senate Joint Resolution 104, Brunsvold. Senate Joint Resolution 105, LeFlore, and House Resolution 1249, offered by Representative Bernie Pedersen, et all."

Speaker McPike: "Committee on Assignment. Introduction and First Reading."

Clerk Leone: "House Bill 2694, offered by Representative Kirkland, a Bill for an Act to amend the Criminal Code. First Reading of this Bill."

Speaker McPike: "Adjournment Resolution."

Clerk Leone: "Senate Joint Resolution 106. Resolved by the Senate of the 87th General Assembly of the State of Illinois. The House of Representative concurring herein, that when the two Houses Adjourn on Friday, November 8, 1991, they stand Adjourned until Wednesday, January 8, 1992, at 12:00 noon."

Speaker McPike: "Representative Matijeich moves the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. I would remind the Members that the House floor will be used tomorrow, and if there's anything on your desk that you wish to keep, take it with you. Does

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anyone have anything else? Representative Dunn."

Dunn: "Mr. Speaker, I move the House stand Adjourned."

Speaker McPike: "Representative Dunn moves that the House stands Adjourned until January 8, 1992, at the hour of 12:00 noon, and wishes everyone a happy holiday. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the House stands Adjourned."

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