

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

172nd Legislative Day

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Speaker McPike: "The House will come to order. The Chaplain for today is Pastor J.J. Monday from Nevins Christian Church of Paris, Illinois. Pastor Monday is the guest of Representative Mike Weaver. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Monday: "Bow right now in respect to Your sovereignty. As we acknowledge Your sovereignty Father, we ask that wisdom be dually imparted to this Assembly as this Assembly represents people, Father, in this state and ultimately, Father, in this nation. So, Father, we pray for guidance, we pray, Father, for spirit of corporation, we pray, Father, for just a spirit of the best interest of the people that are represented here. Father, I pray for dignity, I pray for respect. I pray that, Father, regardless of whatever race, creed, religious affiliation, Father, that we just bow right now, and we ask that You dually work in this Assembly. So, Father, today we just ask that we would do our best to uphold the Constitution and ultimately this great land which You have led so many, Father, to toil and labor for and even die for. So, Father, may this truly be the Assembly that's represented of the people, by the people, and for the people. In Your holy name we pray. Amen."

Speaker McPike: "Congressman Durbin, will you led us in the Pledge of Allegiance this morning."

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

Speaker McPike: "Roll Call for Attendance. Good morning, Mr. Hartke, I'm glad you finally showed up. Representative Matijevich."

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Matijevich: "Mr. Speaker, I have no reported absences."

Speaker McPike: "Mr. Kubik."

Kubik: "Yes, let the record reflect that Representative Cronin is excused today."

Speaker McPike: "Mr. Clerk, take the roll. 117 Members answering the Roll Call, a quorum is present. All right, there's not that much on the Calendar today. On page 9, of the Calendar there's 4 Amendatory Veto Motions. The Chair will go through these only once. House Bill 3290, Mr. Ryder. He's not here. House Bill 32...Senate Bill 1988, Representative Cowlshaw, she not here. Representative Stern, she's not here. Representative Matijevich on a Motion to adjourn. All right, page 10 of the Calendar, Representative Hoffman is here. So this will be Gubernatorial Noncompliance. Mr. Clerk, House Bill 3867, page 10 of the Calendar. Page 10 of the Calendar. Vote your own switch. Vote your own switch. Vote your own switch, Mr. Wennlund. All right, Mr. Hoffman. Manny Hoffman, Representative Hoffman, he's here. Mr. Hoffman."

Hoffman, M.: "Out of the record."

Speaker McPike: "We're not coming back to this now, Mr. Hoffman. We're not coming back to this. This is for..."

Hoffman, M.: "I move to accept."

Speaker McPike: "All right. Vote your own switch. The Gentleman has moved to accept...page 10 of the Calendar. All right, Mr. Black, on the Motion."

Black: "Thank you very much, Mr. Speaker. I rise in support of the Gentleman's Motion #2, on page 10 to House Bill 3867, accepting the Governor's Amendatory Veto. Just so we have that in the record."

Speaker McPike: "Is there anymore discussion? Oh, Mr. Kubik."

Kubik: "Well, Mr. Speaker, I'm looking at the Calendar, did we

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pass over Children and Family Law this morning?"

Speaker McPike: "Yes, Mr. Preston, isn't here. He's not here this morning. I have no idea where he is. Oh, he's in a meeting on Children and Family Law. That's right, Mr. O'Brien, says he's in a meeting. All right, on the Gentleman's Motion, Motion #2, the Motion to accept the Governor's Gubernatorial Noncompliance. Representative Matijevich would like to speak on this."

Matijevich: "Mr. Speaker, if there is anybody on this side of the aisle, I would urge them to vote 'present' because this is a noncompliance, so who ever is here on this side, join me in a 'present' vote."

Speaker McPike: "The question is, 'Shall the House accept a specific recommendation for change with respect to House Bill 3867?' All those in favor vote 'aye', opposed vote 'no'. Would anyone like to explain their vote on this, Representative Preston, would like to explain his vote."

Preston: "Thank you, Mr. Speaker. I would like to object to the arbitrary and capricious rulings of the Chair. We were ready, willing, and anxious to go to the Order of Business, Children and Family Law. I understand that the Chair skipped over that Order, and I hope that will not be a policy as we end this Session."

Speaker McPike: "Well, the Chair apologizes. The Chair was not aware that you were here. If the Chair was aware, we would have gone to Children and Family Law. Certainly, we will...we will...we will...no, we will tomorrow. Mr. Preston, we will the first thing in the morning. First thing in the morning, so expect you here. Speaker Madigan to explain his 'aye' vote."

Madigan: "Mr. Speaker, I simply rise to explain my 'aye' vote in favor of this Bill. This is necessary for the budget for

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the Office of the Secretary of State. It's just another one of the examples of what we have to do in this state because of the total mismanagement of State Government by the current executive department. Here we are, better vote 'aye'. We're happy to see you all in line for your fellow Republican officeholders. Very good. Congratulations. And we're happy to see you here, too."

Speaker McPike: "Have all voted? Mr. Hartke, what did you...what reason do you rise? For what reason do you rise, Mr. Hartke?"

Hartke: "Mr. Speaker, I...I was turning on buttons here to change it to a 'yes' vote and I hit the speak button. I'm sorry."

Speaker McPike: "Two days in a row. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 104 'ayes', and 1 'no', and this Motion...this Motion has received the required Constitutional Majority. The Motion is adopted and the House accepts the Governor's specific recommendations for change. Representative Brunsvold. Yes, on the Order of Resolutions. What is the Resolution number?"

Brunsvold: "Thank you, Mr. Speaker. Resolution number is 2574."

Speaker McPike: "2574, House Resolution 2574. Mr. Clerk, put that on the board, 2574. Now, it is the Chairs understanding that this was adopted yesterday and that no one was really paying attention."

Brunsvold: "Well, you know, it...it...this should take...it should take some scrutiny by the Body..."

Speaker McPike: "You're right."

Brunsvold: "I think we need to look at this Resolution very carefully."

Speaker McPike: "It's a Motion...it's a Motion to reconsider the adoption of House Resolution 2574."

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Brunsvold: "That's right. Members of the House, I'm...you know, if you missed the article in Newsweek on prospectives, you would have seen in there...a little quote by Mr. Wennlund's opponent. It said, Illinois State Representative Candidate, Ray Hannanea, on incumbent Larry Wennlund, who he recently challenged to a three round boxing match. The quote was, Wennlund has an obscure, undistinguished record. This we know. And...and he's also a poor dresser. Well, you know, I was going to let this pass but, I thought well, if Wennlund gets beaten we don't have to do anything but now, that he's won, and he is on the Republican side of the aisle I may need a Bill passed in the Senate, and I may have to go to Larry Wennlund to see if he can find a Senator in the...on the Republican side of the aisle to sponsor one of my Bills. But, Larry, you know..."

Speaker McPike: "Representative Brunsvold, what was...was that in Newsweek?"

Brunsvold: "This was in Newsweek, I mean this is actual news."

Speaker McPike: "What was Representative Wennlund's response to Newsweek. What was his response, 'no comment'?"

Brunsvold: "Well, he didn't have any comment, I didn't hear any comment, and I've got some questions of my own about his dress. You know, we knew his record was obscure and undistinguished, but so often in these campaigns we have a lot of misinformation and things not based on fact, but hearing that Larry Wennlund is a poor dresser, it's got to be probably the most...the best truism we've had in the whole campaign. I mean this...you know, I've seen Wennlund, as soon as someone says, Kmart shoppers, Wennlund, jumps up and down because he knows he's got a bargain, he'll probably get a new tie. I've seen Wennlund, coming out of Salvation Army suit outlets, with some of

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his...some of his wardrobe...I've looked at all of this and so I thought, Wennlund, is going to be with us, we've got to work with him for two more years so, I've got a Resolution to try to sooth over some of the damage that's been by this Newsweek article. Mr. Speaker, could I read this...this Resolution?"

Speaker McPike: "Well, I hate to take up that much time, but go ahead."

Brunsvold: "Whereas, The national magazine Newsweek, apparently in the heat of the campaigns, saw fit to further allegations that Representative Larry Wennlund performs his legislative duties in something less than sartorial splendor; and Whereas, This was unfounded, unkind, unfair, and besides that cut Larry to the quick; and Whereas, No member has surpassed the karat count of Bob Piel's diamond cuff links or the clever commercialism of Todd Sieben's corn tie; and Whereas, Most members have despaired of attaining the gymnastic physique of Jesse White or the Florida tan of Phil Novak; and Whereas, Larry's attire has never raised the eyebrows of such fashion-conscious members as Kay Wojcik or Grace Mary Stern; and Whereas, Larry has never worn canary-yellow sports jackets, turtlenecked sweaters or lime-green leisure suits, always remembered to pack his socks before leaving home and never discussed the state of his underwear during an overtime session; and Whereas, Larry only takes off his coat and rolls up his sleeves when preparing for a particularly intense harangue as floor leader; and Whereas, Larry looks just as good in his pin-striped lawyer suits as Tom Homer and has just as many cute watches as anyone else; Lou Lang, in fact; Resolved, by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois,

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that we commend Representative Larry Wennlund on his always adequate and sometimes admirable appearance and that we assure him that there is, in fact, nothing wrong with the way he dresses; and further be it resolved, that we'll send a copy to Larry of this Resolution. Now, did we actually get 60 Members of this Body to approve this Resolution?"

Speaker McPike: "I was not in the Chair when that was adopted."

Brunsvold: "Well, I...I don't know, maybe the Body doesn't want to reconsider this or not, we'll just go ahead and commend Larry on his wonderful dress and forget the whole election."

Speaker McPike: "Mr. Black."

Black: "Well, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As a friend of Larry Wennlund, I am absolutely outraged at the implication that he's a poor dresser. I'll not take umbrage with the other remarks..."

Speaker McPike: "You're the one that came to the podium and showed me the quote in Newsweek."

Black: "Well, absolutely but...but, Mr. Speaker, I know for a fact that when Representative Brunsvold saw Representative Wennlund coming out of the Salvation Army Clothing Store, it wasn't that he purchased his suits there, he had taken some used suits there, and they refused to take them. Also, on this matter of a three ring boxing match, I happened to serve as Representative Wennlund's second, and I can assure you that on this challenge, I was prepared to throw in the towel, but Larry was wearing it. And further more, further more, let me just say, that Larry Wennlund is a Member and a fashion of the fashion advisory board to the polyester institute of the greater north american free trade agreement. And I think to question, this Gentleman's ability to dress, why look at this tie, look at the tie he

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has on today. You could have looked at the same tie yesterday and the same tie tuesday as well. But, I rise to defend my colleague while the other...I don't know enough to refute the other statement in this quote, I do take umbrage with the fact that he is a poor dresser. I think perhaps...no, he's not a cross dresser either, but he is, he is without a fact, I mean without any basis of fact, I think one of the most outrageous dressers in this chambers and once again, a Member from your side of the aisle did not quote accurately, a poor dresser does not adequately sum up this man's fashion sense, and I rise to defend him."

Speaker McPike: "Well, no one else is seeking recognition to defend him, Mr. Black, so thank you. On page 9 of the Calendar, Senate Bill 1988, Representative Stern. Stern. The Lady is not here. Out of the record. No, it was Representative Stern's Motion is the one I called. She's not here...she's not here. Representative Sieben."

Sieben: "Thank you, Mr. Speaker. I was just rising to speak on behalf of Representative Wennlund on that previous Resolution, and you mentioned that nobody else was seeking recognition to defend him, but I would, with the indulgence of the Members here, I would offer some support and some defense for him from a young Member of the House Republican Page staff. My daughter had the privilege of being a Page this past summer, she's a senior in high school, and she came home from her current events class at high school and one of the magazines that they have to read for current events is the Newsweek magazine, and she came home on a wednesday evening and she said, dad, have you read Newsweek yet, and I said, no, I haven't. She said, look here on this page, she said, is this the Representative Wennlund

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that does all the speaking on the House floor, and she had sat over here this past summer as a Page and I said, well, let me read this, let me see what this is about. So I did read the article and I said, well that sure sounds like the Representative Wennlund that is my seatmate over here. I said, I guess it is and she says, Well, you know, she says, I know him real well. She says, I go get him coffee all the time and she said, the only thing that I think he has a problem with is that he puts too much salt on his food, but, she said, really he's not...he's not a bad dresser at all, in fact, she said, I think he dresses pretty good for a man...for a man his age. So, on behalf of the House Republican Pages from last summer, they would come to the defense of Representative Wennlund and say that, he's really not a bad dresser but maybe he does put a little too much salt on his food."

Speaker McPike: "Mr. Wennlund, is seeking recognition but the Chair does not intent to recognize him...I'm sure. Perhaps, Mr. Wennlund, perhaps you could just send a letter to all the Members, explaining your position. All right. Is Representative Stern here? We'll go to House...Senate Bill 1988, Representative Cowlshaw's Motion. We'll take Representative Cowlshaw's Motion first. Ms. Cowlshaw, did you wish to call this? All right, she does not wish to call it. Representative Stern, we'll go to your Motion, Motion #2 then. Representative Cowlshaw is not prepared. Representative Stern."

Stern: "Mr. Speaker and Members of the House. Senate Bill 1988 is a Bill that deals with school district mergers and has in it some of the protocol that has to be followed, following a merger. Very important to my area where we have just merged three school districts and where they have

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to come to grips with things like the new budget and new contracts with the teachers and we have to have this passed and signed before December 1st. It is non controversial, everyone agreed to it, it flew out of the House and Senate before, but unfortunately they omitted the thing that was important to my school district when they passed it the first time. I hope we can get a substantial vote of approval on this issue."

Speaker McPike: "The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1988?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Bob, vote Lang, 'aye'. Have all voted who wish? Representative Cowlshaw, did you want to explain your vote?"

Cowlshaw: "Yes, please, Mr. Speaker."

Speaker McPike: "There's 117 Members on the Roll Call, and have we have 114 votes so far, so...perhaps you could pick up the last three."

Cowlshaw: "Yes, Mr. Speaker, I rise to explain my vote by explaining that I was not unprepared. I was across the aisle discussing a situation that I think probably someone will latter announce, involving, Representative Wyvetter Younge. Thank you, Mr. Speaker."

Speaker McPike: "Representative Cowlshaw, the Chair was incorrect. The Chair was certainly not correct on that...on that one. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', and no 'nays'. This Motion has received the required Constitutional Majority. The Motion is adopted and the House accepts the Governor's specific recommendations for

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change on Senate Bill 1988. Representative Monique Davis. You had an announcement, I thought. Wonder if we could have attention for just a second, please. Just a minute, please. I would like to have some attention in the chamber, please."

Davis: "Thank you, Mr. Speaker. I think most Members of this Body have seen a beautiful young lady come into the chamber with Wyvetter Younge, and sit behind us, a 34 year old, beautiful journalist. She was killed last night, Wyvetter's daughter. She was killed by a drunk driver. A drunk driver hit her car, and Wyvetter's daughter and a passenger were also killed and the people in the other car are in critical condition. But Wyvetter, told me, she had been home, they had made the funeral arrangements, she has viewed her daughters body. So, we ask that you hold her and her family up in prayers. Thank you."

Speaker McPike: "Representative Ryder. Is the Gentleman here? Mr. Black, did you wish to handle, Mr. Ryder's Motion? This is on...House Bill 3290, Gubernatorial Compliance."

Black: "What page?"

Speaker McPike: "Page 9 of the Calendar."

Black: "Mr. Speaker, I would be more than happy to handle my colleague's Motion, but I believe he's on his way out here. The only reason, I am talking slowly, I'm..."

Speaker McPike: "We can take it out of the record."

Black: "Well, I take that after you, yesterday. I can..."

Speaker McPike: "No, I can come back to this."

Black: "Well, there are two Motions."

Speaker McPike: "Right, that's true."

Black: "But, I'm sure Mr. Ryder, will be here very quickly."

Speaker McPike: "Your correct, I don't know which Motion he wants to go with, so lets wait until he comes back."

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Black: "Thank you."

Speaker McPike: "All right, Representative Ryder. Mr. Ryder, please."

Ryder: "Thank you, Mr. Speaker. I wish to withdraw the first Motion which is the Motion to override and to go with the second Motion which is the Motion to accept the Veto."

Speaker McPike: "Proceed."

Ryder: "Thank you. At this point I would ask the chamber to accept the Amendatory Veto of the Governor. He simply put in to compliance some of the penalty sections. It now meets with the agreement, not only of the Governor obviously, but with me and also with the Secretary of State. Would be happy to answer any questions."

Speaker McPike: "On the Gentleman's Motion, there being no discussion, the question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 3290?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes', and no 'nays'. This Motion has received required Constitutional Majority. The Motion is adopted, and the House accepts the Governor's specific recommendations for change. Page 6 of the Calendar under Total Veto Motions, Mr. Edley. Total Veto Motions, Mr. Edley. Representative Williams, Paul Williams. Representative Williams. Representative Edley, did you wish to call this Motion, on House Bill 2697? All right, Representative Edley, on a Veto Motion to Override."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Yesterday, there was a vote on a Curran Bill that was a prompt pay Bill that some of the...our friends on the other side of the aisle opposed because they

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didn't think it covered enough. It was selective. This Bill is a prompt pay Bill that covers almost everything but the kitchen sink as far as state payments are concerned. I think that once again you'll be seeing the state facing a record lapse period spending. This last year it exceeded a billion dollars and it would have been more, only that we didn't have enough money in the bank to pay for additional bills that went that...went outside of the lapse period for payment. I don't think there is anyone in this chambers that wants the state to have to pay an interest penalty for not paying their bills within a reasonable period of time. That's not the intent of this legislation. The intent of it is, that the Governor in conjunction with the Legislature, will sit down and find a way to...provide the financial resources that we need to meet the promises that we've made to the citizens of our state. I would urge an 'aye' vote. It is simply a vote that would establish fiscal responsibility in the operation of state government. Just like every homeowner would have to pay a penalty if they lapse their mortgage payments for five or six months. Just like all of us have to do if we don't make our credit card payments in the reasonable period of time. I think it's time for the State of Illinois to stop cooking the books...right...and operate in a business like manner, and I would urge an 'aye' vote."

Speaker McPike: "On the Gentleman's Motion, Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. You know, philosophically, I have absolutely no argument with the Gentleman's rationale for the Bill. But he did say one thing that I think we need to focus on. He said, this Bill would instore fiscal integrity to the state, make them pay their bills on time etc., I'm

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paraphrasing. Let's...let's get honest with each other. Let's stop trying to crank out press releases. Lots of small businesses in my district that are pretty upset about the fact that we're not paying our bills in a timely fashion as well. If we're to restore fiscal integrity to this state and to be able to pay our bills on time, as every Member in this chamber wants us to do, then it is this Body, this Body must take the responsibility. We're the ones who pass appropriation Bills in excess of our ability to pay. It isn't some mystical, cooking the books fault. The fault, dear friends, rests with us. We appropriate money for no...and many of them for causes that are well intentioned and good causes, but we are to blame, not some mysterious figure in a green eye shade on the first floor. And this is another...but another piece of that kind of puzzle that put us in the financial shape that we're in. We're promising to pay 2% to vendors when we all know, the money is not there to pay them. Which will lead to additional debt as we start a new fiscal year. Now, Ladies and Gentlemen, you saw fit yesterday not to pass on an interest bill that would only take care of certain segments of our business in health care community. I would again ask you today, to be realistic. Vote 'no' or 'present' on this Bill. There is a Bill coming over from the Senate that was passed 56 to 1 that addresses this whole issue of interest and prompt payment and sets up a mechanism to do just that. I certainly do not fault the Sponsor, in fact, his philosophy and mine are in tuned on this issue. My family has been in small business for 65 years, I know what irritates the Gentleman and I share that irritation and frustration. But it does no good to compound our errors of spending money that we don't have.

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So, I would respectfully ask, Mr. Speaker, a 'no' or 'present' vote on this. Senate Bill 1588 will be before us when we come back in a week. We can address this issue of prompt pay and do it in a manner that we can indeed pay our bills. And Mr. Speaker, should this get the requisite number, I will request a verification."

Speaker McPike: "Get that tie off the podium. Get that tie off the podium. Mr. Edley, to close."

Edley: "Thank you, Mr. Speaker. As the House Sponsor of Senate Bill 1588, the Bill that the previous speaker alluded to. It is...pales in the comparison to what this Bill would do, 2697. The problem that we have in state government is, even though we have a constitutional requirement to have a balanced budget, we balance it by not paying our bills. And we have the incentive to not pay our bills or at least, don't have a disincentive...to pay the bills because we have no penalty, no interest penalty if we allow bills to go four, five, and six months for payments. This legislation simply establishes a penalty for the State of Illinois irresponsible financial practices. I think the Governor proposes a budget, and each year he proposes each year since he's been Governor, he's claimed to have a balanced budget. Well, I don't think our Governor can count, because each year, we have increased our lapse period spending. We have hundreds of millions of dollars of unpaid bills. There were over 150 pharmacies that went out of business here last year, because the state couldn't pay their bills on time. I think the voters have had enough of the financial flim flamery and jim foolery that we have experienced over the last 16 years in state government. It's time to cut the baloney. It's time to stop cooking the books. It's time to support good business

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like management principles. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 2697 pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Lang, 'aye'. Lang, 'aye'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 68 'ayes' and 38 'noes'. This Motion having failed to receive the required Three-Fifths Majority is hereby declared lost. Mr. Novak. House Bill 2996, did you want to call this again. It was called once. Mr. Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We had a pretty thorough debate about House Bill 2996 yesterday, and I would like to ask all my colleagues that they reconsider their vote. This is a very important measure for school children in the State of Illinois. It simply puts the delayed school aid payment back to where it was prior to July 1991. It means that the state has to borrow at a very low interest rate, much lower interest rate than what the school districts currently borrow at, to put the dollars back into the school aid payment system in the entire State of Illinois. It's beneficial for our school children. I simply ask for your favorable vote to override the Total Veto of House Bill 2996."

Speaker McPike: "All right, the question is, 'Shall the House Bill 2996 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Mr. Black, one minute to explain his vote."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, you defeated this issue yesterday because you all know, you don't have \$176 million to make up that payment. Now if we get serious when we come back in

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January and make education our first priority, as 57% of the voters asked us to do, then we can take care of this issue. But you can't take care of it now by more of what the previous Bill's Sponsor just said, by cooking books and using smoke and mirrors. We don't have \$176 million to make it up. If we did, I would Co-Sponsor this with my good friend, Representative Novak. Again, let's stop sending false messages, false hope. Let's come back here in January and truly make education the number one priority as the voters want us to do. And Mr. Speaker, I reluctantly say, that should this get the requisite number of votes, I will seek a verification."

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

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. You know, I find this vote absolutely incredulous. You know, when we passed this Bill in May of this year, it had over 90 some odd votes, and many Republican votes. Now, all of a sudden they've had a change of heart. Don't they support schools in their districts? No. That's the problem."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. This is not a matter of supporting schools or school children in Illinois. It a matter of dollars and sense. As I said, yesterday, and confirmed with the Director of Department of Revenue, this does not take...no dollars were taken from schools, they're going to get it. It's just a question of which fiscal year they get it in. If they...before July 1, which is the school year of all school districts in Illinois, if they get it before July 1, or after July 1, it doesn't make any difference, they get the same amount of dollars. We defeated it yesterday and we ought to defeat it again."

Speaker McPike: "Representative Cowlshaw."

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Cowlshaw: "Thank you, Mr. Speaker, to explain my vote. I believe that passage of this override would send a terrible message to the financial markets that play a major role in determining costs to Illinois taxpayers of the state's long range capital program, and it would certainly send the wrong message to the City of Chicago schools, because what this Bill does, is require that state aid to the Chicago district be accelerated every year, regardless of whether the Chicago District has its fiscal house in order and regardless of the condition of the state treasury. That is not the message that we should be sending at this time. I urge a 'no'.vote."

Speaker McPike: "Representative Edley."

Edley: "What the Sponsor of this want...Bill wants to do, is to have the state break the mirrors and blow away the smoke in state government operations. It doesn't make any difference to our bank account, our actual fiscal dollars in the bank whether we pay it in June or we pay it in July. But what it does require the state to do if we pay it in June, is to find the revenues to fund \$176 million. What we're doing now is continually spending the money but not finding the revenues to fund it. The problem that we have in state government isn't that we don't have enough appropriations. The problem that we have in state government is our bank account, our actual bank account is broke. Here a few days ago, we had less than \$20 million in the bank and almost \$500 million of bills to pay. So, delaying it two weeks, from June to July, doesn't help our bank account one iota. What it does do is allow the Governor and the Legislature to continue to spend money we don't have. The Sponsor of this Bill has the right, fiscally responsible thing to do, and I would urge all of

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us to support it."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 72 'ayes' and 32 'noes' and Representative...who asked for the verification? Representative Black, asked for a verification. The Gentleman would like to poll those not voting."

Clerk O'Brien: "Wyvetter Younge. No further."

Speaker McPike: "There's two not voting."

Clerk O'Brien: "One Member is excused, Representative Cronin."

Speaker McPike: "Thank you. All right. Proceed with the Poll of the Affirmative."

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. J. Hoffman. Homer. Hultgren. Lou Jones. Shirley Jones. Kulas. Lang. Laurino. LeFlore. Levin. Lomanto. Maloney. Marinaro. Martinez. Matijevich. F. Mautino. McDonough. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw. Smith. Steczo. Stepan. Stern. Trotter. Turner. Walsh. Weller. White. Wolf. Woolard. Anthony Young and Mr. Speaker."

Speaker McPike: "All right. Representative Satterthwaite, would like to be verified, Mr. Black. She's right here. Helen Satterthwaite. All right, and the same thing with Jack McGuire and Terry Steczo. Now, pay attention here. Terry Steczo, okay and Ellis Levin and Representative Walsh, in the middle aisle. And Representative Mautino, in the

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center aisle and Frank Giglio, at his desk. Okay, is that it? And Mr. Saltsman. Anyone else? All right. That's right. All right, Mr. Black."

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

Speaker McPike: "Mr. Kulas. Mr. Kulas, Representative Kulas...is here. He's in the back."

Black: "Representative Smith?"

Speaker McPike: "Mr. Smith, is not here. Remove the Gentleman from the roll. Representative Curran, would like to be verified. He's right here, okay. Mr. Smith, is not here, remove him from the roll."

Black: "Representative Shaw?"

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

Black: "Representative...excuse me, Representative DeLeo?"

Speaker McPike: "Mr. DeLeo is not here. Remove him from the roll. Mr. Deering would like to be verified, he's right here. Proceed."

Black: "Representative Granberg?"

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

Black: "Representative McNamara?"

Speaker McPike: "Mr. McNamara is not here. Remove him from the roll. No, he is here. I'm sorry, I didn't see, John. He's in the rear, Mr. McNamara is here so..."

Black: "Representative Flowers?"

Speaker McPike: "Representative Flowers, is here...is not here. Mrs. Flowers is not here. Remove her from the roll. Mr. Mulcahey, wants to be verified. Yes. You're verified, Mr. Mulcahey."

Black: "Representative Obrzut?"

Speaker McPike: "Representative Obrzut, is here."

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Black: "Representative Rotello?"

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

Black: "Representative Phelps?"

Speaker McPike: "Mr. Phelps is here."

Black: "Representative Capparelli?"

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

Black: "Representative Preston?"

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

Black: "Representative Balanoff?"

Speaker McPike: "Mr. Balanoff is not here. Remove him from the roll. No, Mr. Balanoff is here. He's back with the children in the rear. So, leave him on the roll."

Black: "Representative Trotter?"

Speaker McPike: "Mr. Trotter is here. He's in the rear."

Black: "Representative White?"

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

Black: "Representative Farley?"

Speaker McPike: "Mr. Farley is not here. Remove him from the roll. Go ahead."

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

Speaker McPike: "Mr. Farley has returned. Return Mr. Farley to the roll. Mr. Smith has returned to the chamber. Return Mr. Smith to the roll call. All right, any further? On this Motion there are 64 'ayes' and 32 'noes' and House Bill...and the Motion having failed to receive the required Three-Fifths Majority, is hereby declared lost. All right, Mr. Hoffman, J. Hoffman. House Bill 3039."

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

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House. House Bill 3039, I would ask for a Total Override of the Governor's Veto. Basically, the Governor's Veto Message regarded some objections by the Attorney General and was based on some objections by the Attorney General. The Attorney General is not opposed to an override of this...of this Veto. I ask for a positive roll call."

Speaker McPike: "On the Gentleman's Motion, Mr. Black."

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

Speaker McPike: "Yes. Yes."

Black: "Representative, it's my understanding, correct me if I'm...if I'm wrong. It's my understanding that the Governor vetoed this Bill at the request of the Attorney General."

Hoffman, J.: "That's the Veto Message that I've received, however, after talking and explaining the attempt of the Bill and all of the information regarding the Bill, the Attorney General's Office does not oppose an override of this Veto."

Black: "But I...we have nothing in writing to so indicate that the Attorney General has suddenly reversed his earlier opinion."

Hoffman, J.: "Well, I just spoke with...Representative, of their office."

Black: "Well, I certainly have no reason to doubt...doubt your word, and I appreciate your candor, Representative. Mr. Speaker and Ladies and Gentlemen of the House, you all have the Veto Message, if indeed the Attorney General has asked the Governor to veto the Bill because...that the notification requirements are overly broad and unduly burdensome and that the Bill may very well compromise the confidentiality of criminal investigations. Then it may

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very well have the opposite effect of what the Sponsor would like to do. I share his concern with those who illegally dump, or fly dump, or those who dump by night, and it is a problem and particularly a problem in downstate. But I would say, to you, that...the Attorney General must have felt that this Bill would, rather than help apprehend and convict those people, it may very well, in fact, hinder efforts to indict and convict those people who do that. So, I would simply remind you, that the Attorney General is coming before us for a restoration of money in his...his budget, so obviously, he thinks his budget is in critical condition and probably understaffed and this is simply going to add dollars to his budget that he not only doesn't have, but he himself feels that the Bill needs some work. And that's why he asked the Bill to be vetoed. So, I think we should acquiesce to the Attorney General in this matter and his expertise and work not only with the Attorney General but the Sponsor of this Bill in the next Session and, hopefully, get something passed that will do just as exactly what the Sponsor wants to do, because it certainly is an issue that needs our attention. But, I would simply rise to ask you to vote 'no' or 'present', uphold the Governor's Veto as the Attorney General wants you to do and, Mr. Speaker, should the Bill get the requisite number of votes, I will seek a verification."

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

Hoffman, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me just explain what this Bill does, and let me explain some of the problems and maybe miscommunications surrounding it. Basically, what this Bill says, is that if there is evidence of hazardous waste dumping, that the

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Attorney General's Office, when they receive evidence of this, will notify the local public health officials. They will also notify the local State Attorney's Department. Also, if the local State Attorney's Department or the local public health officials have evidence of it, they will notify the Attorney General's Office. Pure and simple. That's it. Notification. Under the Illinois EPA Act, there is dual jurisdiction for prosecution of hazardous waste crimes. The Attorney General has jurisdiction, so does the local authorities. We're talking about notification. The Attorney General's Office is not opposed to an override of this Veto. The Attorney General's Office is not opposed to an override of this Veto. There was some miscommunications on the intent of the Bill, the Bill that has been corrected, and the Attorney General's Office is not opposed to an override of this Veto. I ask for a positive vote on an override."

Speaker McPike: "The question is, 'Shall House Bill 3039 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 66 'ayes' and 40 'noes' and the Motion having failed to receive the required Three-Fifths Majority, is hereby declared lost. On page 9 under Reduction and Item Veto Motions, Representative LeFlore, Motion #9. Mr. LeFlore."

LeFlore: "Yes, thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm asking for an override on Motion #9. The Governor Veto reduced the appropriation for the Department of Children and Family Services budget, community services grant line by \$375,000. The community service grant

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supports juvenile delinquency...prevent programs throughout the State of Illinois. Of course, you know, the problems that we're having in some parts of the state now. This money is needed and, plus, this brings along a great deal of volunteer involvement for the programs. So, we need this money to help close those gaps, and I'll ask you for a 'aye' vote...on the override."

Speaker McPike: "Mr. Ryder, on the Motion. Turn on Mr. Ryder, please."

Ryder: "I wish somebody would, thank you. Mr. Speaker, I see the board, and I don't believe that that's what the Gentleman requested."

Speaker McPike: "You're correct. Now the board is correct."

Ryder: "All right. Thank you. To the request of the Speaker, we made some tough decisions the other day, this is another one of those tough ones. I have to tell you that if, I could, this is probably one that I would vote for. This is well...well deserved money, money that would be well spent, if we had the money. Unfortunately, we do not, and for that reason, I stand in opposition to the well intentioned Motion of the Gentleman and to money that I think is probably well needed. But we just don't have the money to spend and for that reason, I stand in opposition, Mr. Speaker."

Speaker McPike: "The question is, 'Shall this item be restored to its original amount, notwithstanding the reduction of the Governor?' All those in favor vote 'aye', opposed vote 'no'. Mr. LeFlore, you're voting 'no'. You're voting 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 80 'ayes', 27 'noes'. This Motion, having received the Constitutional

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Majority prevails, and the House restores this line item in House Bill 2703. Mr. Matijevich."

Matijevich: "Mr. Speaker, I would ask leave of the Body and use of the Attendance Roll Call to allow the Rules Committee to meet while we're in Session to consider posted Bill...the...House Bill 2 in the Special Session...2. This has been cleared with Representative Black."

Speaker McPike: "House Bill 1. House Bill 1. The Gentleman's Motion was on House Bill 1. There being no objection to the Gentleman's Motion, the Attendance Roll Call will be used and the Motion carries. Amendatory Veto Motions on page 10, House Bill 3884, Representative J. Hoffman."

Hoffman, J.: "Mr. Speaker, I move to accept the Amendatory Veto of House Bill 3884. All that was made was some technical changes which will enhance the Bill and the ability of the Bill to receive federal...federal funding."

Speaker McPike: "The question is, 'Shall the House accept the specific recommendations for change with respect to House Bill 3884?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes', no 'nays'. House Bill...and this Motion has received the required Constitutional Majority. The Motion is adopted, and the House accepts the Governor's specific recommendations for change on House Bill 3884. Page 3 of the Calendar, Senate Bill 1733. Mr. Clerk, has this Bill been read a second time? Yes, it has. Are there any Amendments?"

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

Speaker McPike: "Mr. Lang."

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

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Floor Amendment #1 would delete the Bill and provide a \$203,000 GRF supplemental appropriation to the Illinois Criminal Justice Information Authority for a gang crime police management system and the Cook County Sheriff's Office. This, basically, would provide the Cook County Sheriff with the opportunity to implement the latest computer equipment and technology to track gang and drug trafficking activity. Not only in Cook County but throughout the State of Illinois or for the benefit of the Cook County Sheriff. I would move adoption of the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor...Representative Black, on that Motion."

Black: "I think I just found the answer but, for the record, will the Sponsor yield? Representative, did you say, this is payable from General Revenue Funds?"

Lang: "Than's correct."

Black: "Are you transferring monies from some place to some place, or just indicating that this is what, in fact, should be done?"

Lang: "There is no transfer. It's a supplemental appropriation from GRF."

Black: "All right. Thank you, very much. Mr. Speaker and Ladies and Gentlemen of the House, I...I was under the impression, and I certainly may stand in error, but I was under the impression that there were going to be no Motions on supplemental appropriations until all of the legislative leaders could get together at the appropriate time and try to figure out where...what money we might be able to find should go on a priority basis. I'm not aware that this is part of that process, so I stand in opposition to the

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Amendment. And would ask Members to vote 'no' or 'present' as it calls for a supplemental, when we have cut everyone's budget to the bone. I don't know, how, in good conscious we can add any amount of money to any budget at this time without some basic agreement of all parties."

Speaker McPike: "Representative Hartke."

Hartke: "Will the Speaker...will the Sponsor, yield?"

Speaker McPike: "Yes."

Hartke: "Representative Lang, you mentioned that this is for computers, for...to, I guess, list gang activity and so forth, in the Chicago area and you also mentioned, to assist sheriff's. Would that apply to downstate as well?"

Lang: "The appropriations for the Cook County Sheriff but that's not to say that downstate communities wouldn't be able to get some access to that by working through the Cook County Sheriff."

Hartke: "So, if they made a call through some modem or something, through their system, would they be able to tie into...the..."

Lang: "I presume that...that anyone...that well, certainly the Cook County suburbs and the City of Chicago, everyone in Cook, but downstate Illinois, I have no reason to believe that the Cook County Sheriff would not cooperate with downstate Illinois to give them information."

Hartke: "Well, my thought is, we have problems downstate as well, maybe not the gang activity you're talking about but other things. If they had access to the information on that computer or individuals or so forth, is this just going to list names and activities in gangs or is it going to have fingerprints and criminal history and so forth?"

Lang: "Well, I'm not exactly sure, every detail of what this system will do, Representative Hartke, but I can tell you

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that this is a continuation of current technology that the Cook County Sheriff has. This would add to it. It would be the latest technology and chances are, this particular computer software would not be applicable downstate currently, because I don't believe that downstate communities currently have access to the present computer system. So, this is an additional program, additional computer software and equipment so that the Cook County Sheriff can upgrade his system."

Hartke: "Okay. Thank you, very much."

Speaker McPike: "Mr. Tenhouse."

Tenhouse: "Thank you...thank you, Mr. Speaker. Would the maker of the Motion yield, please?"

Speaker McPike: "Yes."

Tenhouse: "I had a couple of questions here. First of all, what precedent is there for doing this? Has this been done before where we've basically circumvented the process and made a direct appropriation to the Sheriff's Department, like this?"

Lang: "Well, I'm not certain what you mean by circumventing the process. We have an appropriations Bill, I'm proposing an Amendment to it. That's certainly allowed by our rules, that would seem to be the only answer to your question."

Tenhouse: "Well, I guess the question is, is this the request since this is going to the Criminal Justice Information Authority. Is this request been made by that agency or is this being done, unilaterally?"

Lang: "The request was made by the Cook County Sheriff. I don't see any reason why we can't do this if we choose too."

Tenhouse: "Well, I guess the next part of the question is..."

Lang: "Excuse me, Representative. Let me just add this, the Cook County Sheriff was told by the Illinois Criminal Justice

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Information Authority that they must upgrade their system. They were given until January of 1994 to do that, however, this proposal would give them a head start, and it will save the same \$203,000 in the next fiscal year."

Tenhouse: "But, isn't it true that the current system is a pen system and this is not...they do meet that requirement that this is not...necessary to meet the requirements of the Criminal Justice Information Authority."

Lang: "This program would enhance the pens and it would move it in the right direction."

Tenhouse: "But, isn't it also true that under the current system, they do meet the requirements of the...what Criminal Justice Information Authority is requesting?"

Lang: "They meet the current requirements but the same authority that you're saying that they meet the requirements of, has indicated to them that they must upgrade the system. So, they want to upgrade the system and that's the purpose of the supplemental."

Tenhouse: "Well, I guess...to the Motion. I would have to rise in opposition to it and I guess, it comes back to what Representative Hartke said here earlier, and we have over 100 counties that all have needs and desires as far as the Sheriff Departments are concerned. And they're already in compliance as far as requests...if this information were coming from them...criminal justices as a request, I think we would look on it more favorably, but it's being done really, more or less, to circumvent the process. I would certainly urge the Members on both sides of the aisle to realize the fact in a sense of fair play that they vote 'no' on this Motion. Thank you."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Inquiry of the Chair. Since

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this has an immediate effective date, it would require 71 votes? Is that correct?"

Speaker McPike: "This is an Amendment. This is an Amendment."

Wennlund:M\$ "Just the Amendment."

Speaker McPike: "This is Second Reading. We're on Second Reading."

Wennlund: "Thank you, very much."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1733, a Bill for an Act to provide for the ordinary contingent distributive expenses of the State Comptroller. Third Reading of the Bill."

Speaker McPike: "This Bill would require 71 votes. So, we're going to take it out of the record. Yes, Mr. Matijevich."

Matijevich: "Well, Mr. Speaker, I know a lot of you won your elections. I lost one election, and I got presented with a Cub jacket, and Cubs are always losers. So, I guess they think that's what I ought to wear now. So, I appreciate Curly Rogers over here, somewhere and the Police Benevolent for presenting it to me. Thank you."

Speaker McPike: "House (sic - Senate) Bill 1679, Representative Obrzut. This Bill...is this...Mr. Clerk, has this Bill been read a second...All right, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1679, a Bill for an Act in relation to storm water management. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Giorgi."

Speaker McPike: "Representative Giorgi, Amendment #1."

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Giorgi: "Mr. Speaker, Amendment #1 has to do with the sheriff's office in Cook County, and it provides for the stipend of \$5,000 for the sheriff because of his extended duties and because he has over a 300 bed jail facility to take care of."

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "Is the Amendment germane to the underlying Bill?"

Speaker McPike: "Yes."

Black: "Thank you. May, I inquire...to the Sponsor, I would like to ask some questions of the Sponsor."

Speaker McPike: "Proceed."

Black: "And might I congratulate you on speeding up the Parliamentary procedure considerably. Yes, Representative...how much money are the sheriffs in the other 101 counties given as a stipend?"

Giorgi: "They all receive a stipend. I think the secondary counties receive \$3,500. That's a second tier of counties. I know my Winnebago County Sheriffs receive a stipend. He receives a stipend."

Black: "But not to the...not to the same extent, I guess that's what I was getting at."

Giorgi: "Well, this is Cook County. This has got the correctional facilities in Cook County, you know, no one relishes being a sheriff."

Black: "I see. In other words, you're basing this on the larger number of beds that that..."

Giorgi: "That's right."

Black: "Individual would have to supervise."

Giorgi: "Volume of work."

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Black: "Okay. Thank you, very much. Mr. Speaker and Ladies and Gentlemen of the House, what you have before you is an Amendment that deletes everything which was a flood control Bill, which I know the sheriff was interested in that flood control Bill. But, anyway, Amendment #1 deletes that Bill and requires the state to pay a \$5,000 stipend to the Cook County Sheriff based on the sheriff's operation of the county jail facilities of the size of Cook County. Now, this...this might be a good idea. I'm sure the sheriff of Cook County has some substantial responsibilities. The only thing that I question on this Amendment is requiring the state to pay a \$5,000 stipend at this particular point in our budget process when, quite frankly, we have already defeated Motions to put money back into the school aid formulas, which many of us would like to have voted for, but we had to realize that we didn't have the money, and I know \$176 million in school aide formula is a lot more money than \$5,000 to the Sheriff of Cook County, but I think it sends the same...a strange message. I think we've been very fiscally conservative today, and it's for that reason and that reason alone that I ask you to vote 'no' on this Amendment that would require the state to pay a \$5,000 stipend to the Cook County Sheriff. And, Mr. Speaker, I respectfully ask for a Roll Call Vote on this Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Black."

Black: "Mr. Speaker, I...I know you're hearing is excellent. I

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know the physical exam the navy put you through. There can be no question as to your ability to hear. Now, surely I did ask for a Roll Call Vote on that Amendment. Did I not?"

Speaker McPike: "Pardon me."

Black: "I see no harm in acquiescing to a legitimate request to the Member to have a Roll Call Vote on this Motion. I know everybody wants to be counted on this."

Speaker McPike: "Mr. Black, when I looked at you, you were the only one seeking that request, and the rule is very clear, and you know that. It has to...you have to be joined by four people on that, and you knew that rule. No, no one had joined him on that request. He was the only one that asked for it."

Black: "Mr. Speaker."

Speaker McPike: "And you know that rule."

Black: "Yes, I do. I congratulate you on that rule, and I assure you, I will not make that mistake again. Thank you."

Speaker McPike: "Mr. Ryder. It looks like he is very upset about something."

Ryder: "Mr. Speaker, I rise on a point of parliamentary inquiry to the Chair. If it is the intention of the Chair to stuff Amendments down our throat, you've got the votes, do it. But if you're going to continue to behave in the fashion that you have a couple times this morning, then it doesn't help the reputation of the House. It clearly doesn't help the reputation of the Speaker and I, for one, don't want to be the person who has to jump up and down and be...slowing down the process. So, I'm sure that you will give us the kind of attention and adherence to the rules in the future that you have customarily in the past. We thank you for that, Mr. Speaker."

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Speaker McPike: "Message from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change which are attached to a Bill of the following title and acceptance to which I am instructed to ask the concurrence of the House to wit; Senate Bill 1939. I'm further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change in the Senate, action taken by the Senate, November 17, 1992. Linda Hawker, Secretary of the Senate.'"

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, I would ask leave of the House and use of the Attendance Roll Call to allow the Rules Committee to meet while we're in Session. Also, to suspend the posting notice on Senate Bill 1939, which has just come over from the Senate. I've cleared this with Representative Black, and the Rules Committee, as posted, will meet immediately in the Speaker's conference room."

Speaker McPike: "All right. This has been cleared with the...both sides of the aisle. You heard the Gentleman's Motion, the Attendance Roll Call will be used and the Motion carries. And the Rules Committee will meet immediately. On page 4 of the Calendar is Senate Bill 1844. This Bill has been read a second time previously. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Shaw."

Speaker McPike: "Mr...Representative Giglio."

Giglio: "Yes, Mr. Speaker, Representative Shaw asked me to present the Amendment. It's says..."

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Speaker McPike: "Okay. Let the record reflect that Mr. Giglio is a hyphenated Co-Sponsor of this Amendment. Proceed."

Giglio: "This is an Amendment for Chicago State University and what it does, is it lets them use \$650,000 that they've collected from the tuition money. This is nothing to do with GRF funds. What happened, is that we've experienced a tremendous increase in enrollment and the moneys there. Now, we have to have authorization to use this money to...educate these students. So, I would ask for your support with this Amendment #2."

Speaker McPike: "Mr. Weaver on the Amendment."

Weaver: "Thank you very much, Mr. Speaker. While in principle I think we all agree, at least, I do personally, that the income funds ought to stay with the universities. I think that in this point and time for us to make a departure from our established procedure of holding on to the university income funds until the appropriation process has a time to look it over, might be somewhat of a mistake. If the Sponsor would answer a brief question. You mentioned, Frank, that the request was based upon a large increase in enrollment. How much of an increase was that?"

Giglio: "I'm not...Representative Weaver, I'm not sure of the percentage or number, but staff tells me it's well over 200 or 300 students, and with that money sitting in there, they just can't function without getting some more money."

Weaver: "So, the request for \$650,000 is to take care of 300 new students?"

Giglio: "See, that's what I said, I wasn't sure. I just got information that over the last year and a half or so, they increased by 16%. Fastest growing public university that we have in the State of Illinois. Chicago State."

Weaver: "So, this is actually a request for supplemental funding

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because of that increase?

Giglio: "No, no supplemental funding. This money is the money that the students put in for tuition fees. The kicker is here, we can't use that money and take it out when you have the additional enrollment. It stays in a pot."

Weaver: "Yeah, I understand."

Giglio: "We're not using it, so we want to be able to use it and this is the only mechanism we have."

Weaver: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think getting back to our original argument that this may be a bad precedent to start. Every university would like to have access immediately to that income fund. And I think we ought to do it for all of them or for none of them. We ought to allow the appropriation process to review the needs of the universities in an orderly fashion. And for that reason, I stand in opposition to the Amendment."

Speaker McPike: "Mr. Giglio. Representative Shaw, to close."

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

Speaker McPike: "Just a minute, excuse me. Representative Ropp had his light on. Mr. Ropp."

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

Speaker McPike: "Yes."

Ropp: "Representative, it is interesting at this point and time. My question is, why is it that the board of higher education is encouraging some schools throughout the state to put a cap, the fact is, even reduce student enrollment. Why then did this particular institution be permitted to expand beyond whatever kind of limits there were?"

Speaker McPike: "Mr...Who wants to answer this? Mr. Shaw."

Shaw: "For the purpose, the people...they didn't expand the

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enrollment. The people...the students are just coming into the university, and it's a university located in a highly dense area, and people want an education. And she's...the president, president Cross, has done a very good job in retention there. So, that's the explanation."

Ropp: "Well, every...every institution in the state is attempting to operate within some kind of a limit in terms of enrollment. Why is it that your particular institution was permitted to go beyond whatever limit that was, when in some of our districts, we are being told, reduce your student enrollment. I know your district obviously is crowded, but no more interested in having students come than in my district where they want to come and must be reducing by 3,000."

Shaw: "We have...the University of Chicago State has not reached its capacity as of yet, maybe the universities in your area have reached their capacities and, certainly, I would concur in what you are saying if that was the case. But, Chicago State has not reached its capacity and they are not there yet. And people are seeking an education at Chicago State and they walk in there and enroll and I don't think you, Representative, would want to deny people who are seeking an education, a higher education, an opportunity to get that."

Ropp: "You're absolutely correct. I do not want to deny any student who wants to go to a college for advance degree. However, the institution that you have referenced to, is the one in the State of Illinois that is being funded at the highest rate per credit hour of any institution in the State of Illinois. Is that not true?"

Shaw: "I don't know. I don't know that to be a...I don't know that to be a fact."

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Ropp: "I know that to be a fact."

Shaw: "But certainly, certainly the...for years or at least for the last four or five years, that institution has been way below other institutions in this state in terms of enrollment, and the money is just...with the high enrollment that we have today, in terms of students fees, the money is just sitting there and, certainly, we could...this university could use the money in terms, this is not GRF money. This is fee...the student fee money. We are not talking about dipping into the GRF portion. We are just talking about fees, students that have enrolled in the university, and we're talking about re-using that portion of the fee money to help the cost of this university."

Ropp: "Thank you, very much. Mr. Speaker, I'm joined by four of my colleagues and request a Roll Call Vote on this particular Amendment."

Speaker McPike: "Very well. Mr. Maloney."

Maloney: "Yes, Mr. Speaker. Thank you. Also Chicago State University, in speaking with Dr. Cross, has a lot of nontraditional students, that is, those students who are at the graduate level. One of the first things to be cut, if this money is not made available, is their summer programs in many, many local educators who obtain their masters degree, including myself, have gone through Chicago State's program and primarily in the summer months and this is one of the first things that would be cut. I think that many of our...it would have a negative impact on our schools if these nontraditional types of students could not have the opportunity to continue their education. Thank you."

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. You know, I met with the president along with some other Representatives last

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thursday evening. The president of Chicago State, told us that the enrollment at this school has increased 40%. Many of these students 20, 21 years old, which means that...many of the students in Chicago is taking advantage of the school because the school has delivered. But unless she gets the extra dollars to carry out the program, that means that she's going to have to close down some departments, and I hope that you will support this educational component. And...Senator...Representative Ropp, I'm surprised that you would get up and...speak against education, because I thought you was an educational person, Representative Ropp. So, I support this...Amendment wholeheartedly, because the money is needed to continue our educational program in Chicago State."

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

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Our control by the President and also, you might want to note that the board of Governor's is in support of this Amendment and the university...unless we pass this Amendment, the university will have to lay off some of its faculty members come first of the year, and I think that would be a travesty for Chicago State University and its students. I'm asking your support for this Amendment. I think it's a good Amendment. I think it's surely needed, and let's help educate the children...people of this state, and you can do that by voting 'yes' on this Amendment. Thank you very much."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 61 'ayes' and 53 'noes', and the Amendment is

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adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Shaw, this Bill would require 71 votes, and I think we will take it out of the record at this time. All right, the Bill is on Third Reading. Representative DeLeo, for what reason do you rise? For what reason do you rise? Representative Giglio, in the Chair."

Speaker Giglio: "Representative DeLeo, for what purpose to you rise, Sir? Committee Reports."

Clerk McLennand: "Committee Report. The Committee on Rules has met, and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on November 19, 1992, House Bills: House Bill 1007, 4240, 4247, 4248, 4249, and 4250. Senate Bills: 420, 1092, 1160, 1424, and Senate Bill 741, and pursuant to House Rule 46.1, Senate Bill 13...1939...Senate Bill 1939 is ruled noncompliance, offered by Chairman, John Matijevich."

Speaker Giglio: "Representative Kulas. On page 7 of the Calendar under Total Veto Motions, appears House Bill 3605. The Gentleman from Cook, Representative Myron Kulas. Read the Bill, Mr. Clerk. Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3605 amends the Illinois Environmental Protection Act, and it establishes a standard of due diligence or all appropriate inquires for innocent defendants. We passed this Bill out of the House. Unfortunately, the Governor saw fit to veto this Bill, and I'll be glad to answer any questions, because we've debated this Bill, and I'll sum it up in closing."

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

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Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, perhaps we could have some...decorum here in the House. Ladies and Gentlemen of the House, this is an important...important measure. First of all, if the ground is polluted with an underground storage tank or whatever it is, it has to be taken care of one way or the other. Secondly, it's a bad vote, because under the federal 'RECRA' rules, you can't exempt anybody from liability. The innocent owner, a mortgagee, still has liability under 'RECRA' under the federal law. So, it doesn't make any difference whether you try to exempt a landowner from liability for clean-up of environmental problems. The federal law requires liability on any owner, innocent or not, because it is designed to get the ground cleaned up. This is a bad environmental vote. Can you imagine this one after all of you have received some direct mail. Just like I did. Can you imagine this one that you voted to exempt an owner of property, even though he picks it up from somebody who polluted it, from the law that requires a clean-up of that pollution. It's a bad environmental vote to free up any owner of land from the obligation to clean it up. And the federal law, notwithstanding whatever you might do with 3605, the federal law still requires a clean-up and still puts liability on any owner, innocent or not. Now, the Speaker refused to allow us to consider increasing hazardous waste funding for clean-up of underground storage tanks last June. Wouldn't even call it, as a matter of fact. Now, we're going to reduce the liability of landowners for environmental clean-up. That's pretty crazy. As a matter of fact, what this calls for, is it calls for the state to guarantee up to 85 million in loans in cases of default, as

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a matter of fact and imagine, again, that direct mail piece saying, you agreed to free up landowners from the responsibility to clean-up environmental problems on their own land. That's the reason this Bill was vetoed, because the Governor of this state is concerned that all of Illinois be clean from environmental pollution. And exempting a landowner from liability, even though he may have bought it, even though he may have known, not in writing, but he may have known of the environmental problems on a piece of ground he bought, you're going to exempt him from the liability to clean-up the mess that's there. This is bad policy for Illinois. It's bad policy from a federal stand point which requires liability for clean-up. So, no matter what you do on this Bill, the federal government has already made it law that requires, even innocent landowners to clean-up environmental problems on property that they inherit, acquire, purchase, or whatever. It's bad policy for Illinois to say, that landowners are not responsible for the environmental problems on land that they acquire, whether they polluted it or somebody else polluted it. The bottom line in Illinois is that we want a clean and healthy environment, and we want to make sure that it's cleaned up and, Mr. Speaker, in the event that this receives the requisite number of votes, I request a verification."

Speaker Giglio: "Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. I can't add a whole lot to what the last speaker has very adequately pointed out. In the State of Illinois, we have no program for environmental clean-up, and in the majority of our districts, there are spots that need to be cleaned up. It's outrageous that we would be lessening the

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liability and making...the clean-up, much needed clean-up and the longer things sit here the more cost they get, that we would be voting to exempt anybody. The correct environmental vote is a 'no' vote."

Speaker Giglio: "Representative Myron Kulas, to close."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been a lot said about this Bill that isn't true. There's nothing in this Bill about 85 million guaranteed loans. Who are you kidding? This is a good environmental Bill. It protects the innocent landowner. We've worked with everybody on this Bill for the last year. We've made all kinds of concessions from...we went from a conclusion presumption, we went to a rebuttable presumption. If there's any possibility of hazardous waste being there then you have to go to a different grade of...a phase II application, so you're protecting the environment. This is a good environmental vote, and I urge you to vote 'aye'. The only reason the Governor vetoed it is because he was frustrated that this General Assembly did not pass an increase in the hazardous waste piece. And I ask you for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 3605 pass, the Veto of the Governor notwithstanding?' And on that question all those in favor signify by voting 'aye', opposed, 'no'. The voting is open. Representative Robert Olson."

Olson: "Thank you, Mr. Speaker. This Bill exempts the current owner of property if he did certain things in acquiring that property, let's call it audit phase I. If the current owner, through this process is found exempt from any clean-up costs, which can be substantial, and the previous owner or owners can not be located, who's going to pay the

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bill? Another hit on the taxpayers, I believe."

Speaker Giglio: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If your district is like mine, many of us have dealt with the frustration that very innocent landowners have had trying to get a straight answer out of the EPA on what it is that will or won't be acceptable in their sincere attempts to try and resolve a problem. Right now, the power of the EPA is unbridled, it's unchecked, it is a tyranny on the people, the innocent people in Illinois very often, and think I that this Bill is an important Bill to send a message that we need standards, and we need some help on this in the attempts of innocent people who are trying to comply with a government that does not give straight answers in this arena, and it's a very good Bill to protect the average citizen who finds themselves in the swamp of having an underground storage tank or a small community that has a landfill and must come up with an expensive closure plan, and this is a real protection for people. I urge an 'aye' vote."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black. One minute to explain your vote."

Black: "Well, thank you very much, Mr. Speaker. Unfortunately, I had some questions I would have liked to have asked the Sponsor about whether or not this would have stripped the states ability to...actually go forward on its clean-up enforcement powers and may, in fact, not actually protect landowners. I...I to be very honest with you, Mr. Speaker, I believe my side of the aisle was using the wrong file in our initial arguments and I...what I would like to do is, just to request if the Sponsor would take this out of the record for just a second so that we could compare files.

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He doesn't wish to do that? Well, in that case since I didn't get my questions answered and I look at the green board, let me on behalf of our side of the aisle withdraw our request for a verification and those of us who have questions about the Bill can perhaps answer them later."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 80 voting 'aye', 31 voting 'no', and House Bill 360...Representative Currie."

Currie: "Even though, Representative Wennlund withdrew his request for a verification, I would make a request myself."

Speaker Giglio: "Mr. Clerk, read those not voting."

Clerk McLennand: "Those not voting: Shirley Jones. Smith and Representative Turner."

Speaker Giglio: "Poll the Affirmative."

Clerk McLennand: "Those voting in the affirmative: Ackerman. Balthis. Barnes. Brunsvold. Bugielski. Burke. Burzynski. Capparelli. Cowlshaw. Curran."

Speaker Giglio: "Excuse me, Mr. Clerk. Does Representative Stepan, have leave to be verified? Leave is granted. Representative Capparelli? Leave is granted. Proceed, Mr. Clerk."

Clerk McLennand: "Deering. Deets. DeJaegher. DeLeo. Deuchler. Doederlein. Edley. Farley. Flinn. Giglio. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hensel. Hicks. J. Hoffman. M. Hoffman. Homer. Kirkland. Klemm. Kubik. Kulas. Lang. Laurino. Leitch. Lomanto. Maloney. Marinaro. Martinez. F. Mautino. McAfee. McDonough. McGann. McGuire. McNamara. McPike. Morrow. Mulcahey. Noland. Obrzut. Parke. B. Pedersen. Persico. Petka. Phelan. Phelps. Regan. Rice. Richmond. Ropp. Rotello. Saltsman. Santiago. Shaw. Sieben. Stange.

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Steczo. Stepan. Tenhouse. Trotter. Walsh. White.
Wojcik. Wolf. Woolard and Mr. Speaker."

Speaker Giglio: "Representative Dunn, wishes to be recorded as voting 'aye'. Change Mr. Dunn's vote to 'aye', Mr. Clerk. Representative Currie, is there any question of the affirmative?"

Currie: "Representative Parcels?"

Speaker Giglio: "Representative Parcels. Is the Lady in the chamber? The Lady is voting 'no'."

Currie: "Sorry. Representative Stange?"

Speaker Giglio: "Representative Stange. Is Representative Stange in the chamber? How is the Gentlemen recorded, Mr. Clerk? He's in the center aisle."

Currie: "Representative Rice?"

Speaker Giglio: "Rice. Is Representative Rice in the chamber? Wait a minute. How's the Gentleman recorded, Mr. Clerk?"

Clerk McLennand: "Mr. Rice is voting in the affirmative."

Speaker Giglio: "Remove Mr. Rice. Just a minute. Representative McAfee, Representative Shaw, Representative Davis. Representative Shaw and Representative McAfee would like be verified, Representative. Okay. And Representative Davis would like to be recorded as voting 'aye'. Vote the Lady 'aye'. Representative Flowers 'aye'."

Currie: "Okay. Withdraw the request for verification."

Speaker Giglio: "Thank you. On this question, there are 82 voting 'yes', 28 voting 'no', and 2 voting 'present', and this Motion, having received the required Three-Fifths Majority, is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Representative Edley, on House Bill 3592. The Gentleman from McDonough."

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

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General Assembly. I move to override the Governor's Veto of House Bill 3592. (House Bill) 3592 is a Bill that would require the Governor in submitting his budget to break out the federal funds portion by agencies and line by line item. You know, we've been talking on both sides of the aisle here about, how are we going to be able to pay the bills, we don't have any money in the bank. We have problems in state government in matching our revenues and expenditures. And yet, the State of Illinois ranks at the bottom 10% of the states in its ratio of federal funds the federal taxes paid. We're doing a terrible job in...collecting our matching funds, and there are horror stories every once and a while, you read in the newspaper where a state agency failed to make or file the proper paper work, and we ended up losing \$10, 15, 20 million in federal funds. All this legislation would do is, require the Governor in submitting his budget to break out of those functions of state government that are receiving federal funds. And delineate them in his budget. It's a recommendation of a task force that had been set up to review the federal funds problem, and I would urge a...this thing should fly out of here with over 100...100 votes. Let's get the money that we deserve from Washington so that we can begin paying our bills on time."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of this override Motion is certainly correct, this Bill did fly out of the House, and I guess that's why the framers of the Constitution put different levels in the judiciary, the legislative, and the executive, because sometimes one branch often doesn't see what obstacles might exist in a piece of legislation. I

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think the legislation is laudable. I don't disagree with the philosophy of the underline legislation at all, but I think the Veto Message is what we need to focus on. Upon further study of this Bill, the Governor simply says, that this will require administering two appropriations for every program and state agencies receiving federal funds. Now, if we're going to double the book work, then we're going to have to increase staff. We are creating additional bureaucracy, we all know what that means. It means that we hire additional bureaucrats, we take additional time to get this material ready, and we didn't provide any funding mechanism, as we often want to do in this chamber to bring this about. So, again, a laudable idea, something that many of us would hope to work with the Sponsor on in the coming Session and see if we can address the issue of how we can do this without adding even more layers of bureaucracy and more cost to the final product. But, given the Governor's Veto which many of us simply did not, perhaps, see when this legislation passed the House earlier. I must stand now and ask you to uphold the Governor's Veto. I think his message is very succinct. I think all of us can understand it. Let me just sum it up. It will require additional staff. It will require additional time, that requires additional money, and you did not put any funding mechanism in here. So, for that reason, a 'no' vote would be advisable."

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

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, yesterday the Speaker of the House of Representatives stood on this floor, or I guess it was tuesday, the Speaker of the House of Representatives stood on this floor and talked about the Governor's Amendatory

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Veto where he cut the line item for services in the General Assembly and, quite frankly, the Speaker was correct that, at least in my opinion, that there is a sense of respect that should be held for each branch of government by the other branch of government, and the question of what we should impose on the Executive or what the Executive should impose on us is a very real one, and I think that the argument that the Speaker made on tuesday, was valid. Perhaps the Governor did this without really consultation and agreement from the General Assembly. Now, I supported his Veto, because I didn't think the General Assembly needed to spend the money, but I think the situation is similar here. We, as the Legislative Body, could be telling the Governor, quite frankly, how to write a budget, and I don't think that's within our purview. Has nothing necessarily to do with dollars and cents, I think it has to do with the respect that we afford the Executive Branch of Government, and we don't necessarily see how that Executive Branch puts together a budget, how it's...how it's...all added up and how he has to consider all the factors before he presents it to us. So, I think...this is an instances where we're trying to tell the Governor how to write his budget, we the Legislative Branch is trying to tell the Executive Branch what to do. I think that's inappropriate and even though it flew out of here the first time upon reflection, the Governor has drawn a good argument as to why it should not pass, and I think we should uphold his Veto and vote to sustain here and vote against the Motion to override."

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

Wennlund: "Thank you, Mr. Speaker. In the event this receives .

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the requisite number of votes, I request a verification."

Speaker Giglio: "Representative Edley, to close."

Edley: "Thank you, Mr. Speaker. You know, I can't believe some of the rhetoric here. How many times have you heard the Executive Branch say that, the Legislature has the responsibility, they have the power of the purse. I can recall, Governor Thompson saying that he couldn't even buy a pencil without the approval of the Legislature and, yet, we are expending almost \$2 billion in federal funds with no delineation in our budget. Two billion dollars of federal funds are flowing through our state budget, and we don't know where they're going. I think that is asking the Legislature for a blank check, and I think this Bill received bipartisan support when it passed out of the Legislature. I think it will be in the Governor's best interest to do it, to comply with it. After all, we have a miserable record, relative to other states in this nation of collecting federal funds, and I would urge a bipartisan support, a bipartisan Roll Call and send a strong message to the Governor that we want to know. We want to know how are tax money is being spent, whether it's state taxes or federal taxes."

Speaker Giglio: "The question is, 'Shall House Bill 3592 pass, the Veto of the Governor notwithstanding?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes', 46 voting 'no', and none voting 'present', and the Motion fails. Representative McNamara, on House Bill 4112. The Gentleman from Cook, Representative McNamara."

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McNamara: "Thank you, Mr. Speaker and Members of the House. House Bill 4112 creates the Illinois Recyclable Markets Development Act and provides for the Illinois Recyclable Markets Development Advisory Council. What this does is, it's a Bill to establish markets for recyclable material by leveraging the money from the State of Illinois and being able to put that together in order to be able to create those markets. Without the markets that would be created for recyclable goods, it would be absolutely ludicrous to expect that recycling could continue on. We must continue to have those markets in order to be able to continue on. I will be happy to entertain any questions on the matter and I encourage your 'aye' vote."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The State of Illinois Bond rating has been lowered twice within the last year. All this could do with a state guarantee of up to 85% could cost the state \$85 million in the event of default, under this provision. The rating agencies in the financial community have deemed such guarantees as collateral state debt which could place the states bond rating in further jeopardy, and the Bill contains no funding mechanism for it whatsoever, but the mere pledging and the mere guarantee will put in jeopardy the states bond rating which has already been lowered twice. The Department of Energy and Natural Resources already supports a variety stimulus for creating markets for recycle goods and developing businesses for recycling. That's the reason the Governor has voted 'no', because he does not want to put this state's bond rating in continued jeopardy. It's important that as we go into 1993 that the

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State of Illinois enjoy a good bond rating for better programs in the future, but the money is simply not there, and the mere guarantee that's contained within this Bill, puts the state in the position, as far as the bond rating firms in New York are concerned, of having collateral debt. Now, we talk about fiscal conservatism, and before the election, people on both sides of the aisle called for fiscal restraint, called for efforts to build the state's economy, called for efforts to build the state budget, to make it fiscally strong, fiscally conservative, more lean and more efficient. The worse thing that we could do is to put the state's bond rating in further jeopardy because of this collateral guarantee. That's why a 'no' vote on this Total Override is the correct vote and, Mr. Speaker, in the event that this receives the requisite majority, I request a verification."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative McNamara to close."

McNamara: "Thank you, Mr. Speaker. Let me clear up some of the discrepancies in the previous speaker's dissertation. Number one, these are leverage amounts. The banks are the ones that will provide the loan money the State of Illinois is guaranteed. That means that the State of Illinois does not have any additional situation that would bring about a lowering of their bond ratings. He is totally incorrect in that measure. The second situation, we already do this under an identical structure the Farm Development Authority has successfully issued \$140 million in loan guarantees, and its authority was increased to \$160 million in 1991 with the permission of the Governor. Nothing in this Bill is mandated. It is not a mandated Bill. There is absolutely no mandate that makes the state or makes any

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municipal body or anyone else have to go and have this measure done. The treasurer's office has agreed to provide staff support for the first year. So, therefore, there is no funding that is required on this. It is absolutely ludicrous to say that there is funding required on this. The third situation is, as if we take a look at the economic leadership in the State of Illinois, new approaches for the 1990's, but the Department of Commerce and Community Affairs had a report...had a report issued that said, how can we have economic leadership for Illinois and this was prepared by the center for economic competitiveness, the SRI International, and DRI McGraw Hill. And in that report, their direction under point number 12 was, and I quote, 'the involvement of industry to leverage limited but important state resources in effective economic development through public, private partnerships and industry coalitions that can plan and support an overall program and specific quest for focused initiatives is the proper way to go'. Our own report by that department has said that this is the right way at no risk to the State of Illinois. It is not a mandate. There is no money. It is my last Bill, I ask for your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 4112 pass, the Veto of the Governor notwithstanding?' 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? Mr. Clerk, take the record. On this question, there are 66 voting 'yes', 38 voting 'no', and this Motion, having received...failed to receive the...Representative McNamara."

McNamara: "I would like a poll of the absentees for my last

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Bill."

Speaker Giglio: "Poll those not voting, Mr. Clerk."

Clerk McLennand: "Those not voting. DeLeo. Giglio. Harris. Laurino. Leitch. Petka and Wolf."

Speaker Giglio: "On this question, there are 66 voting 'yes', 38 voting 'no', 5 voting 'present', and the Gentleman's Motion fails. All right, on page 3 of the Calendar, Senate Bills, Second Reading. Representative Capparelli, Senate Bill 779. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 779, a Bill for an Act to amend the State Treasurers Act. Second Reading of the Bill."

Speaker Giglio: "Any Amendments filed?"

Clerk McLennand: "Amendment #1, offered by Representative Capparelli."

Speaker Giglio: "Representative Capparelli, in the chamber? Take it...take it out of the record for a minute. Representative Phelan. Senate Bill 1045, Representative. Is Representative Lang in the chamber? Representative Lang. All right, Mr. Clerk, Senate Bill 1045, read the Bill."

Clerk McLennand: "Senate Bill 1045, a Bill for an Act to amend the Code of Criminal Procedure. No Committee Amendments. Second Reading of the Bill."

Speaker Giglio: "Any Floor Amendments"

Clerk McLennand: "Floor Amendment #1, offered by Representative Lang."

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

Lang: "Thank you, Mr. Speaker. Amendment #1 becomes the Bill. Amendment #1 embodies a Bill that we passed out of here with substantial majorities and that Bill...was a Bill that would delete the filing fee requirement to the clerk of the circuit court for any action instituted under the Municipal

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Code by any private parties seeking an order to compel an owner to repair an unsafe or dangerous building. This applies to tenant to property owners of municipality with a population of 500,000 or more. This was extensively debated previously and passed the House, and I would ask 'aye' votes."

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

Preston: "Would the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Preston: "Representative Lang, has this been approved by the Circuit Court Clerk of Cook County?"

Lang: "Yes, it has Representative. This was the same language that was in your Senate Bill 250."

Preston: "Thank you."

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

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

Speaker Giglio: "Indicates he will."

Black: "Representative, in the other provision...of the Amendment, the \$25 fee for supervision in criminal cases, is that a one time fee or imposed monthly or..."

Lang: "Representative where is that in the Bill?"

Black: "Well, unfortunately, my analyst isn't here, but he makes the point that in this Amendment it says, in counties of less than 180,000 population, this will allow a \$25 fee for supervision in criminal cases."

Lang: "My understanding is, that's the current law, Representative."

Black: "Well, but we're not...we're not..."

Lang: "I'm also that told that's a revisory matter added by LRB."

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Black: "Well, then I think the only confusion we might have then, would this be...what the...what the county then might charge a person monthly or a one time fee or..."

Lang: "It's a one time fee. It' a fee for the privilege of having court supervision."

Black: "All right. Thank you."

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

Lang: "I ask for green votes."

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?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. On the House Calendar Supplemental #1, appears Senate Bills - Second Reading, and on that question appears Senate Bill 1160, Representative Lang. Mr. Clerk, read the Bill. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1160, a Bill for an Act to amend the Associate Judges Act. Second Reading of the Bill. The Bill has been previously read a second time."

Speaker Giglio: "Any Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Pedersen (sic - Peterson)."

Speaker Giglio: "Representative Peterson. Representative Black."

Black: "Thank you very much, Mr. Speaker. We're just having some difficulty following these Amendments. Have these Amendments all been printed and distributed, or is this left over from last year? I've got Interim Study marked on this file. That's what's got me a little confused here."

Speaker Giglio: "Representative Peterson."

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Peterson: "Yes, Mr...Mr. Speaker."

Speaker Giglio: "Representative Peterson."

Peterson: "Mr. Speaker, please take Amendment #2 out of the record."

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

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

Speaker Giglio: "Withdraw Amendment #3. Further Amendments?"

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

Speaker Giglio: "Representative Giorgi withdraws Amendment #4. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representative Homer."

Speaker Giglio: "Representative Homer withdraws Amendment #5. Further Amendments?"

Clerk McLennand: "Amendment #6, offered by Representative Lang."

Speaker Giglio: "Representative Lang on Amendment #6."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #6 does a very simple thing, it allows judges of the court of claim in the State of Illinois to perform marriage ceremonies. I would move adoption of the Amendment."

Speaker Giglio: "Any discussion? Hearing none, all those in...Representative Black."

Black: "Yes, a question of the Sponsor, Mr. Speaker."

Speaker Giglio: "Proceed."

Black: "I thought it had something in here about a pension would not be hampered in any way if a judge of the court of claims performs a marriage ceremony or something?"

Lang: "Well, my reading of it, it just simply adds the words, judge of the court of claims to the section of the Marriage and Dissolution Act. It would allow them to perform

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marriage ceremonies."

Black: "Well, wouldn't that mean then that what we're doing is adding a judge of the court of claims to those officers of the court to which no pension benefits shall be conferred..."

Lang: "Representative...there's a comma there. So, this is a list of authorized people to perform marriages. So, set off by a coma is the clause by a judge of the court of claims and then it goes on to other people and before that, there's other people. Has nothing to do with pensions whatsoever."

Black: "So, your intent is simply, means a judge of the court of claims can perform a marriage ceremony."

Lang: "That's correct."

Black: "All right. Thank you, very much."

Speaker Giglio: "Representative Johnson."

Johnson: "If you have a Roll Call on this, would you just show me as voting 'present', even if it's an Oral Roll Call."

Speaker Giglio: "Let the record indicate that if it's on a Roll Call, Representative Johnson voting 'present'. Representative Hultgren."

Hultgren: "Will the Sponsor, yield?"

Speaker Giglio: "Indicates he will."

Hultgren: "Representative Lang, I've probably got it here but I can't find it. What does the underlying Bill do?"

Lang: "This, as I understand it, would become the Bill. Perhaps the Clerk can answer the question of whether there's anything else on this Bill right now."

Hultgren: "The Amendment doesn't...the Amendment replaces the title, but it doesn't...doesn't replace everything after in the Bill."

Lang: "House Amendment 1, Representative, made this a shell Bill."

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All other Amendments were withdrawn."

Hultgren: "That's what I didn't have. Thank you."

Speaker Giglio: "Representative Lang to close."

Lang: "Ask for your 'aye' votes."

Speaker Giglio: "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 McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Lang."

Lang: "Mr. Speaker, I would move for immediate consideration of Senate Bill 1160. It had been read a second time previously."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave by the Attendance Roll Call? Representative Black."

Black: "Thank you very much, Mr. Speaker. In all due respect to the Sponsor, we need some time to digest something in here that doesn't seem to be coming out the way we thought it would. If the Gentleman would just simply withdraw...we'll object if he wants to move it immediately, and if we can get this straightened out then we'll certainly come back to it and withdraw our objection, if we can get a few things straightened out here."

Speaker Giglio: "All right, the Gentleman withdraws the...Representative... On page 13 of the Calendar under Motions appears Senate Bill 1092. Representative Matijevecich moves pursuant to Rule 27(c), moves to discharge the Committee on Judiciary Interim Study Calendar from further consideration and suspend Rule 27(d) and (e) and 37(g) and place on the Order of Third Reading. Does the Gentleman have leave by the Attendance Roll Call? Hearing

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none, leave is granted. The Bill is on the Order of Third Reading, and on that, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1092, a Bill for an Act to create the Health Care Surrogate Act. Third Reading of the Bill."

Speaker Giglio: "Representative Dunn."

Dunn: "If this is on the Order of Third Reading, I would like to ask leave to move it back to the Order of Second for the purpose 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. Mr. Clerk, any Amendments?"

Clerk McLennand: "Amendment #1, offered by Representative Dunn."

Speaker Giglio: "Representative Dunn on Amendment #1."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, first of all, deletes everything after the enacting clause. So, it is no longer the Health Care Surrogate Act, as a matter of fact, that's now in the statute books, that's law. This Amendment merely changes the Wrongful Death Act to make it dove tail with the small states affidavit or small states section of the probate code, to provide that where there's a recovery for a ward, a minor, and it does not exceed \$5,000, certain streamline procedures will apply. If it's an excess of \$5,000 you file the current law. I ask for adoption of the Amendment."

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

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

Speaker Giglio: "Indicates he will."

Black: "Representative, our numbering system indicates that Amendment 9 is what you're proposing and that then becomes

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the Bill, not Amendment 1."

Dunn: "Yes, I think it was inadvertently filed with #9 on it and whatever we have to do to correct that, if we could amend it on its face to make it Amendment 1, if it does say. I don't know what it says down in the Clerk's Office, but there was some...some error there. If the official records indicate Amendment #1 we'll go with it, if something else indicates Amendment #9, then I request leave to correct it on its face. So, it is Amendment #1, not 9."

Speaker Giglio: "All right. Does the Gentleman have leave to have this as Amendment #1, in case there's something in error with the Clerk's Office?"

Black: "Okay."

Speaker Giglio: "Hearing none, leave is granted and this is Amendment #1. Further discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Does the Gentleman have leave now by the use of the Attendance Roll Call for immediate consideration? Hearing none, leave is granted. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1092, a Bill for an Act to create the Health Care Surrogate Act. Third Reading of the Bill."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I indicated a moment ago the Amendment now becomes the Bill and what this does is provide that where there's recovery by a minor under the Wrongful Death Act that...is not...is in excess of \$5,000 procedural to be filed which

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formally involved a threshold of only a \$1,000. This raises the threshold from \$1,000 to \$5,000 to dove tail with the probate code. I ask for passage of Senate Bill 1092."

Speaker Giglio: "Any discussion? Hearing none, 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? Lang, 'aye', Mr. Clerk. Have all voted who wish? Representative... Have all voted who wish? Take... Representative McAfee, 'aye'. Is everybody recorded as voting? Mr. Clerk, take the record. On this question, there are 106 voting 'aye', none voting 'no'. Senate Bill 1092 having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, under Conference Committee Reports appears Senate Bill 741, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I would move that we not accept Conference Committee Report #1, and that a Second Conference Committee be formed."

Speaker Giglio: "You heard the Gentleman's Motion. All of those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Gentleman's Motion is adopted, Second Conference Committee be adopted...request for a Second Conference Committee. Senate Bill - Second Reading, Senate Bill 1160. Representative Lang."

Lang: "Thank you, Mr. Speaker. This Bill is on Third Reading. This is the Bill that we just added the Amendment regarding court of claims judges performing weddings. It's the only thing in the Bill, I would move passage."

Speaker Giglio: "Any discussion? Hearing none, the question is,

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'Shall Senate Bill 1160 pass?' All those in favor signify by voting 'aye', opposed 'nay'. 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 108 voting 'yes', none voting 'no', and Senate Bill 1160, having received the required Constitutional Majority, is hereby declared passed. On page 10 of the Calendar under Amendatory Veto Motions, appears House Bill 4188. The Gentleman from Cook, Representative Lang. On Motion #1."

Lang: "Thank you, Mr. Speaker. Motion #1 is a Motion to override the Veto of the Governor. This Bill had several items in there, some clean-up matters for their Cook County Circuit Clerk, some \$3.00 restitution, \$3.00 transaction cost on each restitution payment to cover their administrative fees and some other items. The most important of which, to me, is...an item dealing with expungement of criminal records. I have a constituent in my district who many years ago received a pardon by Governor Thompson, he has not been able to get his criminal record expunged, because there's no provision for it. The language that we passed allowed for that. We passed this with substantial majorities. The Governor's Veto would have required that anyone who has received a pardon in the past would have to go back before the necessary boards and committees to renew his pardon request and then get that board to recommend to the Governor that the records then be expunged. I indicated to the Governor, and the Governor's Office that I was not in favor of this approach, because I've filed this Bill to help a constituent. My constituent is a young man who was convicted wrongly of a crime and that's why he was given the pardon by Governor Thompson, and it would be an undue

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burden and unfair to this young man to go through life with this criminal stigma, and it would further be unfair to this young man to have to go back before the Parole and Pardon Board and the Prison Review Board and start all over on a pardon he already received many years ago. What...what my...the original Bill will do is to enable him to go right into court and get his records expunged so that he can remove this stigma from his life and get on with his life and get a job and get credit in all the things that good standing citizens need to do. So, I would ask for your 'aye' votes on the Override Motion."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have no doubt that the case that Representative...that the Sponsor is dealing with is certainly...would benefit from this language and could be, in fact, accomplished by this Bill. However, I think we need to send a word of caution to other Members on the floor. If we override the Governor's Amendatory Veto, then it's my understanding that anyone, any person, not just perhaps this deserving individual that the Representative is familiar with but that any individual who gets a pardon would have his records expunged, and the Governor is simply saying, those records should not be expunged in every case. There may be some very extenuating circumstances that should remain in that file before any such pardon is granted and the record wiped clean. So, while I'm certainly not an attorney and will not engage...the Sponsor of this Override Motion in a legal debate, there does seem to be certainly on the point...from the view of a layman,

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some questions that this Bill may go far beyond what his particular intent is, and I don't think that the intent of the majority of the Members of this Body would be just to give sort of a court blanc action to pardons. I would say that you would be very careful on this vote, and perhaps the Sponsor can work this out in the coming Session. I would say a 'no' vote or a 'present' would be advisable."

Speaker Giglio: "Representative Lang to close. Hearing none, the question is, 'Shall the House accept the specific recommendation for change...excuse me, this is an override. Pardon me. 'Shall House Bill 4188 pass, notwithstanding the Governor's recommendation for change?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, to explain my vote. Members of the House should know that actually what would be expunged is the entire record. So, if I might have a felony conviction for criminal sexual assault or criminal sexual assault to a minor and even that would be expunged, even though the subsequent offense that he might be pardoned for gets expunged also. It seems that not too many Members of this House have forgotten Willy Horton, because that's the kind of vote this is. It's a Willy Horton vote, and you ought to be on the lookout for it, and a 'no' vote is the correct vote. And, Mr. Speaker, in the event this receives the requisite majority, I request a verification."

Speaker Giglio: "Have all those...have all those voted? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 32 'yes', 65 'no', and the Gentleman's Motion fails. House Bill 4188, Motion #2. Representative

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Lang."

Lang: "Thank you, Mr. Speaker. I now move to accept the Governor's recommended changes."

Speaker Giglio: "You heard the Gentlemen's Motion. Any discussion? Hearing none, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 113 voting 'yes', none voting 'no', and this Motion on House Bill 4188, having received the required Constitutional Majority, is adopted, and the House accepts the Governor's specific recommendation for change. On Supplemental Calendar #2 on Gubernatorial Noncompliance is Veto Motion, Senate Bill 1939, Representative McPike."

McPike: "Has the Supplemental been distributed?"

Speaker Giglio: "Yes."

McPike: "No one over here has a Supplemental Calendar. Well, thank you, Mr. Speaker. This is a Motion to accept the Governor's changes, and I would be glad to answer any questions on it."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. The Sponsor isn't going to believe this but if he'll yield, I didn't hear his Motion. I honestly did not hear what he said. Is the board correct? You are accepting, Representative?"

McPike: "Yes. Yes."

Black: "All right. That's all I need to know. Thank you."

Speaker Giglio: "The Gentleman moves to accept. Any further discussion? Hearing none. Okay. 'Shall the House accept the specific recommendation for change with respect to Senate Bill 1339 (sic - 1939)?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The

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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, and the Motion is adopted, and the House accepts the Governor's specific recommendation for change with regard to Senate Bill 1939. Page 2 of the Calendar under House Bills, Third Reading appears House Bill 3877. The Gentleman from Cook, Representative Rice. Third to Second. All right, the Gentleman asks leave to bring the Bill back from the Order of Third Reading to the Order of Second for the purposes of an Amendment. Does the Gentleman have leave? Representative Black."

Black: "Thank you very much, Mr. Speaker. I may or may not object. This is the first that we've heard of this. Is there...could the Gentleman at least tell us what his intent is."

Speaker Giglio: "Representative Rice."

Rice: "The intent is to change the commencement date, the starting date."

Black: "You're going to put an Amendment on this Bill? That's your intent to bring it back and put Amendment #1?"

Rice: "Amendment #2, Sir."

Black: "Mr. Speaker. Mr. Speaker, it was my understanding that Amendment #1 was an agreed Amendment among all parties. In all honesty, we have not evaluated Amendment #2. If the Gentleman would take the Bill out of the record, we'll get back to him just as...in a matter of two or three minutes."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. All right, Representative Black is it alright to bring the Bill back to Second Reading and this way it gives you an opportunity to look at it. The Gentleman asks leave by the

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Attendance Roll Call, hearing none, leave is granted the Bill in on the Order of Second Reading. Representative Rice on...House Bill 3877. The Bill's on the Order of Second Reading. Any Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Rice."

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

Rice: "Withdraw that, please, Sir."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Rice."

Rice: "Mr. Speaker and to the House, it changes the starting date of this piece of legislation."

Speaker Giglio: "Any discussion? Hearing none, all in favor of the Amendment...Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, it's my understanding, was an agreed Amendment between the Sponsor, at least at one time, between the Sponsor, the Department of Insurance and removed all objections to the underlying Bill. For whatever reason the Sponsor has felt it necessary, he has withdrawn Amendment #1. I certainly respect his right to do that but, that takes the Bill out then of what was an agreed process, and I rise in objection to Amendment #2. It does not change the underlined Bill at all, it just simply delays the implementation. And the problem was not with the date of effectiveness it was with some of the language in the underlying Bill. So, while the Gentleman certainly has the right to abrogate Amendment #1, I think at this late stage when you have an agreement you should keep it. Amendment #2 is not agreed to. I object and joined by four of my colleagues in asking for a Roll Call

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Vote and would ask that you vote 'no'."

Speaker Giglio: "Further discussion? All of those in favor of the Amendment 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? Lang, 'aye'. Take the record, Mr. Clerk. On this question, there are 65 voting 'yes', 45 voting 'no', and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Read the Bill, Mr. Clerk. Does the Gentleman have leave? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3877, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Giglio: "Representative Rice."

Rice: "This...this piece of legislation is currently in the law, the word is codify the courts decision, and I humbly ask you folks to vote...pass this piece...my last piece of legislation in this General Assembly."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I...did I not make myself clear that we objected to the immediate consideration?"

Speaker Giglio: "No, I thought we accepted that, Representative Black. The Gentleman asks to have his last Bill heard before he leaves the Illinois General Assembly, and I believe I saw you nod."

Black: "Well...I could understand that, but if things go well, Mr. Speaker, perhaps this is not his last Bill. Ladies and Gentlemen of the House, if this is indeed to be the last Bill of the distinguish colleague of ours, I don't think this is the Bill that he wants to go out on. This Bill has

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some substantial changes in the Insurance Code in the State of Illinois and how it affects insurance agent exams. You all have insurance agents back in your district. This Bill was held. It did not have support as originally configured. We thought we had an agreement. The agreement did not hold. I would say to you at this late hour, I don't believe you want to proceed with this Bill making substantial changes to the Illinois Insurance Code, and I...in all due respect to the Sponsor, urge a 'no' vote."

Speaker Giglio: "Representative Lang, the Gentleman from Cook."

Lang: "Thank you, Mr. Speaker. I think some of the people talking on this Bill are not speaking directly to the issue. This Bill simply codifies a court order relative to exam taking by insurance agents. It's a protection for minority insurance agents and those who are minorities that want to be insurance agents. This takes a court order and turns it into law and we need to do that so that we can protect all those that want to become insurance agents in the State of Illinois regardless of race, color, or creed. I would urge 'aye' votes."

Speaker Giglio: "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? Representative Black."

Black: "Inquiry of the Chair, Mr. Speaker. Does this have an immediate effective date?"

Speaker Giglio: "No."

Black: "So that means it only takes 60 votes to pass."

Speaker Giglio: "Sixty votes."

Black: "Thank you."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 69 voting 'yes', 42

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voting 'no', and House Bill 3877, having received the required Constitutional Majority, is hereby declared passed. On page 12 of the Calendar under Motions, House Bill 1007. Representative Matijevich moves pursuant to Rule 74(a), to take from the table, suspend Rule 79(e) and (d), and place on the Order of Conference Committee Reports. Does the Gentleman have leave? Hearing none, leave is granted. On page 12 of the Calendar under Motions, also, is Senate Bill 626. Representative Matijevich moves to suspend Rule 79(d) and (e) and place on the Calendar on the Order of Nonconcurrency. Does the Gentleman have leave. Hearing none, leave is granted. Mr. Clerk, are there any messages? Resolutions."

Clerk O'Brien: "House Resolution 2586, offered by Representative Woolard; 2587, offered by Representative Hicks."

Speaker Giglio: "Representative Matijevich moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 165, offered by Representative Balanoff."

Speaker Giglio: "Representative Matijevich moves for the adoption for the Committee on Assignments. Introduction, First Readings."

Clerk O'Brien: "House Bill 4252, offered by Representative Johnson, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill."

Speaker Giglio: "Rules Committee. Representative Black."

Black: "Inquiry of the Chair. My light must have been covered up there by the styrofoam package or whatever. Earlier when we moved from Agreed Resolutions did you not call another

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Resolution after that?"

Speaker Giglio: "A General Resolution. House Joint 165. Went to Committee on Assignments, Representative Balanoff."

Black: "Okay. Thank you."

Speaker Giglio: "Motion. Adjournment Resolution."

Clerk O'Brien: "House Joint Resolution 166, resolved by the House of Representatives of the 87th General Assembly of the State of Illinois the Senate concurring herein; that when the two Houses adjourn on Thursday, November 19, 1992, they stand adjourned until Tuesday, December 1, 1992, at 12:00 noon."

Speaker Giglio: "Representative Giorgi moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Adjournment Resolution is adopted. The House is ready to adjourn the Regular Session. Representative Matijevich moves that the House stand adjourned and that the House stand in perfunct for the messages from the Senate, and that the House returns on December 1st at 12:00. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The House stands adjourned. Second Special Session of the 87th General Assembly of the State of Illinois is now in Session. The...Representative Matijevich moves that the Attendance Roll Call for the Regular Session be used for the Second Special Session. Is leave granted? Hearing none, leave is granted. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met, and pursuant to Rule 27(c)3, the following Bill has been ruled exempt on November 19, 1992: House Bill #1, Signed John Matijevich, Chairman."

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Speaker Giglio: "Any Resolutions? Read the Adjournment Resolution, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution #1, resolved by the House of Representatives of the 87th General Assembly of the State of Illinois at the Second Special Session thereof; the Senate concurring herein; That when the House of Representatives adjourns on Thursday, November 19, 1992, it stands adjourned until Tuesday, December 1, 1992, at 12:05 p.m., and when the Senate adjourns on Thursday, November 19, 1992, it stands adjourned until Monday, November 30, 1992, at 5:00 p.m."

Speaker Giglio: "Representative Matijevich moves the adoption of the Resolution. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Representative Matijevich now moves that the House stand adjourned...Second Special Session. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Special Second Session is adjourned."

Clerk O'Brien: "The House will be in Perfunctory Session. Messages from the Senate. A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has restored the items reduced by the Governor which are attached in the Bill of the following title and the restoration of which I am instructed to ask concurrence of the House to wit: Senate Bill 954, and I am further directed to transmit to the House of Representatives the following copy of the Governor's Item Reduction Message to the Senate. Action taken by the Senate November 18, 1992.' Linda Hawker, Secretary of the Senate. A message from the Senate. by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform

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the House of Representatives that the Senate has accepted the Governor's specific recommendations for change which are attached to the Bill...to Bills of the following title; the acceptance to which I am instructed to ask concurrence of the House to wit: Senate Bills #1468, 1588, 1657, 1667, 1695, 1749, 1768, 17...1768, 1772, 1789, 1950, 1992, and 2075. Futher directed to transmit to the House of Representatives the following copies of the Governor's specific recommendations for change to the Senate. Action taken by the Senate November 17, 1992.' Linda Hawker, Secretary of the Senate. There being no further business, the House now stands adjourned."

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