

STATE OF ILLINOIS  
84th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

126th Legislative Day

June 12, 1986

Speaker McPike: "The House will come to order. The House will come to order. The Members will be in their seats. The Chaplain for today will be the Reverend Doctor Rudolph Schoutz, who's Pastor of Union Baptist Church of Springfield. Reverend Schoutz is a guest of Representative Mike Curran. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Schoutz: "Shall we pray. O, God, our Father, Your Son once said to us that we are to ask and we will receive. We are to knock and the doors will be opened to us. We are seeking, knocking with that assurance that the doors of Thy divine guidance will be ours this day. As we gather in this chamber to deliberate on the best actions for the welfare of the citizenry, we pray, God, that you will help us now, guide us, protect us. We know, Lord, that our beings having bear trust from Thee. So, Lord, we seek Thee now. Remember the Leaders of this chamber and for others who have given of their time and responsibility to make our lives be better. May Your love, Your peace, which pass at all understanding be with us throughout this day. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. Representative Piel, do you have any excused absences?"

Piel: "Everyone's here today."

Speaker McPike: "... Greiman, excused absences."

Greiman: "Speaker, I'm advised that Representative Farley is excused today for illness."

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Speaker McPike: "Thank you. 114 Members answering the Roll Call, a quorum is present. Representative Chuck Hartke, in the Chair."

Hartke: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, it is indeed my pleasure at this time to introduce to the General Assembly the 1986 Miss Illinois County Fair, from Effingham, Illinois, Ms. Sara Stevenson. Accompanying here today is 'Viola Suits', a Bureau of County Fairs; Mr. Dick 'Lake', the Illinois Association of County Fairs; 'Merill Miller', from the Illinois State Fair manager; and Roger and Cheryl Stevenson, her parents. Ladies and Gentlemen of the House, our Illinois Queen, Sara Stevenson."

Sara Stevenson: "Thank you. Good afternoon, distinguished Ladies and Gentlemen. I am Sara Stevenson. I do have the honor of being Miss Illinois County Fair Queen in 1986. It's a real privilege to be here today and also to be representing the fairs this summer. I do encourage most of you... or all of you to attend the county fairs and also the state fairs which is held not only in Springfield, but also in DuQuoin this summer. As you know, there are many activities that occur such as car racing, tractor pulls, horse racing, judging, concerts, and those are just to name a few. I do hope to see you and talk to you at these... some of these events. Thank you for this opportunity to talk today. Thank you."

Hartke: "Thank you very much, Sara. It is, indeed, a pleasure to have you in the House today, and I hope that all my fellow Representatives welcome you and greet you today. Mr. Speaker. Speaker McPike in the Chair."

Speaker McPike: "Representative Rice, I see that you're putting your name on the Roll Call. We'd like to welcome you back. Glad to see you feeling better. Committee Reports."

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Clerk O'Brien: "Representative Leverenz, Chairman of the Committee on Appropriations I to which the following Bills were referred, action taken June 11, 1986, reported the same back with the following recommendations: 'do pass' Senate Bills 1626, 1627, 1639, 1745 and 1774; 'do pass as amended' Senate Bills 1740, 1752, 1753, 1758, 1771, 1775 and 1808."

Speaker McPike: "Representative Parke."

Parke: "Thank..."

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

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Saturday, June 14th is Flag Day when all of us will recognize the Flag and all those things that the Flag stands for in this country. I happen to have a prepared text for a speech if anybody's interested on Flag Day. In addition, I also have a speech for 4th of July, for any of my fellow colleagues that would like to have a copy of these speeches. I'll be going around to pass them out. Thank you."

Speaker McPike: "Representative Brookins."

Brookins: "Thank you, Mr. Speaker. In connection with that, on June 14th happens to be my daughter's birthday. And do you have a speech for that, Mr. Parke? Representative Parke?"

Speaker McPike: "No, he doesn't. Representative Ropp."

Ropp: "Mr. Speaker, I rise for the purpose of an announcement, since this seems to be that time. I'd like to call the attention of the chamber, as you may well know, next Wednesday evening will be the annual House-Senate softball game and the House will have its practice this evening at 5:00 p.m. about three blocks west of the Capitol in the Springfield High School area where we've practiced before. We welcome all of you who want to play to come out and practice. And within the next few days, we'll be sending

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people around with tickets to purchase that will be used for providing equipment for Boys' Clubs here in this area. You've been very generous in the past and we welcome your support in the future. Thank you."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like leave of the House. The Transportation Committee is set to meet tomorrow morning at 8:00 a.m. in Room 114. Since we only have two Bills, I'd like to switch the meeting to 9:30. And I'd like everyone to be promptly there at 9:30. It'll take us about three minutes to handle those two Bills. And I just want to let the Members know that that's when the meeting will be heard... will be held."

Speaker McPike: "Would you state that... Representative Ronan, would you state that time again?"

Ronan: "9:30 tomorrow for the Transportation Committee in Room 114, rather than 8:00 a.m."

Speaker McPike: "Thank you. Mr. Clerk, an announcement."

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

Speaker McPike: "... Report."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)-3, the following Bills have been ruled exempt on June 12, 1986: Senate Bill 1728 and Senate Bill 2042."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, the Clerk has just announced Rules Committee has reported exempt Senate Bill 1728 and 2042. I would now move and ask leave of the Attendance Roll Call for this purpose, unanimous consent - pursuant to Rule 20(k) to suspend the posting rule with regards to 1728 so that it may be heard in Elementary and Secondary Education Committee and Senate Bill 2042 so it can be heard in the Committee on Human Resour... Human Services."

Speaker McPike: "You've heard the Gentleman's Motion. Is there

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any objection? Being none, the Attendance Roll Call will be used, and the Motion carries. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 167, by Representative Kubik. House Joint Resolution 211, Hastert. House Joint Resolution 212, Daley. House Joint Resolution 213, Daniels and Hoffman. House Joint Resolution 214, Phelps. House Resolutions 1398, Barger; 1401, Krska; 1402, Madigan and Daniels; 1403, Rea; 1404, Daley; 1405, Curran; 1406, Matijevich - et al; 1407, McPike; 1408, Giglio; 1409, Hensel; 1410, Hensel; 1411, Pullen and McAuliffe; 1412, Didrickson - et al; 1414, Currie; 1416, Hensel; and 1417, Hensel."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption of the agreed House Joint Resolutions, Senate Joint Resolutions and House Resolutions."

Speaker McPike: "Gentleman moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Agreed Resolutions are adopted. Representative Curran."

Curran: "Mr. Speaker, I move to waive the posting requirements for Senate Bill 42 so that it can be heard today in the Elementary and Secondary Education Committee. Mr. Speaker, Ladies and Gentlemen of the House, this Bill last week was posted in the State Government Administration and Regulatory Review Committee. That Committee is not meeting this week. And so, in order to have Senator Topinka's Bill get a chance to be heard in the House, I ask for that posting requirement to be waived and heard in Elementary and Secondary Education Committee."

Speaker McPike: "Gentleman asks leave to waive the posting requirements. The Motion takes 71 votes. And on the Motion, the Gentleman from DuPage, Representative Hoffman."

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Hoffman: "Thank you very much, Mr. Speaker. As the Sponsor knows from our previous discussions, we object to waiving the posting notices on any additional legislation."

Speaker McPike: "Representative Brunsvold, on the Motion."

Brunsvold: "Thank you, Mr. Speaker. I would also rise and object to the Gentleman's Motion to take Senate Bill 42 from Interim Study and to Committee. And I would ask for a 'no' vote."

Speaker McPike: "Representative Curran, the Chair would correct its previous ruling. This Motion is not on the Calendar. It requires unanimous consent, and objections have been raised. So, the Motion is defeated. Further discussion? ... Resolutions."

Clerk O'Brien: "House Resolution 1415, offered by Representative Washington, with respect to the memory of James 'Skip' Earl Junior. And House Resolution 1418, offered by Representative Slater, with respect to the memory of Lenny D. Butcher."

Speaker McPike: "Representative Giorgi moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Death Resolutions are adopted. Representative Flinn."

Flinn: "Mr. Speaker, I would like to announce that the Financial Institutions will meet at 9:00 a.m. tomorrow instead of 8:00 a.m. We only have two Bills. Shouldn't take us very long. Get a quorum and we'll get it over with in a hurry."

Speaker McPike: "Thank you. Representative Leverenz."

Leverenz: "Just to inform the Members that were in the Subcommittee of Appropriations I, we will not get back together until next week sometime."

Speaker McPike: "Representative Brookins."

Brookins: "Mr. Speaker, I need a minute. Mr. Speaker."

Speaker McPike: "Representative Mulcahey."

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Brookins: "Mr. Speaker?"

Speaker McPike: "Oh, I'm sorry. Representative Brookins, proceed."

Brookins: "Yes. Mr. Speaker, may I have leave to bypass the proper ruling and have posted House Resolution 1248 in Human Services. I've spoken with the Minority Spokesman of that Committee, and it's alright with them."

Speaker McPike: "That is House Resolution 1248?"

Brookins: "That is correct."

Speaker McPike: "The Gentleman has asked leave to use the Attendance Roll Call to waive the posting requirements so that the Resolution can be heard today. Does anyone want to speak on that? Representative Vinson."

Vinson: "Yes, Mr. Speaker, I am not aware of what the substance of this is. I wonder if the Gentleman might hold his Motion for a couple of minutes so I can figure out what we're dealing with."

Speaker McPike: "Yes, he'll take it out of the record. Representative Mulcahey."

Mulcahey: "Mr. Speaker, Members of the House, the House Elementary and Secondary Education Committee will meet immediately after adjournment. There seemed to be some confusion on that. So, immediately after adjournment, the Elementary and Secondary Education Committee will meet, C-1."

Speaker McPike: "Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I just want to announce that the Select Committee on Economic Development will meet at 10:00 tomorrow morning in Room 118. We're got four Bills and two Resolutions. We ask that you be there on time and it should only take a few minutes."

Speaker McPike: "Representative Kulas."

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Kulas: "Thank you, Mr. Speaker. The Energy, Environment and Natural Resources Committee will meet at 2:30 in Room 114. We've got five Bills and I would ask all Members to be there promptly and we'll be out within a half an hour."

Speaker McPike: "Representative Vinson."

Vinson: "I have no objection, Mr. Speaker, to Mr. Brookins request."

Speaker McPike: "Representative Brookins, your Motion then is to waive the posting requirements for..."

Brookins: "1248."

Speaker McPike: "... House Resolution 1248?"

Brookins: "... 48."

Speaker McPike: "You've heard the Gentleman's Motion. Is there any objections? There being none, leave is granted. The Attendance Roll Call will be used. And the posting requirements are waived. Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to request a Republican Conference in Room 118 immediately after the Session. Now, I realize this may result in holding up some Committees, but we can do it in 30 minutes if all the Members will be prompt. I'd appreciate your indulgence."

Speaker McPike: "Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 3654 (sic - 3655), offered by Representative Cullerton, a Bill for an Act in relation to weapons. First Reading of the Bill."

Speaker McPike: "... Resolution."

Clerk O'Brien: "House Resolution 1419, offered by Representative Terzich."

Speaker McPike: "Committee on Assignment. ... to welcome a former Member back to the House floor, currently the Cook County Recorder of Deeds, former Representative Buz Yourell. The Gentleman from Cook, the Speaker of the



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House, Mike Madigan."

Madigan: "Mr. Speaker, on page two of the Calendar on the Order of House Bills Second Reading there appears House Bill 3263, 3264, 3265. These Bills deal with the question of changes in the tort law and changes in the Insurance Code that might lead to a solution to the current crisis of liability insurance. The Bills had previously... excuse me, the deadline for consideration of these Bills had previously been extended and my Motion today is to extend them for one more week. I offer this Motion because I just left a meeting with Governor Thompson in his office where he has offered to take the negotiations from my office to his office. You know that we have been making progress in these negotiations, but we have not completed the negotiations so that we're prepared to announce a settlement or to announce a Bill. And I view this offer by the Governor as a very positive step in the process where he has offered to make his office available for the purpose of conducting the negotiations. And for that reason, I move that the deadline for the consideration of these Bills be extended by one more week."

Speaker McPike: "You've heard the Gentleman's Motion to extend the deadline on the three House Bills; 3263, 3264 and 3265, until next Thursday, June 19th. And on the Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker, I wonder if the Gentleman making the Motion would yield for a question."

Speaker McPike: "He will."

Vinson: "Mr. Speaker, is it your intention that when some theoretical agreement is reached on these Bills, that it will be embodied in Amendments to 3263, 3264 and 3265 and offered for consideration, debate and deliberation on the House Floor?"

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Madigan: "That would be a decision that would come from the Governor's summit."

Vinson: "But would that be your intention in extending the deadline on these Bills?"

Madigan: "Well, my intention would be to participate with the Governor and to join with him in trying to fashion a solution. Now, I don't plan to make a commitment today that would prejudice my latitude in the summit meeting."

Vinson: "Do you... Is it your intention, at some point in the process, to call these Bills, have them heard, have Amendments to them heard on the House floor?"

Madigan: "They've been called right now"

Vinson: "What?"

Madigan: "They've been called right now."

Vinson: "No. I mean, on Second Reading and then again on Third Reading?"

Madigan: "As I said earlier, I plan to await a result from the Governor's summit, and I don't plan to make a commitment today that would restrict my latitude in those negotiations."

Vinson: "Well, Mr. Speaker, to the Bill."

Speaker McPike: "To the Motion. Proceed."

Vinson: "Ladies and Gentlemen of the House, in regard to this Motion, I would simply urge a 'no' vote on the Motion. I think the maker of the Motion could produce an agreement very quickly on the entire subject of tort reform if he were to be flexible and forthcoming on the issue of tort reform. And I don't believe we need to constantly delay, postpone and kill the subject of tort reform. I don't think that's necessary and I think this Motion is part of that continuing strategy, to postpone, delay and kill tort reform and to avoid a legitimate effort to reduce the insurance costs for employers and the people of the State

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of Illinois. So, I would simply urge a "no" vote on the Motion."

Speaker McPike: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I'm going to join Representative Vinson in opposing the Gentleman's Motion, for the reason that his reflection of what occurred at the summit is different than what I heard people offer. First, I was somewhat disappointed and surprised when told that there would be no Roll Calls on various Amendments by Members of this House; that it was not the intention of the Speaker to present on Roll Call Motions the ability of individuals Legislators to have their viewpoints heard, debated in public, listened to carefully and on an up and down Roll Call on various important issues to the business community and to the other important parties to this negotiations on the most critical manner facing the State of Illinois on the subject of insurance reform. I was specifically told at the summit meeting that it would be a Conference Committee Report that would be placed before you for your consideration and you would have to accept that as the only source of insurance tort reform for this Session of the Illinois General Assembly. Now, I'm somewhat happy to hear on the one hand the Speaker telling us that he is wanting now to extend the deadline on three Bills. At the same time, a little bit perplexed, because it is inconsistent with what he said earlier. In that, he has told me that there will not be Roll Call votes and that the business people of this state will be not be heard in their voice, unlike, as you know, the business people throughout the United States, as recently as Florida over the weekend, heard extended debate on the subject of insurance reform. I think it's about

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time that this matter of insurance reform become a public matter and become one for the public to be sufficiently enough concerned that they make their voices heard, that they demand each and every Legislator of this House and Senate that you present your views and that you present and fulfill the responsibility that you as elected Members of the House have to each and every constituent back home. Whether you're for caps on noneconomic losses or for modified joint and severable liability approach is an individual that each one of... a decision that each one of you may make as to how you approach that subject. I don't presume to have the answers to the insurance reform, but I do tell you that the process of government works, and the process of full debate should be one that we should all participate in. And I'm going to tell you that as long as the Speaker has insisted, as he did just a few minutes ago, to keep the negotiations in his office, to tell the business people of this state that they cannot be heard, then I don't want to participate in that sham. If it is the Madigan solution to the insurance crisis that you want, it's the Madigan solution to the insurance crisis that you will have presented to you under their current plan in Senate Bill 1200, which was nonconcurrent in the Senate and placed in the posture to move on. If, on the other hand, you want this matter fully debated, aired, and you want an opportunity to vote on various Amendments, whether you agree with them or not, then it's at this time that you should make your voice heard strong and loud, and you should, you should deny this effort by an individual to keep this matter under his own individual wraps. On the contrary, in closing, Ladies and Gentlemen, the Governor asked us if we felt we would be served by moving the negotiations from the Speaker's Office to the Governor's

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Office. We, of course, under the most ideal circumstances, feel that all of us and the public of Illinois would best be served to bring this matter out into the public. But, under the circumstances, where the Speaker has pledged that he will not allow this matter to be debated on the House floor in terms of Amendments, unlike the Senate action that heard Amendments and unlike, as many of you recall, the malpractice action of last year, under those circumstances, we don't want to participate in what the Speaker has chosen now, to leave these matters in his office and to keep it under this tight control and tight wrap. I urge a 'no' vote."

Speaker McPike: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Speaker's Motion. This is clearly the number one issue before us. We were sent down here this year to find a solution to the lack of availability of insurance and the high rates. These three Bills are the only Bills that are alive today that can provide that solution. If we vote them down now, if we decide we're not going to extend the deadline, we're not going to engage in an orderly process of consideration, which these Bills clearly could not get this week, then we've told all those that sent us down here to find a solution that we don't care..."

Speaker McPike: "Would the House give the Gentleman some attention?"

Levin: "You know, this is an important vote to determine if we're going to have an orderly resolution of this very, very critical problem. That process that we've been going through has involved everybody. The business community, the insurance companies, the attorneys, the consumers, the banks, the municipalities have all been involved in

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extensive discussions. It's been a very open process. We have an opportunity to tell everybody that we're going to have a solution, we're going to do what they sent us down to do. And that's why it's important to extend the deadline on these three Bills so that we can have an orderly debate and come to a resolution."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this Motion as well. The clear implication of this Motion is that the process engaged in of negotiations will ultimately prove fruitful. For the meetings I have attended, and it's not all of them, but for the meetings I have attended, it has appeared to be very clear that everybody knows where they stand. Everybody knows what he wants. Everybody knows what the other side wants. Everybody knows what the issue is. That is as far as the negotiations have gone. The fact of the matter is that it is now time to put these matters to a vote, to put these matters to public debate. The point of the fact is that the parties have not reconciled their differences, that they are unable to reconcile their differences and that the Speaker has refused to give us and to give you and every Member of this House the right to decide on an Amendment by Amendment basis what should be the law of Illinois regarding this issue. And this... this Motion to extend once again the Third Reading deadline which has already been extended for three weeks, does not do justice to the rights of the Members of this Body. Let's bring it out in the open. Let's bring it out in the public and debate it as we are meant to do by the citizens of this state."

Speaker McPike: "Representative Friedrich."

Friedrich: "Mr... Mr. Speaker and Members of the House, if

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there's anything that's of general concern to the whole... all the people of the State of Illinois it's this insurance matter. There have been two opportunities for the Speaker to get these Bills a full hearing with the public having a chance to input. The coalition Bills were introduced by Members of the House months ago; but, for some reason, which I have never been able to understand, the Rules Committee, which has an 11 to 7 Democrat Majority, refuses to let them be out and be heard. Since that time, the Senate Bills came over and, again, the Rules Committee, which is 11 to 7 Democrats, refused to let these Bills be heard. This is a matter which should have public hearings in the Committee. That's the way the rules are written in this House and I don't know yet why the Speaker wants it done in a back room with a few people sitting around the table cutting up a deal."

Speaker McPike: "Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Unfortunately, this issue has... it started out as a ... somewhat of a nonpartisan issue; and, as each day went by, it became more and more of a partisan issue to where today, you know, everybody's drawn their battle lines and nobody wants to give an inch. I think it's too bad, because I think a lot of this has, you know, perpetuated itself by the position of the Sponsor of this Motion. You know, we have some Bills that are going through the process that are in Rules Committee, that have been stopped in Rules Committee, that have gone through the first chamber after a long and deliberative process. We've got three Bills sitting here that are basically shell Bills that are sitting on our Calendar, that have been sitting on the Calendar for weeks and weeks. You know, earlier in this month when we should have been in Session we weren't.

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We've already delayed the... or delayed this issue one time where it was supposed to have been heard today. Now, what happens is he's asking to push this off until the 19th and, at the 19th, it'll probably go until the following week of the 26th and then we'll end up being in in July. I would ask at the present time, vote 'no' on this Motion. Let's get the present Bills out of Rules Committee. Let's amend them the way we want to. And let's continue the process. But pushing it off week after week, when you're abbreviating the schedule when it's never been done before in the history of Illinois, when we've got a major issue - and this issue covers everybody whether they be millionaires or on welfare. The liability insurance issue in the State of Illinois, Ladies and Gentlemen, has got to be taken care of and it's not going to be taken care of if we push it off week after week after week. And I'd ask for a 'no' vote on this Motion."

Speaker McPike: "Representative Tate."

Tate: "Yeah, thank you, Mr. Speaker and Ladies and Gentlemen of the House. We... we've gone through task force hearings on this issue. We held 13 different hearings throughout the State of Illinois. We took testimony from the public. We have convened summit meetings. This is the number one issue that we've all heard from our constituents; yet, we have one individual over there, one Speaker that doesn't realize this is a democracy here, playing the dictator, has not even given individual Members an opportunity to vote on one, single issue. To date, we haven't even had an insurance meeting; yet, this is the number one issue facing the State of Illinois and we haven't had one hearing because he wants to convene meetings in his office and deny Members the rights to have their opinions heard, their Amendments offered, their Bills out of Rules, their Bills



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out of Committee. I'd just ask the Speaker when we're going to get this business done? We've had enough time. We've taken time off from this Session; yet, we haven't had time to heard these issues. Now, Mr. Speaker, are you going to give us an opportunity? Are you going to give us a chance, or would you rather have us just adjourn and go to the Phillipines to conduct this kind of government?"

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this Motion. As a Member of the Insurance Committee, I fully expected to have to deal with this problem that's so important to the State of Illinois, and I think it's unfortunate that we've had all these dog and pony shows, but we've really gone around the Committee process again, which is really the very nature of what we're trying to do down here. So, for those reasons, I oppose the Motion."

Speaker McPike: "Representative Churchill."

Churchill: "Thank you... Thank you, Mr. Speaker. I think when Representative Levin started his comments, he said we were sent down here to determine this issue and I think he was proper in saying that, because it's true. We were sent down here to determine this issue. We are the ones that represent the people of this state. We are the ones who hear the complaints. We are the ones who receive the letters. We are the ones who sat through all the Committee hearings. It's we, until one point in this process where the Bill reaches down here and all of a sudden it becomes I. I, the Speaker, determine what is going to happen to this Bill. Not we, but I. What that does is to rob each Member of the right to vote on the issue, to debate the issue, to discuss the issue. It robs the press of the right to follow the issue. And it robs the public of the

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right to deal through their elected Representatives to determine the outcome of this issue. This is an insidious trend. If followed through, what it will mean to the legacy of this House is that when an issue has major importance, it will be decided by the I. When it has no important or minimal importance, it will be decided by the we. I think this trend must be stopped. A 'no' vote here indicates to this Body that we have the right to run this House."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I feel that this issue is so important that we should all express our views on it. For some time now, I have been talking with farmers and they're certainly hurting because of insurance costs. I've been talking to small business people. I've been talking to the attorneys in my district who are involved in the legal process. I've been trying to gather information about the different issues that are involved here, joint and severable, comparable damages, all the different issues that come up. Many of them are very complicated issues. Many people on the street really don't understand when we talk about contributory negligence. They don't understand how the law affects them and what changes are being proposed. What they do know though is that they have a very serious problem with costs, with insurance costs and with availability of insurance. The reason I point all this out is that it is not the place to do this in a Conference Committee Report. All of us know how many votes it takes to adopt an Amendment. Now, if you're for joint and severable or for eliminating joint and severable, or if you're for modifying contributory negligence or... contributory negligence, then we should have the chance to vote on that issue on this floor so that

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our constituents back home know exactly where we stand on the different elements. We don't want a simple, little whitewash that the Speaker may feel satisfies his need for tort reform. We need meaningful action in this area. We need it this year. We shouldn't go home without it. We should debate the issue on this floor, vote on the different elements on this floor, and it shouldn't be put into a single Conference Committee Report. For those reasons, I think we should deny the Motion which has been made by the Speaker of the House."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I think it's a bit difficult to be heard in here. This is a very important issue. One of the things I think is interesting here is the fact that the Speaker himself appointed a Committee to conduct some 12 hearings throughout the state the last year. Twelve hearings. At 12 different times, people had the opportunity to discuss and to express their opinion on this issue. It's clear our citizens have spoken. I see no reason why, after those 12 hearings were held, that the Speaker himself then chose to have private, little, public meetings, some public, some not so public - now the ones are beginning to become more private - to the tune that it is attempting to delay our whole adjournment process. If we've ever had a Session we could probably adjourn on time, it's this time. It's very obvious, by this delay after delay, that we're trying to meet the midnight deadline of June 30th rather than maybe even adjourn the 25th of June. With this continued delay, it's almost assured we'll be into July to resolve this very important issue. Ladies and Gentlemen of the House, the people have spoken. It is time for we, as Legislators, now to vote. And I urge a 'no' vote on this Motion."

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Speaker McPike: "There being no further discussion, the Gentleman from Cook, Representative Madigan, to close."

Madigan: "Mr. Speaker, in closing, I wish to repeat how encouraged I was this morning when Governor Thompson, having returned from Disneyland and appearing to be very refreshed and eager to become involved in the legislative process, offered to move the negotiations from my office to his office. And I do wish to make it a matter of record that I stand ready to send those negotiations to his office whenever he sets the date and the time when he's ready to receive the negotiators in his office. So, again, Mr. Speaker, I would request an 'aye' vote on this Motion. Thank you."

Speaker McPike: "Well, if someone's hollering, they can simply turn on their light. Representative McCracken, for what reason do you rise?"

McCracken: "To seek a verification if it appears to get the requisite number of votes."

Speaker McPike: "Thank you. The Gentleman has moved to postpone consideration of three House Bills; 3263, 64 and 65 (sic - 3264 and 3265), until next Thursday, June 19th. The Motion requires 60 votes. All those in favor of the Motion signify by voting 'aye', opposed vote 'no'. Representative Parcels, to explain your vote."

Parcels: "Thank you, Mr. Speaker. It looks somewhat like a partisan Roll Call up there. And I hope that my colleagues on the other side of the aisle realize what they're saying to their schools, their cities, their villages, day care centers, their park districts. You're saying, 'I don't want to debate the issues. I want somebody to make out a Bill and have me vote up or down.' After all these discussions with 15 or 20 different pieces to this insurance reform, you're saying, 'I'm going to let

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somebody else craft it and then I'm going to vote 'yes' or 'no'. I really haven't been listening to you.' And that's how it's going to be interpreted at home."

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

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I've been here long enough to know that on the major pieces of legislation, tax increases, Build Illinois, unfortunately, the Committee process doesn't work. All of these Bills are crafted back in somebody's office, somewhere along the line. I don't know what the final version of this Bill, this insurance tort reform Bill is going to be. I'll vote on it when the time comes. But I think it's a mistake to throw away three vehicles at this time, and I would vote 'yes'."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 71 'ayes', 43 'nos'. Representative McCracken, do you persist? He does not. And... 71 'ayes', 43 'nos', and the Motion carries. Ladies and Gentlemen of the House, if the Chair could have your attention. Representative Friedrich has asked for a Republican Caucus immediately in Room 118 that will last approximately a half hour. Therefore, we will postpone the 12:30 meetings scheduled for today until the hour of 2:00 p.m., and the 2:30... the 2:30 Committee meetings will be postponed until the hour of 4:00 p.m. The Human Services Committee scheduled for 4:30 will meet at 5:30. So, to repeat, the 12:30 Committees will meet at 2:00; the 2:30 Committees will meet at 4:00; and the 4:30 Committee will meet at 5:30. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Representative DiPrima, our former colleague, asked me to announce that the poppy sales amounted to \$247.28 and that we thank you all very

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much. Thank you."

Speaker McPike: "The House will come in Session tomorrow at 4:00 p.m., at which time we will hear discharge Motions. Representative Greiman now moves that the House stand adjourned until tomorrow at the hour of 4:00 p.m. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the House stands adjourned."

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11:17

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