

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

130th Legislative Day

April 21, 1992

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Harold Byers of Southern Baptist Church in Greenup, Illinois. Reverend Byers is the guest of Representative Noland. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Harold Byers: "Shall we pray. Our Father in Heaven, we thank You for this great land that You've allowed us to live in, especially this great State of Illinois. Father, we thank You for these men and women that have been chosen to be the leaders, to enact the laws, to be the ones that keep this state one that we can be proud of; and we do pray that amid all the problems and trials of this day, that they might look to You for wisdom and guidance. We just pray that You might impart upon them this afternoon just a portion of Your great wisdom, that this great land of ours might become better, better and better. These things we ask and give thanks in Your precious name. Amen."

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

Preston - 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 Matijevich, excused absences."

Matijevich: "Speaker, I have not been informed of any on this side of the aisle."

Speaker McPike: "Thank you. Mr. Kubik."

Kubik: "All the Republicans are here, Mr. Speaker."

Speaker McPike: "Thank you. Representative Mulcahey has an excused absence. Mr. Clerk, take the record. Take the record. One hundred and seventeen Members answering Roll

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

130th Legislative Day

April 21, 1992

Call, a quorum is present. Mr. Clerk, for an announcement."

Clerk O'Brien: "A couple committee schedule changes for Thursday: The Committee on Children & Family Law have (sic-has) an extraordinary number of Bills posted, so they (sic-it) will meet in Room D-1 from 12:00 noon until 4:00 p.m.. To make this possible, Committee on Real Estate Law will meet from 2:00 until 3:00 p.m., rather than 2:00 to 4:00 p.m., and the Committee on Personnel & Pensions will change their (sic-its) room to 114 rather than D-1, and the Committee on Aging will meet from 3:00 until 4:00 p.m. in Room 118, rather than 2:00to 4:00 p.m. All of those meetings are Thursday afternoon. The postings are on your Calendar in the correct time frame."

Speaker McPike: "On page seven of the Calendar, under Motions, appears Senate Bill 511. Representative Giorgi."

Giorgi: "Mr. Speaker, I move that the...."

Speaker McPike: "Page seven of the Calendar."

Giorgi: "I move to suspend Rule 79(e) and place on the Order of Nonconcurrence Senate Bill 511."

Speaker McPike: "All right. You've heard the Gentleman's Motion. Are there any objections? Hearing no objections, the Attendance Roll Call will be used and the Motion carries. Representative Giorgi, the Bill is now on the floor before the Assembly. Representative Giorgi."

Giorgi: "Mr. Speaker, I move to refuse to recede from Amendment #1 to House (sic) Senate Bill 511."

Speaker McPike: "Gentleman moves to refuse to recede from Amendment #1 to Senate Bill 511, and on that, all in favor say 'aye', opposed, 'no'. The 'ayes' have it. The House refuses to recede from Amendment #1, the Gentleman asks for a Conference Committee, and one will be appointed.

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

130th Legislative Day

April 21, 1992

Representative Matijevich."

Matijevich: "Well, Mr. Speaker, as everybody knows, I yelled and screamed last time we did this, and I guess I can't yell and scream anymore because it's not going to do any good, but I would like to make a few remarks with regard to this procedure. First of all what it tells all of us Members on the floor that we all ought to be in our seats when we open up this floor because anything can happen, and we all represent people in the State of Illinois and surely people in our districts. I think that...I realize that this was going to be done sooner or later, but this procedure tells me what all of the people are concerned about in the State of Illinois. I run across this complaint from everybody. Everybody feels that the public utilities would rather work behind the scenes rather than publicly. The people in the State of Illinois feel that the public utilities use their clout whenever they can. This is another example of the public utilities using their clout. Now, there is no reason why we have to rush on this extension of the re-write of the Telecommunications Act. Finally, the Illinois Bell introduced the Bill. There is a Bill that has been introduced. They can do what everybody else is doing, in other words, trying to enact their particular Bill. There is no reason why we have to act by May 15th. The fact of the matter is, we can extend that re-write another deadline. There is no reason why we should have taken this precipitous action. Now I talked to the Citizen's Utility Board, and they had a press conference, or they are, wherein they told me as much as I said when we were on the floor of the House a week before Easter, that this Act could cost somewhere bet...this change could have cost the rate payers somewhere between \$375 million and \$1.6 billion

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

130th Legislative Day

April 21, 1992

dollars. Now the flood in Chicago is a billion and a half at present, and everybody's concerned about that cost, but nobody's concerned about \$1.6 billion dollars for the rate payers. This is a tax increase. Now I understand all of the parties are going to meet tomorrow, or today, I'm not sure, today I believe, they are going to meet, and they are going to try to come to some resolution of this. But I am very wary of the process where you try to come to negotiations with a gun to your head. I think the more appropriate way to do it is through deliberative action. We have committees to do that, and that's the only way the public at least can have a voice in the process. This was not a good process, the Members weren't here, and all we're doing is ramrodding something of utmost importance to the rate payers of Illinois, and I object to the process, and if the rules still permit a Member to object to the process, I would like to have my name recorded as objecting to this process."

Speaker McPike: "Well, the Chair heard no objections when we asked for the Consent Calendar, and that's why we moved ahead. All right, Consent Calendar, page four. Mr. Clerk, Consent Calendar, Second Reading. Read the Bills."

Clerk O'Brien: "Consent Calendar, Second Reading, Second Day. House Bill..."

Speaker McPike: "Mr. Black, this is Second Reading."

Clerk O'Brien: "House Bill 230, a Bill for an Act to amend the School Code, together with Committee Amendments #1 and 2, Second Reading of the Bill. House Bill 1081, a Bill for an Act to amend the School Code, together with Committee Amendment #1. Second Reading of the Bill. House Bill 2749, a Bill for an Act to amend the Illinois Highway Code. Senate Bill 2904, a Bill for an Act to amend the Highway

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

130th Legislative Day

April 21, 1992

Code. House Bill 2979, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2993, a Bill for an Act to amend the Illinois Highway Code. Second Reading of these Bills."

Speaker McPike: "Third Reading. Under page five, under Concurrence, appears House Joint Resolution 93. All right. Representative Lang moves for the adoption of House Joint Resolution 93. Representative Lang moves the House concur in Senate Amendment #1 to H.J.R. 93. All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The House does concur in Senate Amendment #1 to House Joint Resolution 93. Representative Wyvetter Younge. Mr. Clerk, Supplemental Announcement."

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

Speaker McPike: "Supplemental Calendar #1, appears HJR-CA 28. Mr. Clerk, has this been read a second time?"

Clerk O'Brien: "The Resolution has been read a second time and held on Second Reading. No Committee Amendments."

Speaker McPike: "Third Reading. Page five on the Calendar, Amendatory Veto Motions, appears Senate Bill 264, Representative Hoffman. Jay Hoffman."

Hoffman, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Motion to accept the Amendatory Veto of the Governor of Senate Bill 264. The Governor just made some small changes to the Bill, and I ask that we accept the Amendatory Veto."

Speaker McPike: "You have heard the Gentleman's Motion. Is there any discussion? Being none, 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 114 'ayes' and 1 'no'. This Motion, having received the required Constitutional

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

130th Legislative Day

April 21, 1992

Majority, the Motion is adopted, and the House accepts the Governor's specific recommendations for change. Senate Bill 972, Representative Steczo. Mr. Steczo your microphone is on."

Steczko: "Thank you, Mr. Speaker, I would move to accept the Governor's Amendatory Veto of Senate Bill 972. In the Amendatory Veto Motion, (sic-message), the Governor suggests a certain number of date changes and other minor changes that we have no problem with, so, Mr. Speaker, I would answer any questions. If not, I would ask for the House to accept the Governor's recommendations for change."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 972?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 117 '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 change. Senate Bill 1421, Representative Keane. Mr. Keane."

Keane: "Mr. Speaker, I move to accept the Governor's Amendatory Veto.

Speaker McPike: "All right. Is there any discussion? There being none, the question is, Shall the House accept the specific recommendations for change with respect to Senate Bill 1421? All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 100... take the record...113 'ayes' and no 'nays'. This Motion has received the required Constitutional Majority. The Motion

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

130th Legislative Day

April 21, 1992

is adopted, and the House accepts the Governor's specific recommendations for change. Speaker's Table, Consent Calendar, Fourth Day, Mr. Clerk."

Clerk O'Brien: "Consent Calendar, Fourth Day. House Resolution 344 urges Congress to enact legislation enabling military retirees with service-connected disabilities to concurrently receive military retirement pay and Veterans' Administration disability compensation without reduction in either. Committee on Veterans' Affairs recommends 'be adopted.'"

Speaker McPike: "All in favor of the Resolution say 'aye', opposed, 'no'. The 'ayes' have it, and the House does adopt House Resolution 344. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1769, 1770, 1771, 1772, 1774, 75, 76, 77, 1779, 80, 81, and 82, 1784, 85, 86, 87, 88, 1791 and 92, and 93, 1795, 96, 97, 98, 99, 1800, 1801, 02, 03, 1805, 06, 07, 1809, 1810, 11, 12, 13, 14, 15 and 16. House Joint Resolution 109 and 1010... 110, 112, 114, 116, 117, 119 and 120. Additionally, House Resolutions 1819, 1820, 1821 and 1822."

Speaker McPike: "Representative Matijevich."

Matijevich: "Speaker, we have looked at these. These are Agreed Resolutions. I move the adoption of the Agreed Resolutions."

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

Clerk O'Brien: "House Resolution 1778, offered by Representative Schakowsky, with respect to the memory of Chief Judge Patricia Patton; House Resolution 1783, offered by Representative Barnes, with respect to the memory of

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

130th Legislative Day

April 21, 1992

Herbert F. Elzinga; House Resolution 1790, offered by Representative Morrow, with respect to the memory of Alberta McDowell; House Resolution 1794, offered by Representative Anthony Young, with respect to the memory of Charles Warren Johnson; House Resolution 1804, offered by Representative McDonough, with respect to the memory of William J. Aukstik, Sr.; House Resolution 1817, offered by Representative Shaw, with respect to the memory of Sheryl Lynnet Akins; House Resolution 1818, offered by Representative Shaw, with respect to the memory of London Sha'na Akins."

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

Clerk O'Brien: "House Resolution 1773, offered by Representative Daniels; 1789 offered by Representative Daniels; 1808, offered by Representative Regan, House Joint Resolution 111, offered by Representative Daniels; 113, offered by Representative Rotello; 115, offered by Representative Noland; 118, offered by Representative Walsh."

Speaker McPike: "Committee on Assignment. Announcements. Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would move to request to have House Bill 3110, suspension of notice, suspended for posting, because it was a staff mistake. I cleared it with the Chairman of the Energy Committee and the Minority spokesman, and they have no objections. House Bill 3110, to be heard tomorrow."

Speaker McPike: "Any objections? Mr. Black."

Black: "I just simply rise because I can see the Bill, but I have no idea what it is, and why we're suspending the notice."



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

130th Legislative Day

April 21, 1992

Speaker McPike: "Evidently, it was a staff error, and he cleared it with the Minority spokesman."

Phelps: "It does deal with the monitoring the air emission allowances. That's all it does for the acid rain legislation."

Black: "For air emissions, and you cleared.... The Speaker said you had cleared it with the Minority Spokesman."

Phelps: "Yes, Bill Peterson."

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

Speaker McPike: "Hearing no objections, the Gentleman's Motion, will receive the Attendance Roll Call, and the Motion carries. Posting requirements are suspended. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen, tomorrow we have the Legislators' Fitness Day and, keeping in mind the things that have happened over the last six months, maybe some people ought to go down and have their blood pressure checked and their cholesterol checked. It's a very simple test, and we would like to see everyone down there tomorrow and see how physically fit they are. Thank you."

Speaker McPike: "...First Reading."

Clerk O'Brien: "House Bill 4197, offered by Representative Hasara, a Bill for an Act concerning acknowledgement of receipt of state funds. House Bill 4198, offered by Representative Curran, a Bill for an Act in relation to video poker. House Bill 4199, offered by Representatives Capparelli and Wennlund, a Bill for an Act to create the Fireworks Regulation Act. First Reading of these Bills."

Speaker McPike: "HJRCA 29. Representative Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, pursuant to Rule 33(b), I move to advance House Joint Resolution

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

130th Legislative Day

April 21, 1992

Constitutional Amendment 29 to Second Reading without reference to committee."

Speaker McPike: "All right, you've heard the Gentleman's Motion, are there any objections? Hearing none, the Attendance Roll Call will be used. Mr. Black."

Black: "Excuse me, Mr. Speaker, there is a lot of noise on the floor. Is there a hyphenated Sponsor on this?"

Speaker McPike: "I believe it's Homer, Madigan, Daniels."

Black: "'Daniels', you say, and the purpose is to take it back and then bypass the Committee on Assignment?"

Homer: "Representative Black, I think...."

Speaker McPike: "The hyphenated Sponsors are Homer-Daniels-Schoenberg-Churchill and Edley."

Black: "And a very fine group of Sponsors it is, but what are we doing now?"

Homer: "I think Representative Daniels has agreed to this. The reason we're bypassing committee is because this Constitutional Amendment has, it's the Mandates Constitutional Amendment. It has to be approved by both Houses by May 1st, so that we don't have time to go through the committee structure."

Black: "Okay, I thought that's what this was. I just didn't hear your explanation earlier. Thank you."

Speaker McPike: "Are there any objections? There being none, the Attendance Roll Call will be used. The Motion carries. HJRCA 29 is on Second Reading. Are there any announcements? Are there any announcements? Rules Committee is at 1:00 p.m.? Rules is at 1:00 p.m.. Regular committees are at 2:00. Representative Matijevich moves that the House now stand adjourned until tomorrow at the hour of 12:00 noon, allowing the Clerk Perfunctory time for reading of Constitutional Amendments. All in favor say 'aye',

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

130th Legislative Day

April 21, 1992

opposed, 'no', The 'ayes' have it. The House stands adjourned."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #29. 'RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, That there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 13 to Article VII of the Constitution to read as follows: Section 13. State Mandates. (a) A "State mandate" is a law or executive action that requires the expenditure of funds by a unit of local government or school district in order to implement that law or executive action, or a law that exempts privately owned property or other specified items from the local tax base. (b) A State mandate is "funded" at any time that a law is in effect providing for reimbursement by the State to the unit of local government or school district of all funds necessary to implement the requirements of the State mandate, or to replace the revenue loss created by the State mandate. (c) A State mandate that is not funded is not enforceable while not funded unless a bill implementing the State mandate passed with the concurrence of at least 3/5 of the members elected to each house of the General Assembly. SCHEDULE This amendment takes effect upon its approval by the electors of this State.' Second Reading of the Constitutional Amendment and the Resolution will be held on the order of Second Reading. House Joint Resolution Constitutional Amendment #28: RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that

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

130th Legislative Day

April 21, 1992

there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to add Section 8.1 of Article I of the Illinois Constitution to read as follows: ARTICLE I BILL OF RIGHTS SECTION 8.1. Crime Victim's Rights. (a) Crime victims, as defined by law, shall have the following rights as provided by law: 1. The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process. 2. The right to notification of court proceedings. 3. The right to communicate with the prosecution. 4. The right to make a statement to the court at sentencing. 5. The right to information about the conviction, sentence, imprisonment, and release of the accused. 6. The right to timely disposition of the case following the arrest of the accused. 7. The right to be reasonably protected from the accused throughout the criminal justice process. 8. The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial. 9. The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person to the victim's choice. 10. The right to restitution. (b) The General Assembly may provide by law for the enforcement of this Section. (c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights. (d) Nothing in this Section or in any law enacted under this Section shall be construed to create a basis for vacating a conviction or a ground for

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

130th Legislative Day

April 21, 1992

appeal(sic-appellate) relief in any criminal case. SCHEDULE  
This Amendment takes effect upon its approval by the  
electors of this state. Third Reading of the  
Constitutional Amendment, and the Amendment is held on the  
Order of Third Reading. There being no further business,  
the House does now stand adjourned."

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 21, 1992

HB-3110 MOTION	PAGE	8
HB-4197 FIRST READING	PAGE	9
HB-4198 FIRST READING	PAGE	9
HB-4199 FIRST READING	PAGE	9
SB-0264 MOTION	PAGE	5
SB-0511 REFUSE TO RECEDE	PAGE	2
SB-0511 MOTION	PAGE	2
SB-0972 MOTION	PAGE	6
SB-1421 MOTION	PAGE	6
HR-0344 ADOPTED	PAGE	7
HJR-0093 ADOPTED	PAGE	5
*HJR-0028 THIRD READING	PAGE	5
*HJR-0028 THIRD READING	PAGE	11
*HJR-0029 SECOND READING	PAGE	11
*HJR-0029 MOTION	PAGE	9

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - PASTOR HAROLD BYERS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
CONSENT CALENDAR - SECOND READING	PAGE	4
AGREED RESOLUTIONS	PAGE	7
DEATH RESOLUTIONS	PAGE	7
GENERAL RESOLUTIONS	PAGE	8
ADJOURNMENT	PAGE	11
PERFUNCTORY SESSION	PAGE	11
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	13