

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

28th Legislative Day

March 18, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Timothy Dally of the Rochester Christian Church in Rochester, Illinois. Reverend Dally is the guest of Representative Vickie Moseley. Guests in the balcony may wish to rise and join us for the invocation."

Reverend Dally: "Father, I thank You for these moments, and I praise You for Your greatness in so many things that we could stop and bend our knee and honor You for, and I thank You for coming into this place and diminishing ideas of sacred and secular, and being here with us and offering us encouragement and hope and direction and recovery. I pray that You would be with these special people who have committed their lives to helping other people. I pray that you'll give them a nice craftsmanship to their work. Father, help them to listen. Help them to give You their integrity. Thank You so much for watching over us today. It's in your Son's name we pray. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Hartke."

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

Speaker McPike: "Roll Call for Attendance. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representatives Pedersen and Pankau are excused today."

Speaker McPike: "Representative Currie, no excused absences?"

Currie: "No excused absences."

Speaker McPike: "Thank you. Mr. Clerk, take the record. One hundred and fifteen Members answering roll call, a quorum is present. Committee Reports."

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Clerk Rossi: "Representative Giglio, Chairman of the Committee on Rules, to which the following Resolution was referred, action taken on March 18, 1993, reported the same back with the following recommendations: 'do adopt' House Resolution 303. Representative Schakowsky, Chairman of the Committee on Consumer Protection, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1017, House Bill 1079; 'do pass as amended Consent Calendar' House Bill 182. Representative Santiago, Chairman of the Committee on Counties and Townships, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bills 1197, House Bill 1272, House Bill 1277, House Bill 1278, House Bill 1279, House Bill 1280 and House Bill 1364; 'do pass Short Debate Status' House Bills 1071 and House Bill 1164. Representative Curran, Chairman of the Committee on Elections and State Government, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bills 1201, House Bill 915, House Bill 820, House Bill 131 and House Bill 73; 'do pass as amended' House Bill 581; 'do pass Short Debate Status' House Bill 989; 'do pass as amended Short Debate Status' House Bill 1092 and House Bill 1131; 'do pass Consent Calendar' House Bill 1007. Representative Brunsvold, Chairman of the Committee on Elementary & Secondary Education, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1165; 'do pass as amended' House Bill

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1195 and House Bill 1756; 'do pass as amended 'Short Debate Status' House Bill 392. Representative Novak, Chairman of the Committee on Environment and Energy, to which the following Bills and Resolutions were referred, action taken March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1146, House Bill 815, and House Bill 787; 'do pass as amended' House Bill 1249; 'do pass Short Debate Status' House Bill 1374, House Bill 775, House Bill 771, House Bill 300, House Bill 299 and House Bill 298; 'do pass Consent Calendar' House Bill 751 and House Bill 605; 'do pass as amended Consent Calendar' House Bill 1163. Representative Bugielski, Chairman of the Committee on Executive, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 395 House Bill 925, House Bill 1097, House Bill 1315 and House Bill 1320. 'do pass as amended' House Bill 165, House Bill 749, House Bill 890 and House Bill 1300. 'Do pass Short Debate' House Bill 781; House Bill 965, House Bill 1032, House Bill 1068, House Bill 1124, House Bill 1145, House Bill 1332 and House Bill 1379. 'do pass as amended Short Debate' House Bill 619; 'do pass Consent Calendar' House Bill 1313. Representative Phelps, Chairman of the Committee on Health Care and Human Services, to which the following Bills and Resolutions were referred, action taken March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1213 House Bill 553, House Bill 236, House Bill 1271, House Bill 146, House Bill 948 and House 964; 'do pass as amended' House Bill 282 and House Bill 1081; 'do pass Short. Debate Status' House Bill 554; 'do pass Consent Calendar' House Bill 470, House Bill 1056, House Bill 372 and House

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Bill 1194; 'do pass as amended Consent Calendar' House Bill 564, House Bill 132 and House Bill 134; 'do adopt' House Resolution 29. Representative Younge, Chairman of the Committee on Higher Education, to which the following Bills and Resolutions were referred, action taken on March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1358. 'do pass Consent Calendar' House Bill 1323 and House Bill 1126. 'Do pass as amended Consent Calendar' House Bill 1031. Representative Morrow, Chairman of the Committee on Housing Economic and Urban Development, to which the following Bills and Resolutions were referred, action taken March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1156, House Bill 1060, and House Bill 1238; 'do pass as amended' House Bills 1237; 'do pass Short Debate Status' House Bill 984 and House Bill 652. Representative Lang, Chairman of the Committee on Judiciary I, to which the following Bills and Resolutions were referred, action taken March 17, 1993, reported the same back with the following recommendations: 'do pass' House Bill 769, House Bill 978, House Bill 1004, House Bill 1189, House Bill 1202, House Bill 1203 and House Bill 1219; 'do pass as amended' House Bill 1304 and House Bill 999; 'do pass Consent Calendar' House Bills 1003, 1101 and 785; 'do pass as amended Consent Calendar' House Bills 248 and 1162; Representative Granberg, Chairman of the Committee on Personnel and Pensions, to which the following Bills and Resolutions were referred, action taken March 18, 1993, reported the same back with the following recommendations: 'do pass as amended' House Bill 1299. Representative DeJaegher, Chairman of the Committee on Aging, to which the following Bills and Resolutions were

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referred, action taken March 18, 1993, reported the same back with the following recommendations: 'do pass' House Bill 937; 'do pass Short Debate Status' House Bill 1155; 'do pass as amended Short Debate Status' House Bill 431.

Speaker McPike: "Supplemental Calendar Announcement. Supplemental Calendar Announcement."

Clerk Rossi: "Supplemental Calendar 1 is being distributed."

Speaker McPike: "Agreed Resolutions. Adjournment Resolution."

Clerk Rossi: "A message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and the adoption of which I am instructed to ask the concurrence of the House Of Representatives. To wit; Senate Joint Resolution 34. Resolved by the Senate of the 88th General Assembly of the State of Illinois, the House of Representatives concurring herein; that when the two Houses adjourn on Thursday, March 18, 1993, they stand adjourned until Tuesday, March 23, 1993 at 12:00 noon. Adopted by the Senate March 18, 1993, Jim Harry, Secretary of the Senate.'"

Speaker McPike: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Adjournment Resolution is adopted."

Speaker McPike: "Page 11 on the Calendar on the Speaker's Table, appears House Resolution 28. Representative Brady. Mr. Brady. Turn him on, please."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Resolution 28 deals with a...the mission of Illinois State University. Presently, Illinois State University offers a high quality ag department for graduates of this State. The University's funding is 32%

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funded by private means. A...The Illinois Board of Higher Education has recently recommended the elimination of this department and this Resolution ...a encourages this state to continue the funding. The funding at Illinois State on this ag department is at risk, and in this Resolution we ask you to support the continued funding of Illinois State's ag department, as this state continues to be a great agricultural state, and we need more agricultural majors."

Speaker McPike: "Any discussion? The question is, 'Shall House Resolution 28 pass?' All those in favor say 'aye'. The question is, 'Shall House Resolution 28 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Resolution is adopted. Mr. Parke."

Parke: "Thank you...Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Since we're talkin' about universities, and since I'm an alumni (sic-alumnus) of Southern Illinois University, I would certainly like to wish them well tonight, and I would like to remind the people of Illinois that even David and Goliath...that David did win, and so let's hope that Southern wins tonight."

Speaker McPike: "Agreed Resolutions."

Clerk Rossi: "House Resolution 274, offered by Representative Weaver; House Resolution 275, offered by Representative Lawfer; House Resolution 276, offered by Representative Lawfer; House Resolution 277, offered by Representative Noland; House Resolution 278, offered by Representative Mulligan; House Resolution 279, offered by Representative Weller; House Resolution 280, offered by Representative Weller; House Resolution 281, offered by Representative Balthis; House Resolution 282, offered by Representative Balthis; House Resolution 284, offered by Representative

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Moffitt; House Resolution 285, offered by Representative Weller; House Resolution 286, offered by Representative Weller; House Resolution 287, offered by Representative Weller; House Resolution 288, offered by Representative Weller; House Resolution 289, offered by Representative Weller; House Resolution 290, offered by Representative Hoffman; House Resolution 291, offered by Representative Sheehy; House Resolution 292, offered by Representative Brady; House Resolution 293, offered by Representative Brady; House Resolution 294, offered by Representative Schakowsky; House Resolution 296, offered by Representative Walsh; House Resolution 297, offered by Representative Schoenberg; House Resolution 298, offered by Representative Schoenberg; House Resolution 299, offered by Representative Schoenberg." House Resolution 300, offered by Representative Schoenberg; House Resolution 301, offered by Representative Currie; House Resolution 302, offered by Representative Dunn. Senate Joint Resolution 33, offered by Representative Hannig."

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

Clerk Rossi: "House Resolution 273, offered by Representative Capparelli, with respect to the memory of Angelo Fosco."

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

Clerk Rossi: "House Resolution 283, offered by Representative Weller; House Resolution 295, offered by Representative Moseley; and House Joint Resolution 13, offered by

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Representative Dunn."

Speaker McPike: "Committee on Assignment. Committee Report."

Clerk Rossi: "Representative Phelan, Chairman from the Committee on Constitutional Officers, to which the following Bills were referred, action taken March 18, 1993, reported the same back with the following recommendations: 'do pass' House Bill 325, House Bill 1052 and House Bill 1342; 'do pass Short Debate Status' House Bill 596. 'Do pass Consent Calendar' House Bill 1359; 'do not pass' House Bill 1014."

Speaker McPike: "Representative Currie, in the Chair."

Speaker Currie: "Supplemental Calendar 1, House Resolution 303. Representative Giorgi...I'm sorry, Representative Giglio. Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The question is the adoption of House Resolution 303, and the effect of this Resolution is to extend...the question on this Resolution is to extend the committee deadlines by one week. I would like to explain to the Members why...we are doing this. Last week on Wednesday was the deadline for the Introduction of Bills, and we had 1,000 Bills introduced that day. Those 1,000 Bills were assigned to committee by...noon Thursday, but it was too late to post any of those Bills for this week. So next week would have been our committee deadline, and we would have had a thousand Bills in committee, a thousand new Bills, plus the original Bills that had not yet been heard. Clearly, it would be impossible to make any kind of a dent, or to give the Membership any type of a...any kind of an opportunity to present their Bills in a one week period. So we have decided to change next week's schedule. We were currently to be in schedule Tuesday, Wednesday, Thursday and Friday. We will not be in Session next Friday if this

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Resolution is adopted. We will be in Session Tuesday, Wednesday and Thursday. We have extended the...the committee times for next week, so many of the four-hour committees will meet for six hours,... giving us an additional time to hear the Bills. The following week, the following week, this is Tuesday, March 30; Wednesday, Thursday, April 1 and Friday, April 2. We will be in Session, instead of next Friday, we will be in Session a week from Friday, April 2, and on that day, we will hear the Recessed Committees from Tuesday, Wednesday and Thursday, and we will hear the Discharge Motions. We are not extending the Third Reading deadlines on the floor. At this point, we do not intend to extend those deadlines. This Motion only extends the deadlines for the committees. So with that being the background, Madam Chairman, I move for the adoption of House Resolution 303."

Speaker Currie: "Representative McPike has moved for the adoption of House Resolution 303, and on that Motion is there any discussion? From Vermilion, Representative Black."

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

Currie: "He indicates he will."

Black: "Representative, I certainly share your concern about the crush of Bills and the condensed schedule. However, I would like to ask you a few questions. On...Section 24...House Rule 24, the change is that no standing committee may meet during any Session of the House or during any Party Conference. What...What would your intent be then on those committees that obviously are not standing committees, such as Rules, Conference Committees, Committee on Conflicts of Interest et cetera?"

McPike: "The intent of this one-word language change is so that

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Conference Committees can meet."

Black: "Could meet, or could not meet? I'm sorry."

McPike: "The intent is so that Conference Committees can meet while we are in Session."

Black: "All right. Then...then on the actual extension of the deadline. I believe the President of the Senate has been in...or has tried to be in contact with the Speaker regarding his concern on this matter. ...Do you know whether or not the Speaker and the President of the Senate have reached any accommodation on the President of the Senate's concerns?"

McPike: "I would think that the Senate would be concerned if we had extended the Third Reading deadline, because if we extend the Third Reading deadline, obviously, Bills would get to the Senate at a later date. Whether or not we extend the committee deadlines has no impact on when the Senate will receive House Bills. This is merely an internal House matter that will have no effect, no effect on Senate operations. To my knowledge, the Speaker has not been in contact with the President of the Senate."

Black: "I was just reading the last page. There's nothing in here about any change on discharge of committees, any change in the vote, or notice or anything of that sort is there?"

Black: "No."

McPike: "All right. Thank you very much, Representative."

Speaker Currie: "Further discussion? Representative Wennlund."

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

Speaker Currie: "He indicates he will."

Wennlund: "Representative MCPike, you mentioned that the Conference Committees can meet while the House is in Session?"

McPike: "Yes."

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Wennlund: "Can you tell me, is a Conference Committee a standing committee, or is it a service committee?"

McPike: "It is not a standing committee."

Wennlund: "And it is not a service committee...as described in Rule...24?"

McPike: "No."

Wennlund: "Then it's..."

McPike: "It's a Conference Committee. A Conference Committee is a Conference Committee."

Wennlund: "But it's neither a standing committee nor a service committee."

McPike: "It's a Conference Committee."

Wennlund: "Well...I...I don't see it listed a...specifically under either types of committees."

McPike: "Obviously you do not, because it's a Conference Committee."

Wennlund: "Did the Senate extend its... deadline...Third Reading Deadline?"

McPike: "I have no idea what the internal workings of the Senate are, nor do I care."

Wennlund: "Let me ask you another question:...When, during this Legislative Session, are we gonna be able to print these Rules in booklet form? We've been changing them weekly. I just wanna know when to expect a nice printed ...embossed edition of these House Rules."

McPike: "As soon as we can get it printed, Mr. Wennlund, you will receive the 118th copy."

Wennlund: "Next question. Which individual Representative has filed the most Bills in the House?"

McPike: "What?"

Wennlund: "Which Representative has filed, single-handedly, the most Bills, more than any other Member...than any other

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Member in the House?"

McPike: "Representative Stephens?"

Wennlund: "I think you're looking close, but it's under 'L'. One other question, is the Attorney General being con...consulted and contacted regarding this rule change?"

McPike: "No."

Wennlund: "Do you believe these Rules to be reasonable?"

McPike: "Yes, I do."

Wennlund: "Thank you. Now to the...to the Resolution, Madam Speaker, and Ladies and Gentlemen of the House, it seems to me that at some point in time, we gotta get serious about some...some standing House rules, so that we'd all know what to expect; but of course, we've continued to change these Rules now on a weekly basis, so that we never know what we're doin', and we won't ever be able to print the House Rules because we gonna continue to change'em whenever it meets our needs, and I...and I suggest to you that that says something about the style of the management of the business of this House. Now at some point in time, we oughta sit down and review these rules on a bipartisan basis and come up with some rules that provide for the proper management of the business of the House of Representatives. I don't think we oughta take any action at this time, and I don't think we oughta be...in continuing to amend these Bills so that we have some certainty to this legislative process. And these Bills...these rule changes in...contained in Resolution 303 should reach the same fate that the last Amendment shoulda received."

Speaker Currie: "Further discussion. Representative Churchill."

Churchill: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Currie: "He indicates he will."

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Churchill: "Can you tell me, by putting the word 'standing' in there and not referring to Conference Committees, does not mean that Conference Committees are going to actually meet?"

McPike: "Conference Committees always meet. Conference Committees are posted, and they meet."

Churchill: "And so while we're here in Session, then, a Conference Committee can be doing its business in a separate room and the Members can get together and sit around a table and hash out the business of the Conference Committee, and come up with a Conference Committee Report."

McPike: "Just like always."

Churchill: "Are there any other times when a Conference Committee can meet when there's business going on in the House?"

McPike: "Would you repeat the question?"

Churchill: "Are there other times when business is proceeding in the House where Conference Committees can meet?"

McPike: "Conference Committees can meet whenever they're posted."

Churchill: "Let's say, for example, that we're in Session, but we...pause for a Party Conference, and as the time is going on during the Party Conference and all the Members from that side of the aisle are in the conference, can the Conference Committee meet at that time?"

McPike: "Yes."

Churchill: "How about a standing committee?"

McPike: "No."

Churchill: "So, in other words, no standing committee can meet when a Party is in conference."

McPike: "That is correct."

Churchill: "How about the Rules Committee?"

McPike: "The Rules Committee can meet...during..."

Churchill: "Can meet when the Party's...are in...during"

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conference."

McPike: "Yes, yes."

Churchill: "Okay. Why do we have to put the word 'standing' back in?"

McPike: "I answered that question earlier: so Conference Committees can meet while we're in Session."

Churchill: "What about the Rules Committee?"

McPike: "What about the Rules Committee?"

Churchill: "Was the...was the Rules Committee already excepted from that?"

McPike: "Yes."

Churchill: "So, in other words, the second sentence in the rules that reply...that refers to the Rules Committee superseded the first sentence which applied to all committees?"

McPike: "Yes."

Wennlund: "Thank you. To the Resolution..."

Speaker Currie: "Proceed."

Wennlund: "When the Rules were initially set forth for us to vote on, and our side of the aisle rose and said that the Rules had problems, we said that they were unconstitutional. We said that there parts of the Rules which were not gonna work for procedurally or work well in the process, and since the time that we passed the Rules, we are now on our second attempt to change the Rules. Apparently, what we said initially about the Rules was true. I wonder when we're gonna have another Rules change to change the Rules so that we can again accommodate the process. Here we are, the second time. First time we had to get together and say, 'The Rules are unconstitutional; maybe we better change'em.' Now the second time we're here we saying, 'Well, if it doesn't match the process; maybe we need to have the Rules match the process.' I wonder when the third

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and fourth and fifth time is gonna happen. I mean, are we here just having...are the Rules, basically, whenever we need to, we're just changing the Rules, or are Rules rules? Do they stand for something? This is crazy. This is the second time. Let's not keep changing the Rules unless we're gonna change them to make 'em constitutional. They're certainly not constitutional now."

Speaker Currie: "On the Resolution, Representative McPike, to close."

McPike: "Madam Chairman, the purpose of this Resolution is to try to accommodate the Members of this Body. I move for its adoption."

Speaker Currie: "You've heard the Motion. The Motion is, 'Shall the House adopt House Resolution 303?' All in favor vote 'aye'; all opposed vote 'no'. Voting is open. 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 voting 'aye', 48 voting 'no', and the Resolution is adopted. Committee Reports."

Clerk Rossi: "Representative Martinez, Chairman of the Committee on Veterans Affairs, to which the following Bills were referred, action taken March 18, 1993, reported the same back with the following recommendations: 'do pass Short Debate Status' House Bill 1791; 'do pass as amended Short Debate Status' House Bill 800 and House Bill 839; 'do pass Consent Calendar' House Bill 1153 and House Bill 1441; 'do pass as amended Consent Calendar' House Bill 801."

Speaker Currie: "For what purpose does the Representative from Cook, Representative Jones, rise?"

Jones: "Madam Speaker, I would like to make a Motion to post requirements to move for the following Bills to be heard next week."

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Speaker Currie: "To suspend the posting requirements? Have you...Have You checked that Motion with the Minority spokesman?"

Jones: "Yes, I did."

Speaker Currie: "Please list the Bills."

Jones: "House Bill 107, House Bill 434, House Bill 515, House Bill 622, House Bill 1353."

Speaker Currie: "Would you be kind enough to read the list again a little more slowly, so the Clerk can follow your list and write them down?"

Jones: "House Bill 107, House Bill 434, House Bill 515, House Bill 622, House Bill 1353."

Speaker Currie: "And this would be the Committee on Public Utilities?"

Jones: "Committee of Public Utilities."

Speaker Currie: "Committee on Public Utilities. You've heard the Motion. You've heard the Motion. Is there any discussion? If not, is there leave to use the Attendance Roll Call to suspend the posting notice on those Bills so that they may be heard in the Committee on Public Utilities next week? Hearing no objection, the Motion is adopted. Representative McPike now moves that the House stand adjourned until Tuesday, March 23, at the hour of 12:00 noon. All in favor of the Motion signify by saying 'aye'; opposed, 'no'. The 'ayes' have it, and this House now stands adjourned."

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