

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

84th Legislative Day

October 12, 1993

Speaker McPike: "The House will come to order. The chaplain for today is Reverend David Chaney of the Sycamore United Methodist Church in Sycamore, Illinois. Reverend Chaney is the guest of Representative Wirsing. Our guests in the balcony may wish to rise and join us for the invocation."

Reverend Chaney: "Members of the House of Representatives, Mr. McPike, I bring this prayer today as a message from the Sycamore United Methodist Church. When I understood that I was going to be given this honor, I asked them this last Sunday to list some of their prayers for you, and almost 150 of them responded. The majority of those responses were for you, your welfare, your vision, your compassion and love as Legislators. So, this prayer comes from this congregation. Let us pray. Oh gracious and loving God, we thank You for this day and its possibilities. Be with these men and women in their decision making, many of our citizens are waiting for their decisions. There are the children who in wonder and eagerness and patience seeking an education, there are the adults who would seek to live in their communities more safely, without the threat of armed violence. There are many governmental units at all levels facing choices about using casinos and riverboats and other methods of raising money for the public good that tear at the valued fabric of their communities. The decisions are complex and difficult. Be with these persons in their decision making. Give the Members of this Assembly the courage to act, the courage to build the law on love and a moral foundation. Also, deepen the vision of each here so that this state might become an instrument for the common good, a beacon, and an example for the betterment of the environment, and a creative and positive support for its citizens. Oh creator, God, we ask for Your

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guidance this day and in the days to follow in this session. We ask that Your presence bless these persons, these servants of the people, and guide them in their tasks at hand. Help them to listen to You, and to legislate that which is right and good in Your eyes. Amen."

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

Churchill - 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 Currie."

Currie: "Thank you, Speaker. There are no excused absences among the Democrats today."

Speaker McPike: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. There are no excused absences on the Republican side."

Speaker McPike: "Thank you. Mr. Clerk, take the record. One hundred eighteen Members answering the Roll Call, a quorum is present. Agreed Resolutions. Oh, the Commissioner of banks is here, Senator Luft. Hey, Senator Luft."

Clerk McLennand: "House Resolution..."

Speaker McPike: "Grandpa Luft."

Clerk McLennand: "House Resolution 1274 offered, by Representative Balanoff; House Resolution 1276, offered by Representative Balthis; House Resolution 1277, offered by Representative Tim Johnson; House Resolution 1278, offered by Representative Mautino; 1279, offered by Representative Hoffman; 1280, offered by Representative Lindner; 1281, 1282, 1284, and 1285, offered by Representative Tim Johnson; House Resolution 1286, offered by Representative

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Deuchler; House Resolution 1287, offered by Representative Cross; House Resolution 1288, offered by Representative Biggins; House Resolution 1289, offered by Representative Giglio; House Resolution 1290, offered by Representative Hassert; 1291, offered by Representative Steczko; 1292, offered by Representative Steczko; 1293, offered by Representative Kubik; 1294, 1295, 1296, and 1297, offered by Representative Black; House Resolution 1298, 1299, and 1300, offered by Representative DeJaegher; House Resolution 1301, offered by Representative Novak; 1302 and 1303, offered by Representative Tim Johnson; 1304, offered by Representative Phelps; 1306, offered by Representative DeJaegher; House Resolution 1307, offered by Representative Prussing; 1309 and 1310, offered by Representative Tim Johnson; House Resolution 1311, offered by Representative Roskam; House Resolution 1313, offered by Representative Novak; 1314, offered by Representative Stephens; 1315, offered by Representative Weller; 1316, offered by Representative Curran; 1317, offered by Representative Hartke; House Resolutions 1318, 1319, 1320, and 1321, offered by Representative Tim Johnson; 1322, offered by Representative Novak; 1323, offered by Representative Weller; 1324, offered by Representative Parcells; House Resolution 1326, offered by Representative Erwin; 1327, offered by Representative Tim Johnson; 1328, offered by Representative Weller; 1329 and 1330, by Representative Dart; House Resolutions 1331 and 1332, offered by Representative Phelps; 1333, by Representative Roskam; 1334, by Representative Roskam; 1335, offered by Representative Edley; 1337, offered by Representative Tim Johnson; 1338, by Representative Parke; 1339, by Representative Flinn; 1340, by Representative Black; 1341,

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by Representative Ryder; 1342, by Representative Gash; 1343, by Representative Kubik; 1344, by Representative Mulligan; 1346 and 1347, by Representative Zickus; 1348, by Representative Leitch; 1349, by Representative Steczo; 1351, by Representative Leitch; 1352 and 1353, by Representative McAfee; 1354, by Representative Tim Johnson; 1356, by Representative Kubik; House Resolution 1357, by Representative Novak; 1358, by Representative Daniels; 1360, by Representative Stephens; 1361, by Representative Roskam; 1363, by Representative Phelps; 1364, by Representative Santiago; 1365, by Representative Stephens; 1366, by Representative Novak; 1367, by Representative Hicks; 1368, by Representative Lawfer; 1369, by Representative Schakowsky; House Resolutions 1370 and 1371, offered by Speaker Madigan; House Resolution 1374, 1375, offered by Representative Brady; House Resolution 1376, offered by Representative Lopez; 1377, by Representative Lindner; 1378, by Representative Tim Johnson; House Resolutions 1381 and 1382, by Representative Hoeft; 1383, by Representative Hassert; 1384, by Representative Weller; 1385, by Representative Novak; 1388, by Representative Dart; 1389, by Representative Sheehy; 1390, by Representative Novak; House Resolution 1391, by Speaker Madigan; 1392, by Representative Lindner; 1393, by Representative Santiago; House Resolution 1395, by Representative Tim Johnson; 1396, by Representative Walsh; Resolutions 1397 and 1398, by Representative Kubik; 1399, by Representative McAfee; 1400, by Representative Lou Jones; House Resolution 1401, by Representative Tim Johnson; 1402, by Representative Curran; 1403, 1404, and 1405, by Representative Clayton; House Resolutions 1406 and 1407, by Representative Wennlund; 1408, by Representative

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Black; 1409, by Representative Young; House Resolution 1411, by Representative Ryder; Resolutions 1412, 1413, and 1414, by Representative Novak; House Resolution 1415, by Representative Kubik; House Resolution 1420, by Representative Stephens; 1421, by Representative Dart; 1422, by Representative Lawfer; 1423, by Representative Black; 1424, by Representative Saviano; 1425, by Representative Kubik; House Resolutions 1427 and 1428, by Representative Gash; 1429, by Representative Woolard; 1430, by Representative von Bergen-Wessels; 1431, by Representative Erwin; 1432 and 1433, by Representative Blagojevich; 1434, by Representative Tim Johnson; 1436, by Representative Gash; 1438, by Representative Roskam; 1439, by Representative McAfee; 1440, by Representative Pedersen; 1441, by Representative Dart; 1442, by Representative Balanoff; 1443, by Representative Bugielski; 1444 and 1445, by Representative Hoffman; and House Resolution 1447, by Representative Andrea Moore."

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

Granberg: "Thank you, Mr. Speaker, a question of the Chair. Jill Luft told me that, is it the Commissioner's 60th birthday today?"

Speaker McPike: "I think it is. Dick Luft, is today your 60th birthday? Happy birthday, Commissioner."

Granberg: "Happy 60th birthday to Commissioner Luft."

Speaker McPike: "Is that 70 or 80? 80? It's his 80th birthday. He looks 80. Death Resolutions."

Clerk McLennand: "House Resolution 1275 offered by Representative Curran with respect to the memory of Simeon Osby, Jr.

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House Resolution 1283 offered by Representative Tim Johnson with respect to the memory of Irwin A. Cochrun. House Resolution 1305 offered by Representative Stroger with respect to the memory of Otto Clyde McCollum. House Resolution 1308 offered by Representative Tim Johnson with respect to the memory of Melmer...Delmar Martensen. House Resolution 1312 offered by Representative Tim Johnson with respect to the memory of Albert Bernthal. House Resolution 1325 offered by Representative Morrow with respect to the memory of Vashti Lowe Adams. House Resolution 1336 offered by Representative Tim Johnson with respect to the memory of Verrollton Shaul. House Resolution 1345 offered by Representative Dart with respect to the memory of Paul Manghera. House Resolution 1350 offered by Representative Stephens with respect to the memory of David Embry. House Resolution 1355 offered by Representative Tim Johnson with respect to the memory of Marjorie D. Earley. House Resolution 1359 offered by Representative Stephens with respect to the memory of John Rezabek. House Resolution 1362 offered by Representative Morrow with respect to the memory of Mary Ellen T. Neeland. House Resolution 1372 offered by Representative Turner with respect to the memory of Lawrence Haupt. House Resolution 1373 offered by Representative Capparelli with respect to the memory of Mr. & Mrs. Summersgill. House Resolution 1386 offered by Representative Morrow with respect to the memory Lawyer Bratton, Jr. House Resolution 1387 offered by Representative Hawkins with respect to the memory of Paul Schilpp. House Resolution 1394 offered by Representative Flowers with respect to the memory of Harold R. Johnson, Jr. House Resolution 1410 offered by Representative Flowers with respect to the memory of Deborah Walker.

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House Resolution 1417 offered by Representative Tim Johnson with respect to the memory of Royce Taylor. House Resolution 1418 offered by Representative Tim Johnson with respect to the memory of Virginia Stipes. House Resolution 1419 offered by Representative Tim Johnson with respect to the memory Ormal D. Wycoff. House Resolution 1426 offered by Representative Moffitt with respect to the memory of Cecil Shimmin. House Resolution 1435 offered by Representative Turner with respect to the memory of Allen Jones. House Resolution 1437 offered by Representative Ryder with respect to memory of John Bowen. House Resolution 1446 offered by Representative Stroger with respect to the memory of Sgt. Eugene Williams. House Resolution 1379 offered by Representative Daniels with respect to the memory of former Member John "Bill" Carroll, and House Resolution 1380 offered by Representative Daniels with respect to the memory of former House Member Dwight Friedrich."

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

Clerk McLennand: "House Resolution 1416, offered by Representative Weller."

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

Clerk McLennand: "Introduction and First Reading of House Bills. House Bill 2502 offered by Representative von Bergen Wessels, a Bill for an Act making appropriations. House Bill 2503 offered by Representative Black, a Bill for an Act to amend the School Code. House Bill 2504 offered by Representative Blagojevich, a Bill for an Act to amend the

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Illinois Insurance Code. House Bill 2505 offered by Representative Blagojevich, a Bill for an Act in relation to breast implants. House Bill 2506 offered by Representative Blagojevich. A Bill for an Act to amend the Environmental Protection Act. House Bill 2507 offered by Representative Biggins, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2508 offered by Representative Blagojevich, a Bill for an Act to amend the Criminal Code. And House Bill 2509 offered by Representative Granberg, a Bill for an Act to amend the State Employee's Group Insurance Act. First Reading of these House Bills."

Speaker McPike: "Page six of the Calendar under Total Veto Motions. Representative Currie, House Bill 317. Representative Prussing, 467. Would you like to call your Motion? No. Representative Giglio on House Bill 675. Yes, Representative Giglio."

Giglio: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I move for the total override of House Bill 675. What 675 does, it actually provides that on a D.U.I. that the alcohol evaluation shall be without prejudice and for confidential use by the court. It also...the main thrust of what we're trying to do is that it requires that the state's attorney of the county where a person is served with a statutory summary suspension notice upon demand, to produce the various documents to the person. If there was ever a Bill that...that really stands for what our democracy and our government is all about, it's this where those that are accused have the same opportunity for the information that the prosecutors are serving the purpose. Those of you that are lawyers I'm sure understand this more than I do, because thou art supposed to be innocent until



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proven guilty in our country, and this is what it's all about. The governor saw fit not to see it that way, and I would ask this Body to override his Veto."

Speaker McPike: "And on that Motion, Representative Ryder."

Ryder: "Thank you, Mr. Speaker."

Speaker McPike: "I think most of the noise is coming from right around you."

Ryder: "Well, I intend to raise some noise here in a moment, I'll do my best to quiet the extremists."

Speaker McPike: "Give the Gentleman...give the Gentleman some attention, please."

Ryder: "Mr. Speaker, I was one of the folks that voted against this Bill when it went out of here. I stand up to oppose his Motion to override the Veto, and let me tell you why in very simple manner. What this Bill does, what this Bill does is it's the dream Bill for drunk drivers. It is the full employment Bill for attorneys. It requires, it requires the state's attorney and others to produce up to 17 different documents at state and local expense. It requires a simplified manner in which licenses are returned. It turns the tables. It turns the tables on the system that we have concerning keeping drunk drivers off the streets. Now, this is an emotional issue, but it's also a very complex issue, and for that reason, I would ask you to please, please examine it carefully. It went out of here with very little debate, zoomed out, but the Veto of the governor was well suited in this situation. Let me tell you who it is that supports it. It's the trial lawyers that support this. It's the trial law...bar. It's the Bar Association. Who doesn't support it? Those folks that are against drunk driving. Those folks that think that drunk drivers should not be able to get their license

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back easier. Those folks who think that drunk drivers should not be allowed back on the roads quicker. So, it's a fairly simple question for you to decide, where are you. Do you want to support those folks that drive while they're drunk? Do you want to support those folks who want to complicate our legal system? Or do you wish to keep drunk drivers off the roads? I stand in opposition, and would ask many more to join in opposing this Motion to override the Total Veto. Thank you, Mr. Speaker."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. There seems to be some confusion on this Bill, because the original House Bill passed the House without opposition. For those of you that don't have access to all the action on this Bill, I would remind you that when this Bill came back from the Senate, it was amended, and it was not a unanimous vote in the House to concur with the Senate Amendment, far from it. The Senate Amendment completely changed the underlying House Bill, and in its current form, in this Bill's current form as amended in the Senate, it is opposed by the Cook County State's Attorney. It is opposed by Mothers Against Drunk Drivers. It is opposed by the American Insurance Association and the Alliance of American Insurers. The Senate Bill does exactly what Representative Ryder tells you that it does. As amended in the Senate, this Bill allows a convicted or excuse me, a person charged with drunk driving to get his or her license back in as short a period of time as ten days. I don't think that's what the sense of this Body has been in the last five or six or seven years is to make it easier for drunk drivers to get their license back and go back out on the highways and byways of the State of Illinois. There is no question

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that there is material in this Bill that we should address, but I submit to you that Senate Amendment #1 flaws the Bill and simply flies in the face of overwhelming evidence and overwhelming votes that this Body has taken in the past. If you vote to override this Amendment or this House Bill as amended in the Senate, your message will be very simple and succinct, that if you're convicted of drunk driving, that's ok. You'll get your license back and the courts can haggle it out later. While many of us would like to see the suspension process more enlightened, this goes too far, and I simply stand to urge all of you that have stood against what drunk drivers can do on the highways of this state to vote in favor of upholding the governor's Veto of House Bill 675 as amended."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Yes, just briefly, Mr. Speaker. I rise to support the governor's Veto of this Bill and urge all Members to sustain the governor's Veto for all of the reasons that have just been previously stated by my colleagues on this side of the aisle. This legislation will result in more D.U.I. offenders having their summary suspensions rescinded and driving privileges returned to them in rapid order, and I would suggest that the Bill as it was finally passed out of this House and concurred with the Senate, in no way was the same that we had reviewed in Judiciary II initially and would certainly urge my colleagues to support the governor's Veto of this legislation. Thank you."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to rely...relay to you a series of events that have happened in my legislative area in the last two years. We have had numerous, numerous young people die in

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car accidents where alcohol was involved. I will tell you that in the Hoffman Estates/Schaumburg, United Way did a survey in their area and asked what the number one problem was. The survey came back, overwhelmingly said alcohol abuse was the number one problem in their area. I will tell you that we should not override the governor's Veto on this. This is exactly what we ought to have. The governor is right in vetoing this, and many of the citizen groups, like 'AAIM', Alliance Against Intoxicated Motorists, and the State's Attorney, Jack O'Mally, from Cook County and Lieutenant Governor, George Ryan, are opposed to overriding the governor's Veto. Let us bring sanity back to this process. Do not override this Veto. Vote to sustain the governor's Veto on this. It is a message that must be heard loud and clear by the people who abuse alcohol. This is the wrong vote, let us support the governor's Veto."

Speaker McPike: "Representative Giglio to close."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, you heard from my colleagues on the other side of the aisle, and I guess you can find all kinds of excuses if you want to vote against something or vote for it. Actually, what they talked about has got nothing to do with the Bill. They tried to use the people who are against drunken drivers, the organization called 'MADD', they tried to use the state's attorneys, they tried to use everybody. What this Bill actually does is that it gives the victim, it gives the person who is arrested the same rights to have all the information placed before them by their attorney, and those of you that are lawyers know that, that you have to present the evidence in the courtroom, and if you hide it or you try to twist it or you try to do something with it, it's contrary to everything

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you learned in law school. So, what we're trying to do here with this Bill is just say that if you are arrested on a D.U.I. case, you're entitled to all the information that the prosecutor and the district attorney has, and if you believe in our system of government, then you should be voting yes to override this, and that's what I am asking."

Speaker McPike: "The question is, 'Shall House Bill 675 pass, the Veto of the governor notwithstanding?' 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 23 'ayes' and 83 'noes', and the Motion fails. Representative Morrow, 1239. Representative Morrow. Representative Giglio, 1295. Representative Giglio, 1526. Representative Giglio."

Giglio: "One was enough, Mr. Speaker. Not today."

Speaker McPike: "Page two of the Calendar, House Bill 1850. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1850, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1 offered by Representative Granberg."

Speaker McPike: "Mr. Granberg, Amendment #1. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Amendment #1 becomes the substance of the Bill, provides for the continuing appropriation for the pension funds which are \$13 billion in debt. We passed this Bill unanimously last spring. We just want to put it into posture pending committee hearings next week on what we should do with it, and there should not be any debate on this measure."

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

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

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Speaker McPike: "Yes."

Black: "Representative Granberg, what is the current posture of House Bill 1848? I think it's identical language, is it not...that you passed out of here?"

Granberg: "Representative Black, 1848 was passed out of this House unanimously. It did not make it out of Senate Rules Committee."

Black: "That's a very tough committee."

Granberg: "So we...for all of our Bills..."

Black: "Yes. Well, I...I have more experience with the House Rules Committee, but I've heard that the Senate Rules Committee is very difficult. It's my understanding that all you're attempting to do with this Amendment is to follow the dictates of Senate Bill 95, correct? All right. Thank you very much."

Speaker McPike: "Mr. Skinner."

Skinner: "I rise to ask when this Amendment was distributed."

Speaker McPike: "July 2nd. July 2nd. Have you had enough time to look at it?"

Skinner: "Well, I...it seems my desk has been cleared out. I guess we'll have to look further. I assume everyone else has memorized the Amendment?"

Speaker McPike: "Yes."

Skinner: "It's good to know they're so diligent."

Speaker McPike: "Representative Parke."

Parke: "Thank you. Representative Granberg, I have just a quick question. What do you want to do with this knowledge when you put the Amendment on it? Are you gonna call it for a vote, and if so when? What is the purpose here?"

Granberg: "Representative Parke, I just want to put in the condition to where it would have the substance of the Bill 1848. We would not move to pass it this week. I think it

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would be appropriate to see what happens with these committee hearings next week, and then we can decide what to do with the Bill."

Parke: "Those are the Committee Assignments that were cancelled for last week and rescheduled for two weeks from now?"

Granberg: "Absolutely correct."

Parke: "Ok. 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. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. All right, the Chair is prepared to adjourn. The Chair is prepared to adjourn. The Democrats will have a caucus immediately in Room 114. The Republicans will have a caucus in Room 118 at 2:00 p.m. Democrats immediately, Republicans at 2:00 p.m. Representative Granberg moves that the House stands adjourned until tomorrow morning at the hour of 10:00 a.m. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The House stands adjourned until tomorrow at 10:00 a.m., and there's a Rules Committee Meeting tomorrow morning at 9:30."

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