

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

11th Legislative Day

February 2, 1995

Speaker Johnson, Tim: "The House will come to order. The Members will be in their chairs. The House will come to order and the Members...Personnel will be removed from the House Floor, remove yourselves from the House Floor. The House is in order and the Members will be in their chairs. We will try it one more time. Will the Members please be in their chairs? All unauthorized personnel remove themselves from the House Floor. The Chaplain for today is the Pastor Gordon McClean of the First Presbyterian Church of Springfield, Illinois. Pastor McClean is the guest of Representative Klingler. Guests in the gallery may wish to rise for the invocation. Members please rise."

Pastor Gordon McClean: "Reading from Isaiah, Lord You keep those of firm purpose untroubled because of their trust in You. Trust in the Lord forever for the Lord God is an everlasting rock. Let us Pray. Almighty God in His name this Republic was born, we unite in prayer for Your blessings upon the Members of this House, knowing that You are lovingly concerned about the way we live and how we wear ourselves out. Sometimes taking less care of ourselves than we do of our cars. Bless Your servants the representatives of the people with good health and the good sense to preserve it. Bless the Members and their families and all who serve this House. We feel we have to do so many things that we would rather not do, as we also plead that we cannot do some things we know very well that we should do. We can stand criticism and a certain amount of pressure but we cannot make the wisest choices or the best use of our time nor make the necessary decisions with nothing but our own pure human wisdom. So influenced as it is by party interest and constituency safeguards. Therefore fill us with Your spirit of wisdom that we serve

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the best interest of the commonwealth, focusing especially on the most vulnerable. Created in an image of God we both look for and seek the contentment of knowing that we do Your will with Your help. This is what we pray for and for an effective and short Session in which those who speak talk wisely and to the point and those who listen, hear what is actually said. Bless this House and all its Members through Jesus Christ our Lord. Amen."

Speaker Johnson, Tim: "We will be led in the Pledge of Allegiance today by the Representative Art Turner, the Gentleman from Cook."

Turner - 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 Johnson, Tim: "Roll Call for Attendance. Representative Johnson in the Chair. Could we please have some order in the House? Excused absences. Representative Currie is recognized for any excused absences on the Democratic side. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. Let the record show that Representatives Martinez and Shirley Jones are both excused today."

Speaker Johnson, Tim: "With leave of the House, the Journal will so indicate. Representative Cross you're recognized to report any excused absences on the Republican side of the aisle."

Cross: "Yes, Mr. Speaker. Will the record please show that Representative Deuchler is excused today."

Speaker Johnson, Tim: "Leave of the House."

Cross: "Thank you."

Speaker Johnson, Tim: "The Journal will so also indicate. There

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are 115 Members answering the roll, a quorum is present. The House will come to order. Don't want to continue to overemphasize this but we've got to have order in the chamber. If all Members could be in their seats, we will proceed accordingly. I would appreciate it and the Chair would appreciate it and the Membership would appreciate it. Mr. Clerk, please read Agreed...any Committee Amendments."

Clerk McLennand: "Committee Reports. Committee Report, offered by Representative Wirsing, Chairman from Committee on Higher Education. To which the following Bills were referred, action taken on February 1, 1995, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 442. Committee Report offered by Representative Persico, Chairman from the Committee on Environment and Energy, to which the following Bills were referred, action taken on February 1, 1995, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 544. Committee Report offered by Representative Andrea Moore, Chairman from the Committee on Elections and State Government, to which the following Bills were referred, action taken on February 1, 1995, reported the same back with the following recommendations: 'do pass' House Bill 46. Committee Report offered by Representative Hughes, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken on February 1, 1995, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 186. Committee Report offered by Representative Tom Johnson, Chairman from the Committee on Judiciary for Criminal Law, to which the following Bills were referred, action taken on February 2, 1995, reported the same back with the following

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recommendations: 'do pass as amended. Short Debate' House Bill 204. Committee Report offered by Representative Stephens, Chairman from the Committee on Executive, to which the following Bills were referred, action taken on February 2, 1995, reported the same back with the following recommendation/s: 'do pass as amended' House Bill 209..."

Speaker Johnson, Tim: "Second Reading. Mr. Clerk, read House Bill 206."

Clerk McLennand: "House Bill 206, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Amendment...Committee Amendment #2 was tabled. Floor Amendments #38 through 73 have been filed and are referred to Rules."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I believe there are some fiscal notes requested on this Bill."

Speaker Johnson, Tim: "A fiscal note is required, Mr. Clerk, or filed on this matter?"

Clerk McLennand: "A fiscal note has been filed and a States Mandates Act fiscal note has been filed as well."

Granberg: "When were those fiscal notes filed, Mr. Clerk?"

Clerk McLennand: "They were filed today."

Granberg: "The Bill as amended?"

Speaker Johnson, Tim: "In the meantime, while we're considering the inquiry from the Gentleman from Clinton. If we could have some order, the Chair would appreciate it and the Members would appreciate it as well. If you'll...if you'll be patient, we're considering your inquiry and I would remind you of the appropriate Rules that we adopted, that this full House adopted with respect to decorum. If you'll

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just give us a moment, we'll respond to your inquiry. You will be recognized for a point of order after we have had a chance to answer the inquiry of the Gentleman from Clinton. Again...we need to remind staff and other personnel on the House floor as to the Rules to access to the House floor. We want to keep decorum in here, I think both sides of the aisle do and I would remind you that we have Rules with respect to access and that those rules be complied with. While we're processing the inquiry from the Gentleman from Clinton, the Chair recognizes the Gentleman from Cook, Representative Lang. Representative Lang, for what purpose do you rise? Representative Lang does not rise for any purpose. The Chair recognizes the Gentleman from Washington, Representative Deering. Representative Deering, for what purpose do you rise?"

Deering: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Johnson, Tim: "If we could have some order in the House, so we can hear Representative Deering's inquiry. It would be most appreciated. Representative Deering, for what purpose do you rise?"

Deering: "Thank you. Thank you, Mr. Speaker. A question, we have been in Session now several days and we don't seem to have any printed Rule books. Can you maybe inform us, as Members, when we can expect those Rule books presented to us on the floor?"

Speaker Johnson, Tim: "I would refer that to the Clerk and I'm sure he has an appropriate response, Representative."

Clerk McLennand: "Enrolled copies of the Rules are available on the floor. Printed Rule books should be available within a week."

Deering: "I'm sorry, Mr. Clerk, I didn't hear that."

Speaker Johnson, Tim: "Well, the reason that you didn't hear

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the...is because the chamber so far has chosen to continue in a den. Will we please have quiet and order and decorum on the House floor so that the Gentleman's appropriate inquiry and the appropriate response from the Clerk can be noted. Mr. Clerk, do you want to respond again to the Gentleman from Washington?"

Clerk McLennand: "Enrolled copies of the House Rules are available on the floor. Printed copies are being...will be available in approximately a week."

Deering: "Thank you."

Speaker Johnson, Tim: "Now we could just have continued decorum and bit of patience. We'll be back to the Gentleman from Clinton in a very short order with respect to your inquiry. Thank you very much for your cooperation. The Chair recognizes the Gentleman from Cook, the Minority Leader, Representative Madigan."

Madigan: "Mr. Speaker, while you're researching..."

Speaker Johnson, Tim: "If we could again please have some order, so that the Gentleman from Cook, the Minority Leader, Representative Madigan can be heard with respect to his inquiry or whatever else he intends to address to the Chair."

Madigan: "I have a question of Speaker Churchill. Would he yield?"

Speaker Johnson, Tim: "I don't believe that is in order. You can address a question to the Chair. I'm sure you could go across the aisle and talk to the Majority Leader, Representative Churchill."

Madigan: "Would the Gentleman yield?"

Speaker Johnson, Tim: "I don't believe that that's before the House now and the Gentleman indicates he will not yield."

Madigan: "I see."

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Speaker Johnson, Tim: "But I'm sure we would be more than happy...if we could have some order...if the Minority Leader wishes to speak to the Majority Leader, I have no problem as presiding officer nor I believe the chamber has any problem with the two of you consulting and...and then addressing an appropriate inquiry to the Chair. There's nothing before the House now that would...that would put in order your ability to inquiry of the Majority Leader, Representative Churchill is simply sitting in his chair."

Madigan: "Let me address the question to you, Mr. Speaker."

Speaker Johnson, Tim: "I'll try to attempt a response."

Madigan: "Would you tell...would you tell me and the others why the following Bills were not assigned by the Rules Committee? House Bill 666, 667, 680, 681, 687. Why were those Bills not assigned today?"

Speaker Johnson, Tim: "Was the question asked and answered in the Rules Committee today, Mr. Madigan?"

Madigan: "Not to my knowledge."

Speaker Johnson, Tim: "That would be the appropriate place for the question and the response, in the Rules Committee. And so the question is not properly before the House. The Chair would recognize the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. I think there may be a question here and that is, under what Rule have we decided that the Rules Committee should act as a graveyard from which Bills introduced by individual Members may never emerge? The question was raised in the Rules Committee today and the answers that were given, by the Chairman of the Rules Committee, do not seem to be very good ones in light of later conversations with individuals whose names were mentioned by that august person. So there was no good

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reason offered, no legitimate reason, no real reason, no honest reason was offered for the decision not to assign these five Bills."

Speaker Johnson, Tim: "Was there..."

Currie: "It used to be that if you introduced a Bill, as a Member of this House, that Bill was deserving of a hearing. You used to be able to get a hearing on your Bill. And Representative Churchill, Representative Churchill, when he presented these Rules to this chamber."

Speaker Johnson, Tim: "Could we have some order...so the Lady can make her point..."

Currie: "Representative Churchill..."

Speaker Johnson, Tim: "If we could have some order for the Lady to make her point."

Currie: "Representative Churchill told us that the intention was that Bills would be assigned to substantive committee but in fact it turns out he didn't mean it when he said it because today the Rules Committee took five Bills, not just Democratic Bills, one sponsored by a Republican Member as well, it can happen to you guys just as easily as it happens to us, five Bills with no assignment to a substantive committee. Now you could argue, since they're not hearing our Bills in substantive committee, never mind they've been assigned there. Maybe it doesn't matter a lot but it matters to me as a Member of this House that each of us should have the opportunity for a hearing, for an assignment of our Bill to a substantive committee that understands the issues and can take action on that measure."

Speaker Johnson, Tim: "Who is..."

Currie: "So, Speaker, under what Rule did..."

Speaker Johnson, Tim: "I would ask you..."

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Currie: "...the Rules Committee deny assignment to these five Bills and can you find out for us, whether...if it were for an example, an oversight there is an intention finally, at perhaps the next meeting, to send those Bills to substantive committees along with the rest."

Speaker Johnson, Tim: "I would...I would...the Chair would inquire of the Lady from Cook, if you'll respond. You are the...what ranking official, with respect to the Rules Committee, Representative?"

Currie: "Minority Spokesman."

Speaker Johnson, Tim: "Were those Motions made in Rules Committee this morning? Did you move to get the Bills out?"

Currie: "Not this morning, no because we were just running up against Session time. We will again."

Speaker Johnson, Tim: "You did not..."

Currie: "As I say, there was a explanation that didn't hold water."

Speaker Johnson, Tim: "You did not...okay."

Currie: "That made it seem as if...that the issue was rather a technical..."

Speaker Johnson, Tim: "The Motion was not made in Rules Committee, the appropriate place for the Motion to be made. The inquiry before the Chair is not appropriately before the House and you're out of order. Mr. Clerk, I would ask to the status of House Bill 206."

Clerk McLennand: "House Bill 206 is on the order of Second Reading. Fiscal Note is..."

Speaker Johnson, Tim: "If I could have some order in the House."

Clerk McLennand: "Fiscal Note..."

Speaker Johnson, Tim: "...so that we can...so that we can hear the Clerk, with respect to House Bill 206."

Clerk McLennand: "A Fiscal Note request has been filed for House

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Bill 206."

Speaker Johnson, Tim: "We don't want to..."

Clerk McLennand: "...as amended."

Speaker Johnson, Tim: "Order. If we could have order please, with respect to the Clerk's announcement. We are in the process of responding to an inquiry of the Gentleman from Clinton, Representative Granberg. The Clerk is attempting to respond to that and if we could please have the courtesy from both sides of the aisle, to let the Clerk respond, it would be appreciated by the Chair and also called for by our House Rules. Mr. Clerk, House Bill 206."

Clerk McLennand: "A Fiscal Note has been filed for House Bill 206 as amended. And a State Mandates Act Fiscal Note..."

Speaker Johnson, Tim: "I'll do this one more time. We will do this one more time. The Clerk is attempting to respond to any inquiry."

Clerk McLennand: "A State Mandates Act Fiscal Note has been filed on a Bill, as amended."

Speaker Johnson, Tim: "Third Reading. Now that we've disposed of the inquiry with respect to the Gentleman from Clinton, the Chair would recognize a Gentleman from Cook, Representative Dart. For what purpose do you rise?"

Dart: "Mr. Speaker, has Amendment been printed and distributed?"

Speaker Johnson, Tim: "Pardon me. I didn't...with your colleagues having joined you in creating the den, we weren't able to understand your inquiry. Could you remake it?"

Dart: "I'll speak slower. Is the Amendment been printed and distributed?"

Speaker Johnson, Tim: "Mr. Clerk?"

Clerk McLennand: "The Amendment has been printed and distributed."

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Dart: "Now, where? Where? Where?"

Speaker Johnson, Tim: "The Clerk has indicated that the Amendment has been printed and distributed. He is now checking with the Pages. If we could have just a moment, we'll have a complete response. We can only answer one inquiry at a time. The Chair will certainly respond to any inquiries that are made and we're in the process of doing that now. We're attempting to respond to the Gentleman from Cook, Representative Dart. If you could be patient a moment we'll have that response available for you in full. Those of you who have your lights on, you'll be recognized in appropriate order, with respect to whatever inquiries or other points you have to make. The Chair intends to be fair and the Chair will be fair. The Clerk and appropriate personnel redistribute Amendment that was inquired as to...we'll take further inquiries on the floor. The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I don't have a copy of this legislation and I am waiting very patiently for it. But I would like to know, are there any Chicago Representatives on this Bill? I see Representative Daniels, who is from DuPage County, I see Representative Cowlshaw, who is also from DuPage County and I think we have a number of Representatives here from the City of Chicago who were elected by the children's parents and I would like to see some of them..."

Speaker Johnson, Tim: "Representative, if your inquiry..."

Davis, M.: "...on that Bill..."

Speaker Johnson, Tim: "If your inquiry is...if your inquiry is, are there Representatives from Chicago on this Bill, you'd have to inquire of your staff as to the Membership. The Chair recognizes the Gentleman from St. Claire,

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Representative Hoffman."

Hoffman: "Mr. Speaker, the board right now says that it is on Third Reading and it cannot be on Third Reading."

Speaker Johnson, Tim: "The Bill is on Third Reading. You're correct."

Hoffman: "According to Rule 54(g)."

Speaker Johnson, Tim: "The Bill is on Third Reading. The Chair recognizes..."

Hoffman: "I would ask..."

Speaker Johnson, Tim: "The inquiries are all coming from the Democratic side of the aisle. It would help me and the chamber to hear your inquiries if your colleagues would cooperate when you're making inquiries and allowing you to speak and allowing the Speaker to respond so that we can hear the inquiry and make the appropriate response. So the Chair now recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Now I know that you are unfamiliar with the Rules because they are new, we're all unfamiliar with the Rules, but let me just read it to you. Section 5...Rule 5-4 entitled 'Amendments' Subsection (g)...everybody listen...very important Rule, you need to know this. If a Committee reports out a Bill, 'do pass as amended', the Committee Amendment shall be deemed adopted by the committee action and shall be reproduced and placed on the Members desks before the Bill may be read a second time. Not only can you not move this Bill to Third Reading, your action and reading it a second time is void under your own Rules and I ask that you so rule."

Speaker Johnson, Tim: "The response of the Chair would be that the Amendment has been distributed. The Bill...if I could have...if we could have some order in the chamber, I can

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respond and we will respond to the Gentleman's inquiry. The Amendment was distributed, the Bill was moved...we can either...we can either continue to go on in this manner or allow the Chair to respond. The Amendment was distributed. The Bill was moved to Third Reading. And we're now in the process of giving the courtesy...if...the Pages and the appropriate personnel are now in the process of redistributing the Amendment as a courtesy to your side of the aisle, Representative Lang. The Chair would recognize the Gentleman from Cook, Representative Dart."

Dart: "Thank you...thank you, Mr. Speaker. Can you explain to me maybe a time, a date, a place when this was distributed and show us some of the people with them? And I don't recall that there was any inquiry as to other Motions or Amendments to this Bill. That's sort of what we do around here before we move Bills to Third."

Speaker Johnson, Tim: "The question has been asked and answered."

Dart: "No, it has not."

Speaker Johnson, Tim: "The question has been asked and answered. The Bill...the Amendment has been distributed. And we are now in the process of redistributing for the courtesy of the Members the same Amendment. With respect...with respect to your inquiry. If we could have some order. I believe the Clerk can clarify and certainly comply with the House Rules and satisfy any inquiries that you might have."

Clerk McLennand: "The Amendment...we are preparing to distribute the Amendment. The Clerk was in error as far as distribution."

Speaker Johnson, Tim: "So...so...if we could have some order...if we could have some order we can clarify this matter. The Clerk has admitted he was in error. The Bill then is not on the order of Third Reading, the Bill is on the order of

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Second Reading. And the Amendment is now being distributed. So we will distribute the Amendment and then we will consider action appropriately. Yes, Representative... Representative Lang the Gentleman from Cook. But, again, I can't understand nor can the chamber respond to inquiries from your side of the aisle unless we have decorum on the House and cooperation from your side of the aisle. Representative Lang, the Gentleman from Cook."

Lang: "Thank you. So...so you're saying, Mr. Speaker, that the Amendment was not distributed, we do not have it, so your statements previously categorically that these were distributed and received by the Members and that the question was asked and answered seven times. That was all incorrect, is that true, Mr. Speaker?"

Speaker Johnson, Tim: "The Clerk has indicated..."

Lang: "No, no, I didn't ask what the Clerk said..."

Speaker Johnson, Tim: "The Clerk..."

Lang: "I asked what you said."

Speaker Johnson, Tim: "Yes."

Lang: "You said, Mr. Speaker, that this was the..."

Speaker Johnson, Tim: "Okay. The Clerk has indicated that the Amendment was not distributed. We were informed that the Amendment was distributed and is now being distributed on Second Reading. It's not been moved to Third Reading and we certainly intend to comply with the House Rules. The Clerk was in error and had informed the Chair accordingly. The Chair shall recognize the Gentleman from Cook, Representative Dart. But I cannot respond to Representative Dart, who has his light on and has an inquiry, if we don't have cooperation. Representative Dart, the Gentleman from Cook. Representative Dart, the Gentleman from Cook."

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Dart: "Yes...yes. Thank you, Mr. Speaker. At this time we move to adjourn."

Speaker Johnson, Tim: "That Motion is not in order, Mr. ... If you...despite...Mr. Speaker...Mr. Dart, in spite of your...in spite of the inquiry, if you choose...if you choose...if you choose to make the Motion we'll certainly entertain the Motion, notwithstanding. And so the question is, 'Shall the...'. There has been a request for a roll call, which will be granted. So the question before the House is, 'Shall the House adjourn?' Representative Dart has made the Motion. Yes, in order to make the Motion complete, in order to comply with the courtesy of giving you that, can you tell us when you want to adjourn until? The Motion is not complete and it is not before the House unless you elucidate further with respect to the details of that Motion."

Dart: "I believe the Rules don't require there is adjourn to a time certain but..."

Speaker Johnson, Tim: "The Rules provide, as do the statutes and constitution, that if we intend to adjourn for more than three days the...we have to comply with the Rules with respect to Senate adjournments. And so if you could state your Motion and the time you wish to reconvene, the Chair will entertain the Motion."

Dart: "Thank you, Mr. Speaker. We would move to adjourn until noon tomorrow then."

Speaker Johnson, Tim: "The Gentleman's Motion then..."

Dart: "We wish to debate that, too."

Speaker Johnson, Tim: "Representative Dart, the Gentleman from Cook, moves to adjourn until the hour of 12:00 tomorrow. Is there any debate on that question? Seeing none. All in favor...there has been a request for a roll call on this."

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All in favor of the Motion to adjourn until the hour of 12:00 tomorrow and the Gentleman from Cook, Representative Dart's Motion vote 'aye', all in favor (sic-opposed) vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 'ayes', 63 'noes', 4 'not voting'. And the Motion fails. And if we can just have a little patience, we're in the process now of distributing the Amendment that's been the subject matter of the last 15 minutes. So the Chair would recognize the Gentleman from Effingham, Representative Hartke."

Hartke: "Well, thank you very much, Mr. Speaker. It was a pleasure to have an opportunity to vote even though it was on the Adjournment Motion. I've been wanting to vote all week in committees and I'm glad you allowed us to vote at least on something here on the floor."

Speaker Johnson, Tim: "I appreciate your compliment, Representative. The Chair recognizes the Gentleman from Cook, Representative Lang. Apparently the Gentleman does not wish to be recognized. The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I do not agree with Representative Dart. I would like to move that we stand adjourned until Tuesday at noon."

Speaker Johnson, Tim: "Our Rules provide that there cannot be back to back, so to speak, Adjournment Resolutions without intervening business. So your Motion, Representative, unfortunately or fortunately is out of order. The Chair recognizes the...you don't have your light on but Representative Lang, the Gentleman from Cook."

Lang: "Thank you, Mr. Speaker. Could you repeat that ruling so I

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understand it please?"

Speaker Johnson, Tim: "Our Rules provide that there cannot be successive Adjournment Resolutions. That there has to be intervening business."

Lang: "Can't...can't..."

Speaker Johnson, Tim: "And so the Gentleman's Motion is out of order."

Lang: "I trust...I trust the Parliamentarian, Mr. Speaker. But, I just don't know where that Rule is. Could you tell me where it is in the Rules, please?"

Speaker Johnson, Tim: "We will certainly provide that site for you momentarily, Representative. While we are attempting to inquire and respond as to the inquiry of Representative Lang, the Gentleman would...the Chair would recognize the Gentleman from Cook, Representative Morrow. Representative Morrow, for what purpose do you rise?"

Morrow: "Thank you, Mr. Speaker. Basically, I'm rising on a point of personal privilege."

Speaker Johnson, Tim: "State your point."

Morrow: "I guess I do have that right."

Speaker Johnson, Tim: "You certainly do and you may proceed."

Morrow: "Based on the last two weeks of what we've been going through here. I'm almost embarrassed to say that I am an elected official, serving in this General Assembly. When Rules are just made up arbitrarily and I think the press needs to pay attention to this, when you make up Rules arbitrarily, when...when...when I'm not going to say a lie."

Speaker Johnson, Tim: "Gentleman, is your...is your point a point of order or a point of personal privilege? What's your point of order?"

Morrow: "I didn't say point of order. I said I rise in point of

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personal privilege. I do have that right, don't I?"

Speaker Johnson, Tim: "Well, you're making an inquiry with respect to the Rules of the House. I assume that's a point of order."

Morrow: "No. I'm not making an inquiry, I'm making a statement. That's two different things. I have not asked a question. I said that I am ashamed to be an elected official of this chamber over the conduct that has occurred in this chamber in the last two weeks. We are going to become the laughingstock of this nation. Other Representatives were to come here and see how we conduct business, they would say are professionals or are you amateurs? Now when you...this is ridiculous, we have not been able to vote on any issues. You move a Bill from Second to Third without the Amendment being printed and distributed."

Speaker Johnson, Tim: "We are in the process of doing that."

Morrow: "And I'm not going to say that you lied about it because I respect the Chair too much to do that. But let's...let's have some sort of fairness, you have the hammer."

Speaker Johnson, Tim: "If we could...if we could. First of all, Gentleman, you're out of order." But secondly, I would ask that with respect to your...your concern about the appearance of the chamber, if we were all to relax and to be able to address inquiries to keep the level of the chamber the way that the Members of this chamber have...expect us to and that our constituents too, then perhaps you wouldn't have that concern. Now, with respect to the inquiry of the Gentleman from Cook, Representative Lang. Representative, I would refer you to House Rule 7-16, 'Motion to Adjourn', 7-16(a). A Motion to adjourn is in order anytime except when a prior Motion to adjourn has been defeated and no intervening business is transpired.

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So both with respect to that inquiry and Representative Morrow's apparent inquiry, that we're making up the Rules, these are the Rules of the House we adopted and we are complying with the Rules. Mr.. Clerk, Second Reading."

Clerk McLennand: "House Bill 206, a Bill for an Act to amend School Code. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Amendment #2 was tabled in committee. Floor Amendments...Floor Amendments #38 through 73 have been referred to Rules. Fiscal Note and a State Mandates Note has been filed."

Speaker Johnson, Tim: "The Chair would recognize the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, Mr. Speaker. We would move to suspend Rule 716 regarding the Motion to Adjournment Motion. Particularly with regard to the Rule that you cannot have adjournment Motions back to back. So we would make a Motion to suspend and also there has been intervening business in that, you just announced this on Second Reading. So we move to suspend that Rule."

Speaker Johnson, Tim: "You want to clarify your Motion, I'm not sure what your Motion is, Representative. You want to restate your Motion, Representative?"

Hoffman: "Yes. Yes, the Motion to suspend Rule 716 and make a Motion to adjourn on Tuesday at 12:00."

Speaker Johnson, Tim: "Motion is out of order. Representative Madigan, the Gentleman from Cook. The Gentleman from Cook, the Minority Leader, Representative Madigan. For what purpose do you rise? The Chair recognizes then the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. What...what was the intervening business that did not take place? They had intervening business, the Motion is in order, there's

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nothing that's provided in the House Rules that we cannot hear this Motion at this time."

Speaker Johnson, Tim: "We specifically voted on a Motion..."

Granberg: "You read the Bill a second time, Mr. Speaker..."

Speaker Johnson, Tim: "...there is no..."

Granberg: "...that's intervening business."

Speaker Johnson, Tim: "If we could have some decorum. Representative Morrow has made a good point. We want to conduct this chamber in a professional manner. And I'm attempting to inquiry (sic-inquire)...I'm attempting to inquire...I'm attempting to respond to your inquiry. Your inquiry was, with respect to that Rule 7-16, the Motion was made, the Motion was defeated and no intervening Motion...business occurred. And so your Motion is not properly before the House. The Chair will recognize the Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I move to adjourn until Tuesday at noon."

Speaker Johnson, Tim: "Your Motion is out of order. The Gentleman from...the Gentleman from Effingham, Representative Hartke."

Hartke: "Mr. Speaker, I don't understand how you can say that this Motion is out of order. You just said when we had intervening business and now we've had that and there is another Motion on the floor and that is to adjourn at the hour of 2:00...until the hour of 2:00 Tuesday."

Speaker Johnson, Tim: "And the Chair Rules..."

Hartke: "The Rules says we can simply do that."

Speaker Johnson, Tim: "The Chair would Rule that there was no intervening business."

Hartke: "Oh, yes there was."

Speaker Johnson, Tim: "And that your Motion is out of order."

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Hartke: "Yes, there was...there was intervening..."

Speaker Johnson, Tim: "If you wish to appeal the ruling of the Chair, then that's in order. The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. Has this Bill been read a second time? Has this Bill been read a second time?"

Speaker Johnson, Tim: "Yes. Yes, it has."

Dart: "It has been read a second time and that was subsequent to the first Motion to adjourn. So its meaning that there's been business intervening, we then make a Motion to adjourn, which obviously is in order unless you have problem with the English language."

Speaker Johnson, Tim: "The Gentleman from Clinton, Representative Granberg, would restate your Motion, we'll be glad to entertain...Representative Hoffman, the Gentleman from St. Clair to restate your Motion so that the House can understand what your Motion is and what we may or may not be voting on."

Hoffman: "Yes. Since there has been intervening business I believe my initial Motion was a Motion to suspend the Rules, however you attended...attempted to ignore that. Now that there's been intervening business I would just restate Representative Dart's Motion, which is a Motion to adjourn until Tuesday at noon."

Speaker Johnson, Tim: "The Motion will be so entertained. All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 51 voting 'yes', 63 voting 'no', 1 voting 'present', 3 'not voting'. And the Motion is defeated. The Chair recognizes the Gentleman from Cook, Representative Lang."

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Lang: "Thank...thank you, Mr. Speaker. Are we back on this Bill now?"

Speaker Johnson, Tim: "We're back on whatever you're inquiring for, Gentleman."

Lang: "Well, the Bill's off the board, we were on House Bill 206. Are we still on House Bill 206, Mr. Speaker? Or is it out of the record? Perhaps you've taken it out of the record. I have a Motion with respect to that Bill, so I want to make the Motion..."

Speaker Johnson, Tim: "If you could just be patient, we'll respond to you, Representative."

Lang: "Oh, I'm patient, I just asked a question. I've been as patient as anybody. We're very anxious to watch this fast track move along, Sir."

Speaker Johnson, Tim: "Representative, if you could just be patient we'll be glad to respond, not only to your inquiry but to conduct the business of the House according to its Rules. And in the meantime, I don't want to overdo this but if we could please have some order in the chamber so that we can properly consider all appropriate Motions and consider the business of the House. The Chair and all the Members, on both sides of the aisle, would appreciate your cooperation in that regard. Mr. Clerk, what's the status of House Bill 206?"

Clerk McLennand: "House Bill 206 has been read a second time previously."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, would you please read the Adjournment Resolution?"

Clerk McLennand: "SENATE JOINT RESOLUTION NO. 16 RESOLVED, BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, February 2,

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1995, the Senate stands adjourned until Thursday..."

Speaker Johnson, Tim: "If we could have some order in the chamber."

Clerk McLennand: "Then when the two Houses adjourn on Thursday, February 2, 1995, the Senate stands adjourned until Tuesday, February 7, 1995, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, February 7, 1995, at 11:00 o'clock a.m."

Speaker Johnson, Tim: "Representative Churchill., for what purpose do you rise?"

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that House Rule 3-6(a) be suspended so that we may consider the Adjournment Resolution at this time."

Speaker Johnson, Tim: "Representative Churchill moves suspension of House Rule 3-6(a). All in favor say 'aye'; opposed say, 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion passes. Representative Churchill now moves the adoption of the Adjournment Resolution. All those in favor of the Motion signify by saying 'aye'; opposed by saying, 'nay'. The 'ayes' have it. The Resolution is adopted. Representative Churchill now moves that the House stand adjourned until Tuesday, February 27...February 7, 1995 at the hour of 11:00 a.m. All in favor say 'aye'; opposed, 'no'. In the opinion of the Chair the 'ayes' have it. And now allowing for Perfunctory Time for the Clerk, the House stands adjourned until Tuesday, February 7, 1995 at the hour of 11:00 a.m."

Clerk Rossi: "Introduction - First Reading of House Bills. House Bill 810, offered by Representative Wennlund, a Bill for an Act to amend the Northeastern Illinois Planning Act. House Bill 811, offered by Representative Wennlund, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 812,

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offered by Representative Wennlund, a Bill for an Act to amend the Mechanics Lien Act. House Bill 813, offered by Representative Wennlund, a Bill for an Act to amend the Illinois Pension Code. House Bill 814, offered by Representative Wennlund, a Bill for an Act to amend the Code of Criminal Procedure. House Bill 815, offered by Representative Wennlund, a Bill for an Act in relation to manufactured housing and to repeal a named Act. House Bill 816, offered by Representative Noland, a Bill for an Act to amend the Illinois Funeral and Burial Funds Act. House Bill 817, offered by Representative Ryder, a Bill for an Act concerning roller skating rink safety. House Bill 818, offered by Representative Ryder, a Bill for an Act in relation to violence prevention. House Bill 819, offered by Representative Ryder, a Bill for an Act to amend the Environmental Protection Act. House Bill 812 (sic-820), offered by Representatives Cowlishaw and Turner, a Bill for an Act to amend the Higher Education Student Assistance Act. House Bill 821, offered by Representative Salvi, a Bill for an Act to amend the Illinois Educational Labor Relations Act. House Bill 822, offered by Representative Pedersen, a Bill for an Act to amend the Illinois Educational Labor Relations Act. House Bill 823, offered by Representative Black, a Bill for an Act concerning State Police vehicles. House Bill 824, offered by Representative Wojcik, a Bill for an Act to amend the Civil Administrative Code. House Bill 825, offered by Representative Boland, a Bill for an Act concerning the fixing of compensation of officers of local government. House Bill 826, offered by Representative Hannig, a Bill for an Act to amend certain Acts in relation to the Teachers' Retirement System. House Bill 827, offered by Representative Black, a Bill for an

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Act to amend the Probation and Probation Officers Act. House Bill 828, offered by Representative Black, a Bill for an Act to amend the Freedom of Information Act. House Bill 829, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 830, offered by Representative Erwin, a Bill for an Act to amend the Higher Education Student Assistance Act. House Bill 831, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 832, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 833, offered by Representative Stephens, a Bill for an Act to amend the Real Property Disclosure Act. House Bill 834, offered by Representative Flowers, a Bill for an Act to create the Babysitter Registration Act. House Bill 835, offered by Representative Schoenberg, a Bill for an Act to amend the Criminal Code of 1961. House Bill 836, offered by Representative Phelps, a Bill for an Act regarding the Rural Downstate Health Access Fund. House Bill 837, offered by Representative Winkel, a Bill for an Act concerning permanent placement of children. House Bill 838, offered by Representative Churchill, a Bill for an Act to amend the Workers' Compensation Act. House Bill 839, offered by Representative Churchill, a Bill for an Act to amend the Workers' Compensation Act. House Bill 840, offered by Representative Ryder, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. House Bill 841, offered by Representative Phelps, a Bill for an Act concerning sulfur-dioxide emission allowances. House Bill 842, offered by Representative Phelps, a Bill for an Act to amend the Government Buildings Energy Cost Reduction Act. House Bill 843, offered by Representative Giles, a Bill for

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an Act to amend the Illinois Vehicle Code. House Bill 844, offered by Representative Martinez, a Bill for an Act relating to unclaimed lottery prize money. House Bill 845, offered by Representative Bost, a Bill for an Act to amend the Illinois Pension Code. House Bill 846, offered by Representative Salvi, a Bill for an Act to amend the Workers' Compensation Act. House Bill 847, offered by Representative Ronen, a Bill for an Act concerning real property. House Bill 848, offered by Representative Bugielski, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 849, offered by Representative Wojcik, a Bill for an Act to amend the Illinois Municipal Code. House Bill 850, offered by Representative Pedersen, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 851, offered by Representative Hoffman, a Bill for an Act to amend the Juvenile Court Act. House Bill 852, offered by Representative Novak, a Bill for an Act concerning alternative fuels. House Bill 853, offered by Representative Hughes, a Bill for an Act to amend the Abused and Neglected Long Term Care Facility Residence Reporting Act. House Bill 854, offered by Representative Mitchell, a Bill for an Act to amend the School Code. House Bill 855, offered by Representative Ronen, a Bill for an Act to amend the Privacy of Child Victims of Criminal Sexual Offenses Act. House Bill 856, offered by Representative Mulligan, a Bill for an Act to amend the Children and Family Services Act. House Bill 857, offered by Representative Lou Jones, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 858, offered by Representative Stephens, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 859, offered by Representative Scott, a Bill for an Act to amend the

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Illinois Municipal Code. House Bill 860, offered by Representative Erwin, a Bill for an Act making appropriations to the Secretary of State for a grant to the Chicago Public Library. House Bill 861, offered by Representative Dart, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 862, offered by Representative Leitch, a Bill for an Act in relation to fire fighters' license plates. House Bill 863, offered by Representative Cowlshaw, a Bill for an Act relating to school districts in cities with a population exceeding 500,000 inhabitants. House Bill 864, offered by Representative Mautino, a Bill for an Act relating to public officials and employers. House Bill 865, offered by Representative Tom Johnson, a Bill for an Act to amend the Code of Criminal Procedure. House Bill 866, offered by Representative Tom Johnson, a Bill for an Act to amend the Code of Criminal Procedure. House Bill 867, offered by Representative Erwin, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 868, offered by Representative Lindner, a Bill for an Act to amend the Department of Children and Family Service Act. Introduction - First Reading of these House Bills."

Clerk McLennand: "HOUSE RESOLUTION #12, offered by Representative Kubik. House Resolution...House Joint Resolution #6, offered by Representative...House Resolution #13, offered by Representative Hannig. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #13, offered by Representative Hughes. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH 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

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general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article V of the Illinois Constitution as follows:

ARTICLE V THE EXECUTIVE BRANCH SECTION 2. TERMS These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and, except in the case of the Lieutenant Governor, until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter. (b) Beginning with the general election in 1998, and not counting any elections before the 1998 general election, no person shall be elected to any one of the following offices more than twice: Governor, Lieutenant Governor, Secretary of State, Attorney General, Comptroller, or Treasurer. This Amendment takes effect upon approval by the electors of this State.

First Reading House Joint Resolution Constitutional Amendment #13. First Reading HOUSE JOINT RESOLUTION #12, offered by Representative Lindner. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH 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 amend Section 2 of Article IV of the Illinois Constitution as follows: ARTICLE IV THE LEGISLATURE SECTION 2. LEGISLATIVE COMPOSITION One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four

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years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State. (b) Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years. person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection. (d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds. (e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly. No

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member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term. (f) Beginning with the general election in 1996, and not counting any elections before the 1996 general election, (i) no person shall be elected as a member of the Senate more than 3 times and (ii) no person shall be elected as a member of the House of Representatives more than 5 times. This Amendment takes effect upon approval by the electors of this State. First Reading of House Joint Resolution Constitutional Amendment #12.

Clerk McLennand: "Introduction - First Reading of House Bills. House Bill 869, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 870, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 871, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 872, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 873, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 874, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 875, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 876, offered by Representative Capparelli, a Bill for an Act in relation to

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police and fire department promotions. House Bill 877, offered by Representative McAuliffe, a Bill for an Act amend the Illinois Pension Code and to amend the State Mandates Act. First Reading and Introduction of these House Bills. Being no further business the House Perfunctory Session will be adjourned and the House will reconvene on Tuesday, February 7, 1995 at the hour of 11:00 a.m."

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