

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

8th Legislative Day

January 29, 1997

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. Mr. Morrow shall take his seat. The Chaplain for the day is our Doorkeeper, the Reverend Lee Arthur Crawford of The Victory Temple Church of God in Christ in Springfield. The guest in the Gallery may wish to join us by standing for the invocation."

Reverend Crawford: "May we bow our heads and our hearts. Most gracious God traitor of all of us. From whom wisdom cometh all help and blessings. Look upon us gathered here and with Thy favor direct us in all our actions. Grant to us vigilant hearts. Give us mind to know Thee. Diligent to see Thee and wisdom to find Thee. Sanctify us with Thy presence. Bless us with Thy might and assist us with Thy council. That all of our endeavors may begin with Thee. And through Thee may we be happily. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Black."

Black: "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 Madigan: "Roll Call for attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that there are no excused absences among House Democrats today."

Speaker Madigan: "Representative Cross."

Cross: "Thanks for recognizing me, Mr. Speaker. If the record would reflect please, Representative Tom Johnson is excused."

Speaker Madigan: "Let the record show that Mr. Johnson has been excused. Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call there is a

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quorum present. Mr. Clerk. If the Members would please give their attention to the Clerk. The Clerk has an announcement. Please give your attention to the Clerk. On behalf of the Clerk, if there is anyone who wishes to suspend the posting requirements for a Bill to be heard this week in committee. Please give your Bill number to the Clerk and this will be an Agreed Roll Call. So if there is anyone who wishes to have their Bill posted for a hearing this week, and the Bill has not yet been posted. Please give your Bill number to the Clerk. And at the close of business today there will be an agreed motion to suspend the posting requirements for any Bills where a Bill Sponsor wishes to have the Bill posted this week. Thank you. Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. Just a brief announcement. We've been joined on the floor by a former House Member, and now a Member of Congress, Jerry Weller."

Speaker Madigan: "Congressman Weller in the Well. Ladies and Gentlemen let me remind everyone again. If there is anyone who wishes to suspend the posting requirement to have their Bill heard in committee this week. Please give the Bill number to the Clerk. Because there will be an Agreed Motion at the close of business today to suspend the posting requirement of any Bill where a Member wishes to have the Bill called this week. Thank you. Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, I would just ask that the Members of the House join with me in welcoming back, Jim Rogers, who was off serving our nation in Bosnia as part of the Peace Keeping Mission. Jim welcome back home."

Speaker Madigan: "Ladies and Gentlemen, after an exhaust of examination we've determined that there are two Bills where there would be a Motion to suspend the posting requirement.

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House Bill 179 and House Bill 183. House Bill 179 is assigned to the Judiciary II Committee and House Bill 183 is assigned to The Revenue Committee. The Motion by Representative Currie would be to suspend the posting requirements for those two Bills so that those Bills might be heard in those committees tomorrow. Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker, an inquire of the Chair."

Speaker Madigan: "State Your inquiry."

Black: "This posting the waiving of the posting requirement will only be for Bills to be heard tomorrow, not today, correct?"

Speaker Madigan: "And only for the two Bills that I just announced. And they are to be heard tomorrow."

Black: "And if, refresh me on Rule 67. Does it take a majority vote to waive that requirement or does it take an extraordinary majority?"

Speaker Madigan: "Sixty."

Black: "Sixty votes. Well if I remember my arithmetic there's not much more I can say if it only takes 60 votes. But, I do appreciate your indulgence.

Speaker Madigan: "If there is anybody that can say more it would be you, Mr. Black. And I would be very anxious to hear all of it."

Black: "Thank you, thank You very much."

Speaker Madigan: "You've all heard the Motion and those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted, the posting requirements are suspended for those two Bills. Is there anything further to come before the Body? The Clerk for an announcement. Mr. Clerk."

Clerk Rossi: "The Rules Committee will meet immediately after

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Session. The Rules Committee immediately after Session in the Speaker's Conference Room."

Speaker Madigan: "Is there anything further? There being nothing further the Motion by Representative Currie would be that the House stand adjourned until 12:00 noon tomorrow, providing Perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until tomorrow at 12:00 noon."

Clerk Bolin: "Introduction - First Reading of House Bills. House Bill 288, offered by Representative Deering, a Bill for an Act concerning vehicles, amending named Acts. House Bill 289, offered by Representative Scott, a Bill for an Act to amend the Illinois Insurance Code. House Bill 290, offered by Representative Lang, a Bill for an Act concerning bonds, amending named Acts. House Bill 291, offered by Representative Lang, a Bill for an Act to amend the Illinois Purchasing Act. House Bill 292, offered by Representative Lang, a Bill for an Act concerning State funds and funds received by State officials and employees, amending named Acts. House Bill 293, offered by Representative Lang, a Bill for an Act making an appropriation to the Department of Public Health. House Bill 294, offered by Representative Lang, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 295, offered by Representative Lang, a Bill for an Act to amend the Illinois Pension Code. House Bill 296, offered by Representative Lang, a Bill for an Act to amend the Illinois Human Rights Act. House Bill 297, offered by Representative Lang, a Bill for an Act to amend the Code. House Bill 298, offered by Representative Lang, a Bill for an Act named Act. House Bill 299, offered by Representative

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Lang, a Bill for an Act to amend the Good Samaritan Food Donor Act. House Bill 305, offered by Representative Granberg, a Bill for an Act to amend the Illinois Municipal Code. House Bill 306, offered by Representative Lang, a Bill for an Act to amend the Probate Act. House Bill 307, offered by Representative Krause, a Bill for an Act concerning vehicles, amending named Acts. House Bill 308, offered by Representative Deering, a Bill for an Act concerning taxes, amending named Acts. House Bill 309, offered by Representative Deering, a Bill for an Act concerning taxes, amending named Acts. House Bill 310, offered by Representative Parke, a Bill for an Act to amend the Unemployment Insurance Act. House Bill 311, offered by Representative Parke, a Bill for an Act to amend the Unemployment Insurance Act. House Bill 312, offered by Representative Art Turner, a Bill for an Act to amend the Illinois Pension Code. House Bill 313, offered by Representative Turner, a Bill for an Act to amend the Illinois Pension Code. House Bill 314, offered by Representative Boland, a Bill for an Act Pharmaceutical Assistance Act. House Bill 315, offered by Representative Madigan, a Bill for an Act concerning Meigs Field Airport. House Bill 316, offered by Representative Boland, a Bill for an Act concerning the use of soybean ink. House Bill 317, offered by Representative Boland, a Bill for an Act to amend the Property Tax Code. House Bill 318, offered by Representative Scott, a Bill for an Act in relation to non-home rule municipality occupation and use taxes. House Bill 319, offered by Representative Schakowsky, a Bill for an Act to create the Freedom of Choice Act. House Bill 320, offered by Representative Deering, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 321, offered by

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Representative Moore, a Bill for an Act to amend the Intergovernmental Cooperation Act. House Bill 322, offered by Representative McGuire, a Bill for an Act to amend the Illinois Highway Code. House Bill 323, offered by Representative Phelps, a Bill for an Act to amend the Unified Code. House Bill 325, offered by Representative Silva, a Bill for an Act to amend the Criminal Code. House Bill 326, offered by Representative Silva, a Bill for an Act to amend the Illinois Insurance Code. House Bill 327, offered by Representative Silva, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 328, offered by Representative Morrow, a Bill for an Act making appropriations. House Bill 329, offered by Representative Schoenberg, a Bill for an Act making an appropriation to the Department of Transportation. House Bill 330, offered by Representative Granberg, a Bill for an Act concerning airports, amending named Acts. House Bill 331, offered by Representative Mautino, a Bill for an Act to amend the State Finance Act. House Bill 332, offered by Representative Silva, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 333, offered by Representative Feigenholtz, a Bill for an Act to create the Illinois Patient Communication Act. House Bill 334, offered by Representative Hannig, a Bill for an Act to amend the Public Utilities Act. House Bill 335, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 336, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 337, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 338, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 339, offered by Representative

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Hannig, a Bill for an Act making appropriations. House Bill 340, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 341, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 342, offered by Representative Hannig, a Bill for an Act making appropriations.

Clerk Rossi: "Introductions of Resolutions. House Joint Resolution #6, offered by Representative Steve Davis. House Resolution #15, offered by Representative Pankau. House Resolution #16, offered by Representatives Daniels and Madigan. Are assigned to the Rules Committee. House Joint Resolution #7, offered by Representative Noland. Rules Committee."

Clerk Bolin: "Introduction - First Reading of House Bills. House Bill 273, offered by Representative Gash, a Bill for an Act to amend the Bill of Rights for Children by adding Section 5. House Bill 274, offered by Representative Kubik, a Bill for an Act concerning the State Emergency Medical Services Disciplinary Review Board, amending named Acts. House Bill 275, offered by Representative Mulligan, a Bill for an Act to amend the Property Tax Code. House Bill 276, offered by Representative Hannig, a Bill for an Act concerning the State Comptroller, amending named Acts. House Bill 277, offered by Representative Kubik, a Bill for an Act in relation to burial practices, amending named Acts. House Bill 278, offered by Representative Gash, a Bill for an Act to amend the Toll Highway Act. House Bill 279, offered by Representative Novak, a Bill for an Act regarding assessments on the propane industry. House Bill 280, offered by Representative Hartke, a Bill for an Act to amend the Unemployment Insurance Act. House Bill 281, offered by Representative Holbrook, a Bill for an Act to

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amend the Counties Code. House Bill 282, offered by Representative Woolard, a Bill for an Act to amend the Grain Code. House Bill 283, offered by Representative Woolard, a Bill for an Act to amend the Illinois Farm Development Act. House Bill 284, offered by Representative Woolard, a Bill for an Act to amend the Agricultural Fair Act. House Bill 285, offered by Representative Woolard, a Bill for an Act to amend the Livestock Management Facilities Act. House Bill 286, offered by Representative Capparelli, a Bill for an Act concerning the production of electricity. House Bill 287, offered by Representative Cross, a Bill for an Act in relation to the suspension of driver's licenses of certain minors, amending named Acts. House Bill 300, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 301, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 302, offered by Representative Bugielski, a Bill for an Act to amend the Illinois Pension Code. House Bill 303, offered by Representative Capparelli, a Bill for an Act amend the State Mandates Act. House Bill 304, offered by Representative Lyons, a Bill for an Act amend the State Mandates Act. House Bill 343, offered by Representative Bugielski, a Bill for an Act and to amend the State Mandates Act. House Bill 344, offered by Representative Kotlarz, a Bill for an Act amend the State Mandates Act. House Bill 345, offered by Representative McAuliffe, a Bill for an Act to amend the State Mandates Act. House Bill 346, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 347, offered by Representative Hannig, a Bill for an Act to amend the State Employees Group Insurance Act of 1971. First Reading and

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Introduction of these House Bills."

Clerk Rossi: "The House Perfunctory Session will come to order.
Introduction - First Reading of House Bills. House Bill
348, offered by Representative Lawfer, a Bill for an Act to
amend the Illinois Vehicle Code. House Bill 349, offered by
Representative Lindner, a Bill for an Act to amend the
Water Well and Pump Installation Contractors License Act.
House Bill 350, offered by Representative Lindner, a Bill
for an Act to amend the Illinois Municipal Code. House Bill
351, offered by Representative Lindner, a Bill for an Act
concerning appropriation Bills. House Bill 352, offered by
Representative Lindner, a Bill for an Act to amend the
Illinois Highway Code. House Bill 353, offered by
Representative Lindner, a Bill for an Act amending the
Illinois Municipal Code. House Bill 354, offered by
Representative Capparelli, a Bill for an Act 17-116.1 and
to amend the State Mandates Act. House Bill 355, offered by
Representative Capparelli, a Bill for an Act 17-116 and to
amend the State Mandates Act. House Bill 356, offered by
Representative Capparelli, a Bill for an Act Pension and
Retirement Fund of Chicago, amending a named Act. House
Bill 357, offered by Representative Capparelli, a Bill for
an Act 17-116.7 and to amend the State Mandates Act. House
Bill 358, offered by Representative Novak, a Bill for an
Act to amend the Residential Real Property Disclosure Act.
House Bill 359, offered by Representative Ryder, a Bill for
an Act to prohibit the distribution of tobacco product
samples. House Bill 360, ,a Bill for an Act making
appropriation to the Department of Natural Resources. House
Bill 361, offered by Representative Novak, a Bill for an
Act to amend the Public Utilities Act. House Bill 362,
offered by Representative Novak, a Bill for an Act to amend

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the Public Utilities Act. First Reading of these House Bills."

Clerk Rossi: "Introduction of House Joint Resolution Constitutional Amendment #1, offered by Representative Hughes."

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.1 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 8.1. PASSAGE OF REVENUE BILLS

A bill that would result in the increase of revenue to the State by an increase of a tax on or measured by income or by an increase of a tax on or measured by the selling price of any item of tangible personal property may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly.

SCHEDULE

This Constitutional Amendment takes effect upon approval by the electors of this State. First Reading of this Constitutional Amendment. House Joint Resolution Constitutional Amendment #2,

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offered by Representative Boland. Be it resolved by The House of Representatives of the 90th General Assembly of the State of Illinois the Senate concurred herein, that there shall be submitted to the electors of the State for adoption or rejection. That the General Election next occurring at least six months after the adoption of this resolution appropriation to add article five of the Illinois Constitutional, by changing sections 1, 3, and 7 by adding section 16.5 and by repealing section 17 and 18 as follows. Officers the Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State and State Financial Officer. Elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of Government during their terms of office. Eligibility, to be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, or State Financial Officer. A person must be a United States Citizen. At least 25 years old. And a resident of this State for the three years proceeding his or her election. Vacancies in their elected offices. If the Attorney General, Secretary of State or State Financial Officer fails to qualify or if the office becomes vacant the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until an successor is elected and qualified as may be provided by law and shall not be subject for removal by the Governor. If the Lieutenant Governor fails to qualify, or if the office becomes vacant it shall remain vacant until the end of the term. Section 16.5 State Financial Officer duties. The State Financial Officer in accordance with law shall maintain the State Central Fiscal Accounts and order payments into it out of the accounts and shall be responsible for the safe keeping and investment of monies and securities deposited with him or her and for their disbursement. The Comptroller duties are repealed. The Treasurer duties are

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repealed. This Constitutional Amendment takes effect as follows, this portions creating the office of State Financial Officer take effect upon approval of this Constitutional Amendment by the electors of this State. Those portions providing for the election of a State Financial Officer, take effect beginning with the election in 2002. Those portions eliminating the offices of the Treasurer and the Comptroller take effect upon the conclusion of the terms of the Treasurer and the Comptroller elected in 1998. First Reading of House Joint Resolution Constitutional Amendment #2."

Clerk Bolin: "House Joint Resolution Constitutional Amendment #3, offered by Representative Capparelli."

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 4.5 to Article IX of the Illinois Constitution as follows:

SECTION 4.5. REVENUE LIMITATIONS

(a) Taxes upon real property and any other taxes or user fees imposed by a unit of local government or school district shall be levied at an amount no higher than that levy in effect on the effective date of this Section or at the levy in effect in 1990, whichever is less, excluding taxes or fees for bonded indebtedness incurred before the effective date of this Section.

(b) There shall be no reassessment that would increase the assessed value of existing structures or land after the effective

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date of this Section.

(c) There shall be no equalization of assessments between or within townships, between or within counties, or between or within classes of property by application of a percentage increase to assessments after the effective date of this Section.

(d) Voters of a unit of local government or school district may initiate, by a petition signed by at least 1% of the registered voters in that unit of local government or school district, or 10,000 voters, whichever is less, referenda to lower the levy, taxes, or fees imposed by that unit of local government or school district. There shall be no limit on the number of local tax cut referenda at any election.

(e) An ordinance of a unit of local government or school district that would result in the increase of revenue to that unit of local government or school district may become law only with approval at referendum of at least two-thirds of the voters of that unit of local government or school district voting on the question.

(f) A bill that would result in the increase of revenue to the State may become law only with approval at a statewide referendum of at least two-thirds of the voters of this State voting on the question.

SCHEDULE

This Constitutional Amendment takes effect upon approval by the electors of this State. First Reading of House Joint Resolution Constitutional Amendment #3."

Clerk Rossi: "Committee Reports Representative Deering, Chairman from the Committee on Transportation and Motor Vehicle, to which the following Bills were referred, action taken on January 29, 1997, reported the same back with the following recommendation: 'do pass' Short Debate House Bill 133, 'do

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pass' standard debate House Bill 153. Representative Stroger, Chairman from the Committee on Local Government, to which the following Bill was referred, action taken on January 29, 1997, reported the same back with the following recommendation: 'do pass as amended Consent Calendar' House Bill 38. Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in regular session on January 30th at 12:00 noon."