

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

18th Legislative Day

February 26, 1999

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Leonard Pye, who is the pastor of the Faith Baptist Church of Highland, Illinois. Pastor Pye is the guest of Representative Ron Stephens. The guests in the gallery may wish to rise and join us in the invocation."

Pastor Pye: "The scriptures read 'Let all the earth fear the Lord. Let all of the inhabitants of the world stand in awe of Him. For He spoke and it was. He commanded and it stood. The Lord nullifies the council of the nations. He frustrates the plans of the peoples. The council of the Lord stands forever. The plans of His heart from generation to generation. Blessed is the nation whose God is the Lord.' Heavenly Father, we bow before You this great Assembly. And ask for Your wisdom for this day in the brief deliberations that are before us. And Lord, we pray that You'll rest Your hand of blessing upon this great state, as we acknowledge You to be God and the leader of our hearts and our minds. I pray for additional wisdom and insights and blessing upon these peoples today. For we ask it in Jesus' name and for His sake. Amen."

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

Hassert: "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 Representative Garrett is excused today."

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Speaker Madigan: "Mr. Poe."

Poe: "Let the record show that all Republicans are here today."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative Jeff Schoenberg, Chairperson from the Committee on Appropriations, General Services and Government Oversight, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1202, 'do pass, Standard Debate', House Bill 260 and House Bill 417, 'do adopt, Short Debate, House Joint Resolution #1. Representative Joe Lyons, Chairperson from the Committee on Child Support Enforcement, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 540 and House Bill 1232; 'do pass, Short Debate' House Bill 1233. Representative Judy Erwin, Chairperson from the Committee on Higher Education, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 1136, 'do pass, Short Debate' House Bill 543, House Bill 1146, House Bill 1353, and House Bill 1393. Representative Todd Stroger, Chairperson from the Committee on Labor and Commerce, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1208. Representative Calvin Giles, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on

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February 25, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 833, House Bill 835, House Bill 841, House Bill 843, House Bill 895, House Bill 1276, House Bill 1352, House Bill 1362, House Bill 1366, House Bill 1465, 'do pass as amended, Short Debate' House Bill 153, House Bill 390, House Bill 845, House Bill 860, and House Bill 943, 'do pass, Standard Debate', House Bill 869. Representative Skip Saviano, Chairperson from the Committee on Registration and Regulation, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 799 and House Bill 800, 'do pass as amended' House Bill 675, House Bill 902, and House Bill 1441, 'do adopt, Short Debate, House Joint Resolution #5. Representative Howard Kenner, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on February 25, 1999, reported the same back with the following recommendations: 'do pass as amended Short Debate', House Bill 912, 'do pass, Short Debate', House Bill 67, House Bill 78, House Bill 726, House Bill 816, House Bill 1282, House Bill 1328, House Bill 1433, House Bill 1434, House Bill 1435, and House Bill 1436. Representative Doug Scott, Chairperson from the Committee on Urban Revitalization, to which the following measures were referred, action taken on February 26, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 306 and House Bill 1358. Representative Mike McAuliffe, Chairperson from the Committee on Veteran's Affairs, to which the following measures were referred, action taken on February 26, 1999, reported the same back

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with the following recommendations: 'do adopt, Short Debate', House Joint Resolution 3, 'do pass, Short Debate', House Bill 307. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II, Criminal Law, to which the following measures were referred, action taken on February 26, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 600, House Bill 649, House Bill 792, House Bill 832, House Bill 854, House Bill 886, House Bill 1102, House Bill 1111, House Bill 1202, House Bill 1278, House Bill 1285, House Bill 1392, 'do pass as amended, Short Debate' House Bill 80, House Bill 1180, House Bill 1182, House Bill 1194, and House Bill 1224. Representative Jack McGuire, Chairperson from the Committee on Aging, to which the following measures were referred, action taken on February 26, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1308, House Bill 1452, House Bill 1538, 'do pass as amended' House Bill 1310. Representative John Fritchey, Chairperson from the Committee on Consumer Protection and Product and Regulation, to which the following measures were referred, action taken on February 26, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 524, House Bill 820, House Bill 913, House Bill 1265, 'do pass as amended Short Debate' House Bill 147, House Bill 264, House Bill 502. Representative Connie Howard, Chairperson from the Committee on Computer Technology, to which the following measures were referred, action taken on February 26, 1999, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 487."

Speaker Madigan: "Agreed Resolutions."

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Clerk Rossi: "Agreed Resolutions. House Resolution 92, offered by Representative Delgado; House Resolution 94, offered by Representative McKeon; House Resolution 96, offered by Representative McGuire; House Resolution 97, offered by Representative McGuire; House Resolution 98, offered by Speaker Madigan; House Resolution 99, offered by Representative Black; House Resolution 100, offered by Representative Mulligan; House Resolution 101, offered by Representative Hannig; House Resolution 103, offered by Representative Lang; House Resolution 104, offered by Representative Granberg; House Resolution 105, offered by Representative Bill Mitchell; House Resolution 106, offered by Representative Klingler; House Resolution 107, offered by Representative McKeon; House Resolution 108, offered by Representative Morrow."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the Agreed Resolutions, moves for the adoption of the Agreed Resolutions. Those in favor signify by saying 'aye'; those opposed by saying 'no', the 'ayes' have it. The Motion is adopted and the Agreed Resolutions are adopted. Mr. Durkin. Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. A point of personal privilege. We have a birthday on this side of the aisle. I'd like to congratulate... wish Representative Susan Bassi, one of our new Representatives a happy birthday today. She's a Member of the 'fighting 54th District.' Wherever she is, I hope we can all extend her a good will and happy birthday greetings. Wherever she is."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I got a call from my good friend, Charlton Heston, this morning. And Mr. Heston told me that it was Representative Joel Brunsvold's birthday and he

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wanted to send his personal greetings to Representative Brunsvold. Happy Birthday, Joel."

Speaker Madigan: "Mr. Acevedo."

Acevedo: "Mr. Speaker, I rise in point of personal privilege."

Speaker Madigan: "State your point."

Acevedo: "I'd like to introduce a former Member of the House, an Alderman of the 12th Ward from the City of Chicago. Alderman Ray Frias"

Speaker Madigan: "Ray Frias. Mr. Hartke in the Chair."

Speaker Hartke: "On page 36 of the Calendar, appears Senate Bill #22. Representative Curry. Representative Curry."

Curry: "Thank you, Mr. Speaker. Pursuant to Rule 58(a), I'd like to move to discharge from the Appropriations and Elementary and Secondary Education Committee, Senate Bill 22 from further consideration and place on the Calendar Order of Second Reading."

Speaker Hartke: "You heard the Lady's Motion. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. A point of clarification."

Speaker Hartke: "State your point."

Black: "Since the board indicates this is a coal scrubber appropriation, I don't believe that's accurate. Is this, in fact, not the technology loan program that most of us are aware that we need to expedite for our state schools?"

Speaker Hartke: "Mr. Clerk, is the board correct? Mr. Black, the Clerk informs me that he does not do the board, that's done by LIS."

Black: "Well, when Tony Leone was the Clerk, he was always in charge of it. We used to be able to get answers. What do you mean LIS is in charge?"

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Speaker Hartke: "Would you check out the board please?"

Black: "All right. I... well at some point, I believe that this is the school technology loan program and I'm pretty sure all of us know what that is. We need to expedite it, but perhaps Representative Ryder or one of the appropriations people could enlighten us, Mr. Speaker. I'd appreciate that."

Speaker Hartke: "The Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I noticed the Clerk also doesn't have all the hyphenated cosponsors on the Bill either otherwise it would show that I was a hyphenated cosponsor. I wished to draw the attention of the chamber to this Bill. This Bill was expedited out of the Senate to make the appropriation for the technology fund that all of our schools have been waiting to hear. It's with my encouragement that we would discharge the committee so that we might move this Bill as quickly as possible to the Governor's desk, so that our schools can receive the money. We all passed out of here, I believe last week, a piece of legislation that was intended to do that. The Senate in their wisdom has decided to take this approach. I want to get the money to the schools and for the kids and I'm encouraging you to join in the Motion to Discharge Committee and advance to Second Reading so that we can accomplish this. I'd do that even as an undisclosed but hyphenated cosponsor."

Speaker Hartke: "Further discussion? Seeing none. All those in favor of the Lady's Motion signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. Clerk announcement."

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

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Speaker Hartke: "Clerk. Mr. Clerk."

Clerk Rossi: "Senate Bill #22. A Bill for an Act regarding appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Hold that Bill on Second. The Chair recognizes the Gentleman from Cook, Representative Lang. House Bill 408, Representative Lang. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 408 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Yes, at the Sponsor's request, he would like that moved back to Second for the purpose of an Amendment. Place that Bill on Second Reading. Representative McAuliffe. On Agreed Resolutions, on page 35, appears House Resolution 98. The Chair recognizes the Lady from DuPage, Representative Cowlshaw. Ladies and Gentlemen, can we have a little order in the chamber please? Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. I rise with an inquiry for the Chair, if I may please?"

Speaker Hartke: "State your inquiry."

Cowlshaw: "It is my understanding that House Joint Resolution #11 was filed on February 18th. The Rules Committee has yet to assign that Joint Resolution to a committee. I thought it was the obligation of the Rules Committee under the Constitution, in the first year of the two year span of any General Assembly, to assign everything to a committee, not to kill things. I want to ask why House Joint Resolution 11 has not been assigned to a committee and when the Rules Committee intends to assign it to a committee? I would appreciate the answer before we adjourn today and I



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greatly appreciate your help with this, Mr. Speaker."

Speaker Hartke: "Representative Cowlshaw, the request you made and the rule you cited refers to Bills... have to be assigned in three days, not Resolutions. Representative Currie may want to address this, if you're unclear on... on... on my ruling."

Currie: "Thank you, Speaker, I believe the rule about assigning measures applies to Bills, not to Resolutions. As Chair of the Rules Committee, I can tell you, we have not yet seen House Joint Resolution 11 in time for a Rules Committee meeting. Nobody is trying to suppress the measure and I'm sure it will be appropriately referred early next week."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I am certainly pleased by your prompt response. I thank you for that very much, and I thank Representative Currie for her declaration about the fact that House Joint Resolution 11 will be assigned to a committee in the early part of next week. I am grateful for that commitment. I shall watch that with great interest. Thank you, Mr. Speaker."

Speaker Hartke: "You're welcome. Ladies and Gentlemen, may I have your attention please? Would the staff please retire to the rear of the chamber? Could we have a little order in here? We do have some business to conduct yet today before we leave town. I know you're all anxious, but the sooner we get some order in here, the sooner we can proceed with business. Representative Novak, would you take your chair, please?"

Speaker Hartke: "Representative Burke."

Burke: "Mr. Speaker, thank you for recognizing me."

Speaker Hartke: "You're welcome."

Burke: "We have a technical matter to attend to this afternoon."

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The 434 Vehicle Bills that were voted out of the Executive Committee on one roll call, there has been the insistence that they be recommitted to the Executive Committee's consideration again. And I would ask for the Body's consideration and ask that that matter be attended to at this point."

Speaker Hartke: "That is your Motion? The Motion to recommit all the Bills passed yesterday, the Four hundred and thirty the Parliamentarian will explain this procedure."

Parliamentarian Uhe: "On behalf of the Speaker, I believe the Motion is to recommit all the Bills that appear on the Calendar on Second Reading that contained an asterisk next to them."

Speaker Hartke: "Mr. Burke."

Burke: "Mr. Speaker. In deference to the Parliamentarian, indeed, those Bills, which number some 434, which would appear on today's Calendar, identified with an asterisk, will in my Motion, be recommitted to consideration by the Executive Committee."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I appreciate Representative Burke's Motion. I believe it's the right thing to do. And I believe that in conjunction with the discussion I had with Speaker Madigan, we'll be sitting down to talk about how some of these Bills should be on the House Floor with agreement and I think we'll be able to reach an agreement. So I appreciate Representative Burke's Motion and thank you very much."

Speaker Hartke: "Is there any other discussion? Seeing none, all those in favor of the Gentleman's Motion, signify by saying

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'yes'; those opposed by saying 'no'. Representative Lang.  
Representative Lang."

Lang: "Parliamentary inquiry. We just wish to know what happens  
to Amendments that may already have been filed on those  
Bills, whether they have to be refiled or whether they...  
they have to be refiled, I think I see the Speaker saying.  
Thank you."

Speaker Novak: "Representative Burke"

Parliamentarian Uhe: "In response to Representative Lang's  
inquiry, indeed, the matters that have been included in  
this one roll call were Bills with nonsubstantive language.  
Our term is 'vehicle Bills.' Any Bill that had an Amendment  
on it was not included in this bulk 434 Bill roll call.  
Mr. Lang, any matter that you have brought to the attention  
of the Executive Committee with substantive language will  
be heard and will be considered in proper form."

Speaker Hartke: "Speaker Madigan in the Chair."

Speaker Madigan: "The matter before the House is a Motion by Mr.  
Burke, the Chairman of the committee to recommit a section  
of the report of the Executive Committee, on that Motion,  
the Chair recognizes Mr. Lang."

Lang: "Thank you, Mr. Speaker. Mr. Burke misunderstood my  
question. The question relates to Floor Amendments that  
have already been filed, no Committee Amendments. So, some  
of the Members have already asked me whether they'll have  
to refile their Floor Amendments..."

Speaker Madigan: "The answer..."

Lang: "That's all we want to know."

Speaker Madigan: "The answer is yes."

Lang: "Thank you."

Speaker Madigan: "Representative Erwin."

Erwin: "Thank you, Speaker. I'm just trying to understand. There

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are some of us, I think particularly Committee Chairs, who normally do a vehicle Bill or two, to assist Members in moving issues, where they may have some difficulty with late issues. I know I was one who inquired as to whether or not, I could have a vehicle Bill recommitted from Executive to my committee, the Higher Education Committee and indeed, I was prepared to do a letter in that event. Then when they all came out, the assumption was that was no longer necessary. Now we're up against a deadline next week, and so, my, my you know ,inquiry, which I think is a legitimate one for Chairmen who are trying to facilitate Members getting their Bills in proper order. We will be left, as Committee Chairs, with no vehicle with which to do those wonderful things that we need to do."

Speaker Madigan: "Yeah. Representative, Representative Daniels and I met this morning. And our plan is to work on this question and some time next week, there will be a list of vehicle Bills which will be moved to the Calendar and we will work cooperatively with everybody in that regard. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. If we filed substantive Amendments onto a Bill which would indicate that a Bill should go to a different committee other than Executive Committee. Do we have to file a letter with it at the same time asking for it to be recommitted to a different committee? And why would you want Executive to hear something that may be a township Bill or...?"

Speaker Madigan: "Well I think your point is well-taken, and if there's a vehicle Bill on the Calendar and you wish to file an Amendment to that Bill, if you could advise us as to which committee you would like the Amendment to be heard, please do that, and we'll attempt to accommodate you. But

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your point is very well taken. There being no further discussion, the question on the Motion, those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in question, the shortness of the committee process and hearing so many Bills. There'll be probably close to 2000 Bills that will probably not be having a chance to be heard in committee, because of the shortened amount of time for committee hearings. Has the Chair given any thought to extending the deadline on those? And if not, do you feel at liberty to share with the Body why we have such a short time line on hearing Bills out of committee... is... and I, what was that four weeks or five weeks, Mr. Speaker?"

Speaker Madigan: "I'm advised that the time lines here are the same as they were two years ago."

Parke: "They are?"

Speaker Madigan: "Right. Mr. Parke, our plan, again, in consultation with Mr. Daniels, is to work cooperatively with all the Members to get hearings on Bills and to get Bills called on the floor. Now, that's going to require some compromise on the part of everybody. Okay, but if we all work together in a solid spirit of compromise, I think at the end of the House Floor consideration of House Bills, why we'll have a reasonable level of satisfaction. Reasonable level of satisfaction. Mr. Daniels. I'm sorry, Mr. Parke. Mr. Parke."

Parke: "I appreciate that. And I think that's... that, I'm pleased. The only problem I have when we have this, and I think it's still a short time line, whether it was two years ago or not. And what we then have to rely on is a

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very hectic Amendment process to try and get in the Bills. And there is a new dynamics, the single subject matter, that the Supreme Court addressed. It gives us even less opportunity to put Amendments on a Bill because of germaneness issue. What worries me most, is that at the end of Session, we 're going to have hundreds of Conference Committees which will be very difficult for the Members to have any input in until it's either a 'yes' or a 'no' vote on the discussion on a Third Reading vote. And that perhaps, philosophically, we may want to look at that now or in the future. But I don't know if that's such good public policy, because it is so difficult for us to put the time in in a short period of time for Conference Committees. Just a thought. Thank you, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Parke. Mr. Mautino. Mr. Mautino."

Mautino: "Yes, Speaker. On, in reference to the shell Bills which have now been recommitted back to the Executive Committee, if I have substantive language ready next week at the committee is that Bill considered, as of right now, posted? I can walk in and maybe adopt that Amendment and it would no longer be a shell, but substantive? Can they hear that Bill in the committee? Posting requirements."

Speaker Madigan: "Is this a Bill assigned to the Executive Committee?"

Mautino: "Yeah."

Speaker Madigan: "And did you want to hear it before the Executive Committee?"

Mautino: "Well, if the language is ready, I could bring the Amendment right to committee. Would I have the ability at that time to just adopt it in committee?"

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Speaker Madigan: "Yes."

Mautino: "Okay. So it could be heard?"

Speaker Madigan: "Sure."

Mautino: "Thanks."

Speaker Madigan: "Mr. Daniels. Mr. Daniels."

Daniels: "Thank you, Mr. Speaker. I would ask all Republican Members that are interested in some of these Bills that were rereferred to Exec to review those Bills that were their Bills to determine whether or not they're necessary, and to submit us a memo in my office as to those Bills that they feel are essential. One of my Members just came up, Mr. Speaker, he had 12 Bills on that list. He didn't ask for those 12 Bills to be sent out. He said 'I only need 3'. So already we are nine Bills ahead, without going through that. Now, the purpose here, and I thank you very much, Mr. Speaker, for your cooperation, is to make sure that we handle these Bills before the General Assembly so that each Member can determine the essential nature of the Bills that they have before us. So that they can be called at an orderly manner. And that's the purpose of this. I hope everybody' work in that spirit. "

Speaker Madigan: "So, Ladies and Gentlemen, if we can finish this discussion, and please let me address everybody and say that a point has been made that there are a lot of Bills to be heard in committee and on the floor. If we all go into this with the realization that not every Bill is going to be heard, not every Bill is going to be passed, and if we are reasonable and prepared to compromise, as I said at the end of the process, at the end of House Floor consideration of House Bills, there will be a reasonable level of satisfaction by every Member, if we operate in good faith and if we are all prepared to compromise. Mr.

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Clerk, could you read the Adjournment Resolution?"

Clerk Rossi: "Senate Joint Resolution #20, offered by Representative Barbara Currie. Be it resolved by the Senate of the 91st General Assembly of the State of Illinois, the House of Representatives concurring herein that when the two Houses adjourn on Friday, February 26, 1999, the Senate stands adjourned until Tuesday, March 2, 1999 at 12:00 noon. And the House of Representatives stands adjourned until Tuesday, March 6, 1999 at 1:00 p.m... "

Speaker Madigan: "You've all heard the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolutions is adopted and Representative Currie moves that the House does stand adjourned until Tuesday, March 2, at 1:00 p.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Tuesday, March 2, at 1:00 p.m. providing perfunctory time for the Clerk.'

Clerk Rossi: "The House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 93, offered by Representative McKeon. House Resolution 95, offered by Representative McGuire, and House Resolution 102, offered by Representative Gash are assigned to the Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill 37, offered by Representative Mathias, a Bill for an Act concerning tax objections. Senate Bill 168, offered by Representative Wojcik, a Bill for an Act to amending the Fire Protection District Act. Senate Bill 174, offered by Representative Poe, a Bill for an Act to amend the Illinois Procurement Code. First Reading of these Senate Bills. There being no further business the House Perfunctory Session stands adjourned."