

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

17th Legislative Day

February 18, 1997

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. The Chaplain for today is the Pastor Peter Williams of Saint Paul's Baptist Church in Freeport. Pastor Williams is the guest of Representative Ron Lawfer. The guests in the Gallery may wish to stand and join us for the invocation."

Reverend Williams: "Let us pray. O Lord, our Lord, how excellent is Your name throughout all this earth. Our Father and our God, the Sustainer, the Maker and the Creator of this entire universe. Father, we come just asking that You might invoke Your presence upon these, our Representatives for the State of Illinois. And we pray Lord, that somehow that You might grant them wisdom, Father, knowledge and understanding. Lord that they might enact legislation that somehow, Father, will fulfill Your purposes throughout this State of Illinois. We pray, Lord, that the spirit of unity might abide, and that somehow Lord that all of us, Lord, can put down all of our differences to somehow, Father, to enact laws that will somehow help all of the people of the State of Illinois. I ask Lord, that You might bless each and every one of them. I pray Father that You might bless each Page, each staff member, O Lord that they might be about the business of fulfilling Your purposes. O Father, just bless us on today. We thank You, Lord, for just another day of life. For Father, You did not have to bless us today, but You did. So Lord, we thank You this afternoon. We love You, and we praise You. It is in the wonderful and matchless name of Jesus we do pray. Amen."

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

Stroger - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Hannig. Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. Let the record show that all Democrats are here today."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. We're all here today, as well."

Speaker Madigan: "Let the record show that there are no excused absences. Mr. Clerk, take the record. On this question there are 118 Members responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk. Representative Younge. Representative Wyvetter Younge."

Younge: "Yes. Thank you, Mr. Speaker. The Calendar shows that the Appropriations-Education Committee is to meet at 8:00 a.m. tomorrow morning. I'm changing that to 9:00 a.m., because there are witnesses that are coming long distances. So the Appropriations-Education Committee will meet tomorrow morning in Room 118 at 9:00 a.m. rather than 8:00 a.m."

Speaker Madigan: "Representative, there's been a lot of noise in the Chamber, could you repeat that. Thank you. If the Members could give their attention to Representative Younge. Please."

Younge: "Thank you, Mr. Speaker. The Appropriations-Education Committee is scheduled to meet at 8:00 a.m. tomorrow morning. I am changing that to 9:00 a.m. Thursday morning, rather than tomorrow morning. It's Thursday morning at 9:00 a.m. rather than Thursday morning at 8:00 a.m. Thank you."

Speaker Madigan: "Committee Reports."

Clerk Rossi: "Representative Morrow, Chairman from the Committee

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on Appropriations-Public Safety, to which the following Bills were referred, action taken on February 18, 1997, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 87, Senate Bill 88, and Senate Bill 143."

Speaker Madigan: "Is Representative Mulligan in the Chamber? Representative Mulligan. Representative Mulligan, on page 2 of the Calendar, there appears House Bill 106 where you are the principal Sponsor. Do you wish to call that Bill? House Bill 106 amends the Criminal Code. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 106. A Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. The Fiscal Notes that have been requested on the Bill have been filed."

Speaker Madigan: "So the Bill is prepared to move to Third Reading. Third Reading. Thank you. Representative Shirley Jones."

Jones, S.: "Mr. Speaker, Public Utilities will be cancelled until next week, Tuesday, because the Sponsor of the Bill is not ready to call it. So, Public Utilities will be cancelled until next week, Tuesday."

Speaker Madigan: "The Lady has announced that the meeting of the Public Utilities Committee scheduled for 2:00 this afternoon has been cancelled. Supplemental Calendar Announcement."

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

Speaker Madigan: "On the Order of Supplemental Calendar #1 there appears Senate Bill 87. Mr. Ryder. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 87 amends the General Obligation Bond

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Act and the Baccalaureate Savings Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 88. Read the Bill."

Clerk Rossi: "Senate Bill 88. A Bill for an Act making appropriations and reappropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. The Notes that have been requested have been filed."

Speaker Madigan: "Are there any Motions?"

Clerk Rossi: "No Motions."

Speaker Madigan: "Third Reading. Representative Davis, are you seeking recognition? Thank you. Senate Bill 143...143."

Clerk Rossi: "Senate Bill 143. A Bill for an Act making appropriations, supplemental appropriations, and legislative transfers. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. The Chair is prepared to adjourn. There will be a Democratic Caucus. Mr. Hartke."

Hartke: "Yes, there will be a Democratic Caucus in Room 114 immediately upon adjournment."

Speaker Madigan: "Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Thank you. Mr. Speaker, the House Rules are relatively silent on dissolving the Body into a Committee of the Whole. I see you have a Committee of the Whole scheduled for tomorrow. One, I'm curious as to what notice was given to this, and what Rules will govern us as we go into a

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Committee of the Whole. I assume it would be Robert's Rules, but I would like a clarification from you on that."

Speaker Madigan: "Mr. Black, concerning your two questions. Number one on the question of notice. The Committee of the Whole was posted on a timely basis under the House Rules and appears on the Calendar, which was published today. And then concerning the Rules to be used in conducting the meeting. The Committee, since it's a Committee of the House, will be governed by the Rules of the House as they relate to Committees. And if they are silent, then Robert's Rules will apply. Is there anything further to come before the Body? Mr. Cross."

Cross: "Thank you, Mr. Speaker. As I'm looking through the Calendar today, I notice that on House Bill 66 I am showing as the lead Sponsor on that Bill. About two weeks ago I sent in a slip taking my name off House Bill 66. And I don't know if there was a mistake on the Calendar, but if the Record could reflect that I don't wish to be the lead Sponsor on 66."

Speaker Madigan: "The Clerk advises me that Mr. Dart has resumed sponsorship of the Bill."

Cross: "Thank you, very much."

Speaker Madigan: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. My question is very similar. On House Bill 165, I filed a slip to remove my name, and it was not posted in the Calendar."

Speaker Madigan: "The Clerk advises me that Mr. Dart has resumed sponsorship of the Bill."

Biggert: "Thank you, very much."

Speaker Madigan: "Thank you. Representative Currie."

Currie: "Thank you, Speaker. I move that the House convene as a Committee of the Whole tomorrow at 8:30 a.m. in order to

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consider the subject matter of elementary and secondary school financing."

Speaker Madigan: "Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. A question to the Motion if I might. The Lady's Motion is to create a Committee of the Whole, then would that not have to be posted? And might we be, I wonder if we wouldn't have to waive some posting requirements if we are creating a Committee of the Whole on Tuesday and meeting as such on Wednesday."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. We have posted for this Committee of the Whole and my Motion isn't to do this as a sort of new topic, but merely that we do convene as a Committee of the Whole tomorrow."

Black: "Representative, I think for purposes of expediency we'll go along with you on this. I think we do have a point that we could make if we chose to do so, but I'm sure witnesses have been notified and I think all of us want to hear ideas and concepts that we need to wrestle with in the coming months. So, we, I think we are prepared to join with you on this. I do just have one question, and I'll address it to you. It might have to be answered by the Chair. If we are creating a Committee of the Whole, and then be following the House Committee Rules, it would be my understanding then, that there would be no way, without agreement of all sides, to limit debate tomorrow. Would you care to comment on that interpretation?"

Currie: "Thank you. I appreciate your graciousness in moving this idea forward, but I think the distinction is that we are not creating a Committee of the Whole. We are merely 'convening' as a Committee of the Whole. I think that

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means that ordinary House Rules will apply, Committee Rules and so forth. But remember, we're not, we're doing this hearing so as to investigate questions of school finance, not to have votes on Bills or consider specific pieces of legislation. So we're not 'creating' a Committee of the Whole, we're just 'convening' as a Committee of the Whole, but we really do appreciate your graciousness."

Black: "Well, one further question then. In an earlier Inquiry to the Chair it was relayed to us that the House Committee Rules shall function tomorrow, and in the absence of any particular Committee Rule, Robert's will then be the limiting or deciding factor. It's my understanding of Committee Rules that there is no ready mechanism to tell a witness that he or she only has five minutes or two minutes. Correct me if I'm wrong, but witnesses then would probably, under existing House Rules, be able to offer testimony for as long as they thought necessary."

Currie: "Well, Representative, all the witnesses we will hear from tomorrow have been invited to testify, and they are all most anxious to do so. They are really thrilled at this opportunity to share good information with all of us. And, as part of the invitation, because the time schedule is so tight, they were all asked please to keep their remarks brief. So I don't, there may be an issue Representative, but I don't think any of our witnesses tomorrow will raise it."

Black: "Well thank you very much, Mr. Speaker and Majority Leader. We appreciate you listening to our concerns on this issue. We look forward to the activities tomorrow, and if your legal counsel, outstanding young man that he is, will have his copy of Robert's, I promise that I'll have my copy of Robert's and we will proceed with the

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business at hand."

Speaker Madigan: "The Lady's Motion is that the House convene at 8:30 in the morning as a Committee of the Whole on the subject matter of education funding. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. The Chair recognizes Representative Phelps."

Phelps: "Thank you, Mr. Speaker. And just response to Representative Black, I wanted to just go on record to assure you that the structure of the agenda in the program, which you will be receiving very shortly if you haven't already back in your office now. We will concentrate, Representative Black, we will be concentrating on proposals that these different organizations will be presenting for the whole Body. That's our intent. I don't believe we had scheduled any debate from Members. There will be sufficient enough time for questions from Members only. But I don't believe, I believe you'll find that the Rules will not have to be addressed concerning the debate. That's not our intent, but there will be room for questions after the proposals have been presented."

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. The Gentleman used my name in debate and cast aspersions on the Rules of this House as operated by my side of the aisle in the last two years. I resent the implication, but I do thank you for using my name in debate. And I look forward to a spirited committee meeting under your expert guidance tomorrow, Representative. And there will be no singing on your behalf. Strictly, strictly a by the numbers committee hearing with no singing unless both sides agree unanimously. Agreed? Agreed."

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Phelps: "Representative Black, can I count on you dancing to a tune or something? Okay."

Speaker Madigan: "The Chair is prepared to adjourn. Our plan is to adjourn until 8:30 a.m., at which time we will convene into the Committee of the Whole. That is the Motion by Representative Currie. Seconded by Representative Churchill. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 8:30 in the morning providing perfunctory time for the Clerk. And all Democrats will go to immediate Democratic Caucus. Thank you."

Clerk Rossi: "Introduction - First Reading of House Bills. House Bill 660, offered by Representative Scott, a Bill for an Act to amend the Illinois Pension Code. House Bill 661, offered by Representative Scott, a Bill for an Act to amend the Illinois Municipal Code. House Bill 662, offered by Representative Scott, a Bill for an Act to amend the Sale of Tobacco to Minors Act. House Bill 663, offered by Representative Scott, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 664, offered by Representative Scott, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. House Bill 665, offered by Representative Scott, a Bill for an Act in relation to organized gang activities. House Bill 666, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Banking Act. House Bill 667, offered by Representative Deuchler, a Bill for an Act to amend the Savings Bank Act. House Bill 668, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Credit Union Act. House Bill 669, offered by Representative Deuchler, a Bill for an Act to amend the Consumer Installment Loan Act. House Bill 670, offered by

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Representative Flowers, a Bill for an Act to amend the Civil Administrative Code. House Bill 671, offered by Representative Saviano, a Bill for an Act to amend the Liquor Control Act. House Bill 672, offered by Representative Cross, a Bill for an Act concerning elections. House Bill 673, offered by Representative Burke, a Bill for an Act concerning naprapathic services. House Bill 674, offered by Representative Black, a Bill for an Act to amend the Animal Control Act. House Bill 675, offered by Representative Feigenholtz, a Bill for an Act amending the Illinois Public Aid Code. House Bill 676, offered by Representative Novak, a Bill for an Act concerning the generation of electricity. House Bill 677, offered by Representative Smith, a Bill for an Act concerning units of local government. House Bill 678, offered by Representative Saviano, a Bill for an Act to amend the Beer Industry Fair Dealing Act. House Bill 679, offered by Representative Mautino, a Bill for an Act to amend the Liquor Control Act. House Bill 680, offered by Representative Brady, a Bill for an Act relating to the Illinois Institute for Entrepreneurial Education. House Bill 681, offered by Representative Lang, a Bill for an Act to create the Electrician Licensing Act. House Bill 682, offered by Representative Lang, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 683, offered by Representative Lang, a Bill for an Act making appropriations to the Department of Human Services. House Bill 684, offered by Representative Woolard, a Bill for an Act to amend the School Code. House Bill 685, offered by Representative Saviano, a Bill for an Act amending the Clinical and School Psychologists Act. House Bill 686, offered by Representative Feigenholtz, a Bill for an Act to

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amend the Hypodermic Syringes and Needles Act. House Bill 687, offered by Representative Brunsvold, a Bill for an Act in relation to taxes. House Bill 688, offered by Representative Black, a Bill for an Act to amend the Fire Protection District Act. House Bill 689, offered by Representative Phelps, a Bill for an Act to amend the School Code. House Bill 690, offered by Representative Cowlshaw, a Bill for an Act to amend the Sex Offender Registration Act. House Bill 691, offered by Representative Scott, a Bill for an Act to provide for the authorization by terminally ill persons to obtain physician assistance in dying. House Bill 692, offered by Representative Schakowsky, a Bill for an Act to amend the Election Code. House Bill 693, offered by Representative Deering, a Bill for an Act to amend the Property Tax Code. House Bill 694, offered by Representative Silva, a Bill for an Act to amend the Illinois Insurance Code. House Bill 695, offered by Representative Capparelli, a Bill for an Act creating the Law Enforcement Intern Training Act. House Bill 696, offered by Representative Silva, a Bill for an Act to amend the Illinois Insurance Code. House Bill 697, offered by Representative Silva, a Bill for an Act to amend the Illinois Municipal Code. House Bill 698, offered by Representative Silva, a Bill for an Act to amend the Illinois Municipal Code. House Bill 699, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 700, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 701, offered by Representative Erwin, a Bill for an Act to amend the Illinois Pesticide Act. House Bill 702, offered by Representative Art Turner, a Bill for an Act to amend the

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Attorney General Act. House Bill 703, offered by Representative Art Turner, a Bill for an Act to amend the Housing Authorities Act. House Bill 704, offered by Representative Erwin, a Bill for an Act to amend the Fireworks Use Act. House Bill 705, offered by Representative Schoenberg, a Bill for an Act concerning children's health insurance coverage. House Bill 706, offered by Representative Howard, a Bill for an Act concerning mortgage escrow accounts. House Bill 707, offered by Representative Kubik, a Bill for an Act amending the Public Utilities Act. First Reading of these House Bills."

Clerk Rossi: "House Bill 708, offered by Representative Harold Murphy, a Bill for an Act in relation to health care benefits for certain retired community college employees and their dependents. First Reading of this House Bill."

Clerk Bolin: "First Reading and Introduction of House Resolutions. House Resolution #26, offered by Representative Hartke."

Clerk Rossi: "There being no further business. The House Perfunctory Session stands adjourned. The House will reconvene in regular Session tomorrow at 8:30 a.m."