

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

115th Legislative Day

April 23, 1998

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Representative Coy Pugh, who is the Assistant Pastor of the Fernwood United Methodist Church in Chicago. The guests in the gallery may wish to rise and join us in the invocation."

Pugh: "Let us pray. If I forget thee, Old Jerusalem, let my right hand forget her cunning. In Thee, Oh Lord, our God, that we put our trust, let us never be put to confusion. Deliver us in Thy righteousness. Oh Lord, how excellent is Thy name in all the earth, who has set Thy glory above the heavens when we consider Thy heavens the work of Thy fingers, the moon and the stars which Thou hast ordained. What is man? What is man that Thou art mindful of him, oh God? Lord, have mercy upon us and consider our troubles. The wicked, through the pride of his continence, will not seek God. God is not in all his thoughts. Oh Lord, we ask that You invade our thoughts with Your random acts of kindness. We have trusted in Your mercy, and our heart rejoices in Your salvation. Our soul shall rest in hope. Amen."

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

Hartke - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Morrow is excused today."

Speaker Madigan: "Let the record reflect that excused absence."

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

115th Legislative Day

April 23, 1998

Mr. Cross."

Cross: "Thank you, Mr. Speaker. Representative Wood is not here, as the board reflects, but I don't believe, at this point, she's excused. She intends to... when she arrives, notify the appropriate authority, so thank you."

Speaker Madigan: "Mr. Clerk, take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Phil Novak, Chairperson from the Committee on Environment and Energy, for which the following measures were referred, action taken on April 22, 1998, reported the same back with the following recommendations: 'do pass short debate' Senate Bill 1840, 'do adopt as amended' House Resolution 365. Representative Judy Erwin, Chairperson from the Committee on Higher Education, to which the following measure was referred, action taken on April 22, 1998, reported the same back with the following recommendations: 'do pass short debate' Senate Bill 1258. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II, Criminal Law, to which the following measures were referred, action taken on April 23, 1998, reported the same back with the following recommendations: 'be adopted' House Joint Resolution 56, 'do pass short debate' Senate Bill 1249, Senate Bill 1426, Senate Bill 1427, Senate Bill 1428, and Senate Bill 1471, 'do pass as amended short debate' Senate Bill 1215, Senate Bill 1756, and Senate Bill 1835. Representative Todd Stroger, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on April 22, 1998, reported the same back with the following recommendation: 'do pass short debate' Senate Bill 1203, 'do pass as amended' short debate

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

115th Legislative Day

April 23, 1998

Senate Bill 1500. Representative Eugene Moore, Chairperson from the Committee on Revenue, for which the following measure was referred, action taken on April 23, 1998, reported the same back with the following recommendations: 'do pass short debate' Senate Bill 1273, Senate Bill 1331, Senate Bill 1349, Senate Bill 1370, Senate Bill 1709, and Senate Bill 1867. Representative Calvin Giles, Chairperson from the Committee on State Government Administration and Election Reform, to which the following measures were referred, action taken on April 22, 1998, reported the same back with the following recommendations: 'be adopted' House Resolution 385, 'do pass short debate', Senate Bill 1244, Senate Bill 1555, and Senate Bill 1712. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following item was referred, action taken on April 22, 1998, reported the same back with the following recommendations: 'to the floor for consideration' to the Order of Second Reading, short debate House Bill 3564. Senate Bills First Reading. Senate Bill 1884, offered by Representative Feigenholtz, a Bill for an Act to amend the Probate Act of 1975. Introduction and First Reading of House Bills. House Bill 3882, offered by Representative Dart, a Bill for an Act in relation to Criminal Law. House Bill 3883, offered by Representative Dart, a Bill for an Act to amend the Criminal Code. First Reading of these House Bills. Agreed Resolutions. House Resolution 386, offered by Representative Schoenberg. House Resolution 387, offered by Representative Steve Davis. House Resolution 388, offered by Representative Novak. House Resolution 389, offered by Representative Hartke. House Resolution 392, offered by Representative John Turner. House Resolution 394, offered by

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

115th Legislative Day

April 23, 1998

Representative McAuliffe. House Resolution 396, offered by Representative Morrow. House Resolution 397, offered by Representative Currie. House Resolution 398, offered by Representative Biggert. House Resolution 399, offered by Representative Gash. House Resolution 400, offered by Representative Julie Curry. House Resolution 401, offered by Representative Cross. House Resolution 402, offered by Representative Mautino. House Resolution 403, offered by Representative Barbara Currie. House Resolution 404, offered by Representative Maggie Crotty. House Resolution 405, offered by Representative McCarthy. House Resolution 406, offered by Representative Klingler. House Resolution 407, offered by Representative Schoenberg. House Resolution 408, offered by Representative Schoenberg. House Resolution 409, offered by Representative Schoenberg. House Resolution 410, offered by Representative Schoenberg. House Resolution 411, offered by Representative Schoenberg. House Resolution 412, offered by Representative Schoenberg. House Resolution 413, offered by Representative Schoenberg. House Resolution 414, offered by Representative Schoenberg. House Resolution 415, offered by Representative Schoenberg. House Resolution 416, offered by Representative Giglio. House Resolution 417, offered by Representative Gash. House Resolution 418, offered by Representative Connie Howard. House Resolution 419, offered by Representative Connie Howard. House Resolution 420, offered by Representative Giglio. House Resolution 421, offered by Representative Hannig. House Resolution 424, offered by Representative McCarthy. House Resolution 425, offered by Representative Granberg. House Resolution 426, offered by Representative Granberg. House Resolution 427, offered by Representative Granberg. House Resolution 428, offered by

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

115th Legislative Day

April 23, 1998

Representative Granberg. House Resolution 429, offered by Representative Granberg. House Resolution 430, offered by Representative Capparelli. House Resolution 431, offered by Representative Black. House Resolution 432, offered by Representative Black. House Resolution 433, offered by Representative Schoenberg. House Resolution 434, offered by Representative Brosnahan."

Speaker Madigan: "Representative Currie on the Agreed Resolutions."

Currie: "Thank you, Speaker. I move adoption of the Agreed Resolutions."

Speaker Madigan: "You've heard the Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted, and the Agreed Resolutions are adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #62. Be it resolved by the Senate of the 90th General Assembly in the State of Illinois. The House of Representatives concurring herein that when the two Houses adjourn on Thursday, April 23, 1998, the Senate stands adjourned until Tuesday, April 28, 1998 at 12:00 noon, and the House of Representatives stands adjourned until Tuesday, April 28, 1998, at 1:00 p.m."

Speaker Madigan: "Representative Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk."

Clerk Rossi: "First Reading of Resolutions. House Resolution 441, offered by Representative Daniels, is assigned to the Rules Committee."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I'm going to read to you a letter that is being delivered to

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

115th Legislative Day

April 23, 1998

your office as we speak, to put this in the record, so you have our request of you, Sir. 'Dear Speaker Madigan, Based upon news stories originating in the Belleville News Democrat, I write to demand a thorough investigation into the scandal that is plaguing the Members of the House of Representatives and all Illinois citizens, concerning the alleged bribery of a Member of the House during your tenure as Speaker. Specifically, it has come to our attention that your office executed a contract with a sitting State Representative, for which no work was performed, as an alleged inducement for that Legislator to leave office. The timing and amount of this contract, and your motives in offering it, are suspect. Furthermore, despite our repeated requests for an internal investigation by the House into this matter, you have opted to cover up your actions by shielding yourself behind an ongoing investigation conducted by the Illinois State Police. While the Department of State Police is an appropriate agency to investigate the potentially criminal conduct reported in the press, the House, itself, must know the facts surrounding any ethical or criminal violations. We call upon you to determine the scope of this scandal, to identify all persons who perpetrated or had knowledge of this scandal and to immediately terminate any such employees. We further call upon you to institute immediate disciplinary proceedings against any Legislator who committed malfeasance or violated the law by participating in or having knowledge of this scandal. In order to fully investigate the extent of the scandal perpetrated in this regard, I specifically request that you publicly disclose the name of each staff person responsible for authorizing the false, falsified contracts with your office and the

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

115th Legislative Day

April 23, 1998

name of each such employee's immediate supervisor. Mr. Kasper and Mr. Mapes, in particular, must be held responsible for their role in this scandal. Mr. Mapes admitted his role in the administrative portion of this scandal, and consequently should, at a minimum, take a leave of absence without pay, until such time as this scandal is fully disclosed and completed. Mr. Kasper is in charge of all legal matters with your office; and therefore, he needs to explain his actions, or lack thereof. Representative Hoffman allegedly participated in conversations with Mr. Bradford, and he should disclose his role and release his phone records. Furthermore, he should explain his relationship with the Madison County State's Attorney, relating to his contract with the State's Attorney and the circumstances in which it was then turned over to Mr. Bradford. Ultimate responsibility, however, must rest with you, Mr. Speaker. The scandalous matter in which Mr. Bradford's contract was negotiated and not fulfilled is an affront and an embarrassment to the House of Representatives and the State of Illinois. I call upon you to take the following corrective actions: One, call for a vote on the Resolution, which I have filed today, calling for a special investigative committee to convene. This is House Resolution 441, which was filed, and you just referred to the Rules Committee. When I am completed, Representative Black has a Motion to suspend the Rules Committee and bring this matter to the immediate attention of the House, and we would ask for a Roll Call vote on that Motion, shortly after I finish my remarks. Two, notify the Sangamon County State's Attorney, the Attorney General of the State of Illinois, and the United States Attorney for the Central District of Illinois and call for an

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

115th Legislative Day

April 23, 1998

investigation and prosecution of those responsible for this scandalous matter. Three, cause to be filed and ultimately voted upon, trailer language to House Bill 3807, which, Mr. Speaker, was your own Bill that would close the loophole in this Bill that you left in that Bill, and we think intentionally, that would continue to allow Legislators to obtain public contracts immediately upon leaving office, thereby condoning, once again, the action that you took in the Bradford matter. You need to close that loophole. Four, nullify all contracts with your office until the actions of your office in this scandalous matter have been fully exposed. Five, hold all new and pending contracts until the actions of your office in this scandalous matter have been fully exposed. Six, apportion responsibility for this scandalous matter upon those in positions of responsibility. Seven, refuse, refuse to give another contract for services to Mr. Bradford. Eight, repul... report any role that any Legislator had in the Bradford resignation. Nine, release all phone records of your office and those of Representatives Hoffman and former Representative Bradford. Ten, explain the role and circumstance of the Madison County State's Attorney, giving Mr. Bradford a contract shortly after terminating Representative Hoffman's contract. Eleven, conduct an investigation of your own office, included, not limited to, Mr. Mapes and Mr. Kasper. Mr. Speaker, this is our position. We expect compliance. On that basis, we know that what we have before us right now is a matter of extreme interest to the people of Illinois and to the operation of this General Assembly. Consequently, we have filed House Resolution 441, which Resolution sets forth in detail, the allegations contained herein and calls for the

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

115th Legislative Day

April 23, 1998

appointment of a special committee of four Representatives from the Democrat side and four Representatives from the Republican side, appointed by the Majority Leader, since you obviously have a conflict in this matter on the appointments, and by myself as the Minority Leader of the House. We would expect the adoption of this Resolution so that we can start to find a way in which to end this scandalous matter and to have this.' I would now like to yield the balance of my time to Representative Black, who will make a Motion to suspend the Rules to hear, immediately, House Resolution 441 in this General Assembly. Representative Black."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Pursuant to Rule 18g, I move to discharge the Rules Committee from further consideration of House Resolution 441 and to advance that matter for immediate consideration by the full House. I make this Motion to you orally, and I have also filed it in writing, Mr. Speaker, and I would ask that we have a Roll Call vote. I'm joined by a requisite number of people on my side of the aisle to request a Roll Call vote on the immediate, on the discharge Motion and for the immediate consideration."

Speaker Madigan: "Mr. Black, I'm sure you're aware of the rule, which provides that matters assigned to the Rules Committee can be discharged only by unanimous consent to the House. Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. I... I note the Majority Leader's objection, which is certainly her right. I ask you for a Roll Call vote. I realize it takes an

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

115th Legislative Day

April 23, 1998

unanimous vote. I ask for a Roll Call vote on the Motion to discharge the Rules Committee and seek immediate consideration. Let's, let's have a vote. Let's see who votes 'aye'; let's see who votes 'nay'."

Speaker Madigan: "Representative Currie."

Currie: "Yes, Speaker, I believe the request is out of order. The Motion required unanimous consent. It's already clear that there is no unanimous consent and on that basis, the Motion fails."

Speaker Madigan: "Representative's... Representative Currie's point is well taken. Mr. Black."

Black: "Mr. Speaker?"

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you, Mr. Speaker. I'm very disappointed in that, but I would move in that case under the applicable House Rule that the Chair be overruled, and I would request a recorded vote on the Motion to overrule the Chair."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' Those wishing to support the position of the Chair will vote 'yes'. Those against the position of the Chair will vote 'no'. Mr. Clerk, take the record. Those supporting the Chair will vote 'yes'. Mr. Clerk, take the record. On this question, there are 57 'ayes'; 57 'noes'; and the Gentleman's Motion required 71 votes, and therefore fails. Mr. Black."

Black: "Mr. Speaker, in all due respect to you and the Members of this House, is that the vote we want to leave here with? On a matter of importance, to not only the Members of this chamber, but to the residents and citizens of the State of Illinois, that's all we want to do? We... You know, I was within my rights to ask for the Roll Call vote, long before the objection. For all I know, the good Majority Leader

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

115th Legislative Day

April 23, 1998

may have voted 'yes' to discharge the Rules Committee. As Chairman of the Rules Committee, perhaps she didn't want to meet anymore, I don't know. I was well within my rights. This is how we want to leave the chamber today? With this vote? That's the record that you want on a matter that happened on your watch? I expect better of you than that, Mr. Speaker."

Speaker Madigan: "There noth... there being nothing further to come before the House, Representative Currie moves that the House does stand adjourned until next Tuesday at 1:00 p.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted."