

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

120th Legislative Day

April 25, 1996.

Speaker Johnson, Tim: "Mr. Clerk, what is the status of HJRCA 35?"

Clerk Rossi: "House Joint Resolution Constitutional Amendment #35 has been read in full a second time 'as amended'."

Speaker Johnson, Tim: "Third Reading. Representative Stephens, we've not had a report this Session on the respective standings in the National League Central between the St. Louis Cardinals and the Chicago Cubs. Who's now leading in that respective pair-up?"

Stephens: "Mr. Speaker, you have put me on the spot so I can only suppose that history being true that the Cardinals have to have a superior record to the minor league team from Chicago."

Speaker Johnson, Tim: "You also know the Speaker and the Speaker would have not called on you had that not been the case."

Stephens: "Are we talking about the White Sox or the Cubs? The Sox are doing very well. The Cubs are as usual doing average. 10 wins, 10 loses."

Speaker Johnson, Tim: "Thank you for that information. Mr. Clerk, read Senate Bill 1773."

Clerk Rossi: "Senate Bill 1773, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "For what purpose does the Lady from DuPage, Representative Biggert, arise?"

Biggert: "Mr. Speaker, the Republicans would request an immediate caucus in Room 114 for approximately one hour."

Speaker Johnson, Tim: "Representative Brunsvold, do the Democrats wish a similar caucus?"

Brunsvold: "No, Mr. Speaker, we know exactly where we are on this Bill and the Democrats can go to lunch."

Speaker Johnson, Tim: "Representative Biggert, will 30 minutes be

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sufficient?"

Biggert: "That would be fine, Mr. Speaker. Thirty minutes in Room 114 for an immediate caucus."

Speaker Johnson, Tim: "Your request is granted and the House stands in recess until the hour of 2:35 P.M."

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the Floor will please retire to the Gallery. House Bills, Third Reading. Senate Bills, Third Reading. Senate Bill 1773. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1773. A Bill for an Act that amends the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Yes, thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1773 would add same sex marriages to the list of prohibited marriages in the State of Illinois. As most of you know, Illinois now will only license two people of the opposite sex to get married. However, Illinois recognizes valid marriages that were contracted in other states, unless they are on our own state's prohibited list. It now appears as though the State of Hawaii is on the verge of recognizing marriages between two people of the same sex. It is anticipated that they can do this, as early as this summer. If Illinois law is not changed, so as to add this to the prohibited list, Illinois very well could wind up giving recognition to same sex marriages, granted in the State of Hawaii. I've brought this Bill in order to keep marriage in the State of Illinois the same as it's always been. And to stick to the one man, one woman definition of marriage, that we have all known in this State and all other 50 states of the Union,

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until now. I'd be happy to answer any questions."

Speaker Daniels: "The Lady from Cook, Representative Currie."

Currie: "Thank you Speaker and Members of the House. I rise in opposition to Senate Bill 1773. It is my belief that it is already against the law for same sex couples to marry in the State of Illinois. And that should, at some far distant time, two years, five years, eight years, some court somewhere or some legislature in another of the 50 states decide that those unions are legitimate in that state, nothing in Illinois law would make this state recognized that union contracted elsewhere. This Bill is unnecessary, if you believe that same sex marriage should not be the public policy of Illinois. For those who think that perhaps we should consider that policy, and I am one who thinks we should. We should do so in a careful, organized, thoughtful and deliberative manner. So why, why if it's already the law, why are we being treated to Senate Bill 1773, in this Session of the Illinois General Assembly. I would argue Speaker and Members of this House, that we are considering this measure now, because now is an election year. Because now, is the opportunity to divide our people. Now, is the opportunity for a wedge issue. One that says, 'it's okay to bash people, who's preferences and proclivities are different from our own. Or different from the majority'. We have seen issues like this used before in election years. In fact two years ago, there were brochures printed and mailed in districts in the State of Illinois, by the Republican Campaign Committee. Brochures that focused on the issues of votes for fair play, for people who are gays and lesbians. Brochures that distorted the record of individual Members of this Assembly. Brochures that thought that what the people of

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this State want is to discriminate, to be mean-minded, to be mean-spirited and to refuse the path of toleration and fairness. I think that thinking is mistaken in 1996. I think the people back home are tired of negativity. They're tired of disunity. They're tired of efforts to divide us. They are interested in public policy outcomes that help to bring us together. You know, in the world, we are trying as a nation to bring peoples together. And yet, we see Senate Bill 1773 in this House, in this election year, as an effort to divide and to make us no longer willing to tolerate one another."

Speaker Daniels: "Excuse me. Excuse me. Members of the House. Both sides of the aisle. Representative Currie."

Currie: "We don't need Senate Bill 1773. The law of this State is already perfectly clear. Should anything happen in Hawaii or elsewhere the law of this State would still be perfectly clear. I would say, Speaker and Members of this House, that it is shameful that we are considering this measure now. And I would urge my colleagues, whatever your views, of the appropriateness of marriage between people of the same gender. Whichever way you think on that issue, the only responsible vote is a 'no' or a 'present' vote."

Speaker Daniels: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in strong opposition to this Bill. The message we are sending here to the voters of the State of Illinois is that, 'it's okay to discriminate against people of different sexual orientation'. By singling out gays and lesbian marriages as a union, we are only fueling the flames of hatred, ignorance and intolerance in this state. This Bill says, 'it is okay, okay to discriminate and deny civil and equal rights to minority groups in this society'.

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This Bill is nothing more than a gratuitous attempt by the Christian Coalition to develop direct mail, against targets on the backs of minorities in the State of Illinois. Once again, the Christian Coalition is wagging your tails and cherry picking your morality issues. We're told by the Bill's supporters that we need legislation to protect ourselves from these kinds of marriages. No, Ladies and Gentlemen of the General Assembly, this is not a marriage protection Bill. It is emphatically, an anti-marriage Bill. Who are you trying to protect? What heterosexuals are you trying to protect? Heterosexual couples don't corner the market on love, Sponsor Johnson. Marriage licenses are not distributed on a first come, first serve basis in the State of Illinois. Everybody in this Body knows this Bill is wrong. But they're afraid to vote against it. But consider the message that we're sending out to the electorate in this state, the already cynical electorate. We are elected in this Chamber to be leaders, not followers. And we have to exercise courage and my colleagues on the other side of the aisle, and I know who I'm talking to, I hope all of the Members on your side of the aisle will get up and speak against this Bill. And I ask Mr. Johnson to take this Bill out of the Record. The 12,000 letters that were delivered here to every Member of the General Assembly, just for your information, not all of those people live in my district. They live all over the State of Illinois. They live in Murphysboro, Collinsville, Gurnee. They were written by members of the clergy, parents of gays and lesbians in the State of Illinois, your neighbors. Senator Fitzgerald and Tom Johnson are doing for the Democrats of Illinois what Pat Buchanan and Pat Robertson did for the Democrats before the 1992 Republican

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Convention. They are teaching the game of subtraction. They are teaching the game of division. The Democrats lost this Chamber two years ago by 2500 votes. There are 12,000 letters sitting on the desks of the State Representatives in this state. You do the math. Vote 'no'."

Speaker Daniels: "The Lady from Cook, Representative Ronen."

Ronen: "Thank you Speaker. I rise in strong, strong opposition to this Bill. In a session that's been characterized by mean spirits and cynical political maneuvers, we've reached a new low today. The only purpose of this Bill is to create a a climate of hatred and anger. As Representative Currie said, 'it's the ultimate political wedge issue'. Let's just be very clear about what we're doing. Let's not have any illusions. This Bill is not being offered now because there is any state that has legalized gay marriages. Any action anticipated in Hawaii is at least two years away. We all understand that. The Republican leadership in the House knows that. The nonpartisan Legislative Research Unit has made that very clear. So why are we rushing to get something on the books? There is one reason and one reason alone. The real purpose of this Bill is to create an issue that can be used in November elections. The crafty leaders of the Republican party in Illinois, believe that the way to win elections, is to stir people up. Appeal to their insecurities. Make them fearful. Their view of reality is driven almost solely by the rhetoric of the 'radical right'. But their view of the world is warped. It's old. It out of date. It's filled with bigotry and an ugly brand of moral rectitude that says, 'I'm right, you're wrong.' If you don't think as I do what you think is wrong. The issue of same sex marriage is not an easy one. It's complex and it's difficult. But

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rather than give an open and honest hearing the Republican leadership in Illinois chooses instead to grandstand and play the basest form of politics. They do this because they believe that that's the only way they can win elections. Since this state shamefully still allows persons to be denied jobs and housing based on their sexual orientation, same sex marriage is not on anyone's legislative agenda this year. Yet today we act as if such a Bill or movement towards a Bill were imminent. And then we use that falsehood to further inflame and discriminate against another minority. So all we're really talking about today is cynical, political posturing. What makes today's actions so heinous, is that what we're doing is at the expense of peoples' lives and at the expense of people just trying to live their lives. Think about what you are saying by voting 'yes'. Think what you're afraid of. What you're trying to stop is two people choosing to make a commitment to one another, to love one another. If that sounds dangerous or scary or wrong to you, perhaps it's you who need to reassess your position. Shouldn't we be more concerned in this Chamber with ending hatred and violence against one another? Shouldn't we be more focussed on the violence that is being committed in to many traditional marriages? Shouldn't we be more concerned with ending hatred than putting forth barriers to love? Today the proponents of this Bill will likely have their way. It's not difficult to trample on the rights of those less powerful. So, you should take no joy in passing this Bill of hatred. And please don't delude yourself, to think that you are doing God's work. I would remind you that a long list of clergy and religious groups have forcefully spoken out against this Bill. And please don't sell short the

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people we all represent. Don't believe they can't see through this ugly ploy. The people of Illinois, the people of this country, are by and large fair-minded. When given the choice they will choose compassion over conflict. They will choose love over hate. And to Members here, who decry the terrible political process that makes them vote for this terrible measure, it's good for us all to remember that we have a great deal to do with creating this climate, we so freely criticize. There comes a time that we have to stop using that as an excuse for voting for Bills we understand are bad public policy and Bills that can cause harm to other people. So today, I'm asking you to say 'no' to hatred. Say 'no' to bigotry. Say 'no' to political ploys. Vote 'no' on this Bill."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I would like to read into the record the letter that was sent by members of the clergy to Members of this Legislative Body. Lest there be the assumption in some people's minds that the religious position, somehow, would be to vote in favor of Senate Bill 1773. It says, 'Dear Governor Edgar, Speaker Daniels, President Phillip and Members of the Legislature, as individual clergy and religious leaders we urge you to oppose Senate Bill 1773, which is an unwarranted attack on Illinois gay and lesbian citizens and their families. The real and immediate impact of SB 1773 is to foster a climate of intolerance and hatred against lesbian and gay people. As religious leaders we are deeply worried about the harmful effect such divisive measures have in our communities,' and it goes on it says, 'we urge you to reject Senate Bill 1773'. And it is signed by members of the clergy. Jews, Methodists, Baptists,



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United Church of Christ, Episcopalians, Buddhists. From every corner of the State of Illinois. From Springfield and Decatur, Wheeling and Naperville, from Rockford and Palatine, Park Forest, Peoria, Macomb, Bloomington, Princeton, Illinois and Hinsdale. Every neighborhood in the City of Chicago, religious leaders speak out against this Legislation. We spend a lot of time here talking about family values. And today we are aiming a piece of Legislation at people who's only crime it is, is that they want to create a family. They want to make a long-term commitment to one another. They want to take responsibility for each other in sickness or in health. They want to declare openly and with the sanction of our society, their love for each other. We need to spend our time legislating against violence, working against hatred. We want to spend our time fighting hate, not fighting love. I urge a 'no' vote."

Speaker Daniels: "Further discussion? Being none Representative Johnson to close."

Johnson, Tom: "Yes, Mr. Speaker and Member's of the House, I've listened to the statements that have been made. I for one have not brought this Bill to bash anybody. It is not those who, in fact, support two sex marriages as a cornerstone for family, who have brought this forward. What has been brought forward here, is the actions of some, to in fact, change the public policy of this state and many other states, that have held the two sex marriages are in fact the cornerstone of families in our society. That is who brought this attack. Now, all I am saying here today, and I agree with what one of the Representatives said, 'that maybe it's time for a full-fledged debate on this issue. That somebody should in fact maybe bring a Bill in

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this Session to propose'..."

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House.

Mr. Photographer, could you hold off on that until we finish with this debate please?"

Johnson, Tom: "...to propose a change in the marriage statute'.

That would be a straight up, sort of proposition. But I believe as a Legislator and Representative, aside from the ultimate issue, which I believe that same sex marriage is not good public policy. Even were we to have that debate, we should have it, but we should not permit any other state in this Union, through actions it may or may not take, determine such a fundamental policy for the State of Illinois. That is reserved to each of us. No matter how comfortable or uncomfortable it is. I urge an 'aye' vote on this. If you believe that same sex marriage is a good thing and should be our public policy then vote 'no' on this Bill. If you believe that through the centuries of history and through our own history in the State of Illinois that there is compelling interest in our public policy to have two sex marriages for our children and the propagation of our children and you want that to continue and not have some other state decide it for us, then I urge an 'aye' vote. So with that Mr. Speaker, I would urge an 'aye' vote on this and thank you for your time."

Speaker Daniels: "Representative Johnson has moved for the passage of Senate Bill 1773. All those in favor signify by voting voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question there are 87 'aye'; 13 voting 'no'; 6 voting 'present'. This Bill having received a Constitutional Majority is hereby declared

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passed. Representative Cross."

Cross: "Mr. Speaker, as you're aware, the Fiscal Note Act applies only on its face to Bills. Accordingly I move that the Fiscal Note request is not applicable to House Joint Resolution Constitutional Amendment #36."

Speaker Daniels: "The Gentleman has moved to declare the Fiscal Note Act inapplicable as to House Joint Resolution Constitution Amendment #36. All those in favor of the motion will signify by saying 'aye'; opposed 'no'. The 'ayes' have it. And in the opinion of the Chair the 'ayes' have it and Fiscal Note Act is held inapplicable to HJRCA #36. Any announcements Mr. Clerk?"

Clerk McLennand: "No announcements, Mr. Speaker."

Speaker Daniels: "Representative Churchill now Moves that the House stand adjourned until Friday April 26, 1996 at the hour of 11 a.m. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it. In allowing Perfunctory time for the Clerk the House now stands adjourned until Friday April 26, 1996, at the hour of 11 a.m."