

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

7TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, FEBRUARY 1, 2005

1:06 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by LeeArthur Crawford, Assistant Pastor with the Victory Temple Church in Springfield, IL.

Representative Franks led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

116 present. (ROLL CALL 1)

By unanimous consent, Representatives Monique Davis and McCarthy were excused from attendance.

COMMITTEE APPOINTMENTS

AGING (11/9)—Joyce, Chairperson; Beiser, Vice-Chairperson; John Bradley, D’Amico, Franks, Gordon, Jefferson, Joe Lyons, McGuire, McKeon, Reitz: Bellock, Spokesperson; Coulson, Froehlich, Bill Mitchell, Jerry Mitchell, Osmond, Saviano, Wait and Watson.

AGRICULTURE & CONSERVATION (8/7)—Granberg, Chairperson; Phelps, Vice-Chairperson; Boland, Dugan, Flider, McGuire, Reitz, Verschoore: Moffitt, Spokesperson; Cultra, Myers, Pritchard, Reis, Sacia and Sommer.

APPROPRIATIONS-ELEMENTARY & SECONDARY EDUCATION (12/10)—Smith, Chairperson; Will Davis, Vice-Chairperson; Acevedo, John Bradley, Chavez, Delgado, Flowers, Gordon, Howard, Jakobsson, Ryg, Younge: Bassi, Spokesperson; Coulson, Eddy, Kosel, Lindner, Jerry Mitchell, Pihos, Poe, Schock and Sullivan.

APPROPRIATIONS-GENERAL SERVICES (4/3)—Monique Davis, Chairperson; Graham, Vice-Chairperson; Bailey, Soto: Biggins, Spokesperson; Brauer and Watson.

APPROPRIATIONS-HIGHER EDUCATION (9/7)—Miller, Chairperson; Joyce, Vice-Chairperson; Beiser, Monique Davis, Will Davis, Jakobsson, Nekritz, Scully, Soto: Myers, Spokesperson; Brady, Brauer, Eddy, Poe, Pritchard and Rose.

APPROPRIATIONS-HUMAN SERVICES (5/5)—Feigenholtz, Chairperson; Osterman, Vice-Chairperson; Graham, Kelly, Washington: Mulligan, Spokesperson; Coulson, Leitch, Munson and Schock.

APPROPRIATIONS-PUBLIC SAFETY (10/8)—Jones, Chairperson; Washington, Vice-Chairperson; Boland, Collins, Colvin, D’Amico, Dunkin, Molaro, Patterson, Yarbrough: Schmitz, Spokesperson; McAuliffe, Millner, Moffitt, Osmond, Saviano, Stephens and Wait.

CHILD SUPPORT ENFORCEMENT (5/4)—Soto, Chairperson; Dunkin, Vice-Chairperson; Bailey, Will Davis, Younge: Lindner, Spokesperson; Brady, Schmitz and Winters.

COMPUTER TECHNOLOGY (4/3)—Howard, Chairperson; Hannig, Vice-Chairperson; Patterson and Yarbrough: Munson, Spokesperson; Beaubien and Pritchard.

CONSUMER PROTECTION (7/6)—Colvin, Chairperson; Gordon, Vice-Chairperson; Chapa LaVia, Mendoza, Rita, Scully, Washington: Brady, Spokesperson; Bost, Millner, Parke, Tenhouse and Tryon.

ELECTIONS & CAMPAIGN REFORM (4/3)—Jefferson, Chairperson; D’Amico, Vice-Chairperson; Beiser, Flider: Winters, Spokesperson; Myers and Wait.

ELECTRIC UTILITY OVERSIGHT (7/7)—Scully, Chairperson; Verschoore, Vice-Chairperson; D’Amico, Franks, Granberg, Patterson, Phelps: Krause, Spokesperson; Froehlich, Millner, Bill Mitchell, Myers, Sullivan and Tenhouse.

ELEMENTARY & SECONDARY EDUCATION (12/10)—Giles, Chairperson; Monique Davis, Vice-

Chairperson; Beiser, Chapa LaVia, Colvin, Dugan, Flider, Joyce, Miller, Osterman, Smith, Yarbrough; Jerry Mitchell, Spokesperson; Bassi, Eddy, Moffitt, Mulligan, Munson, Pihos, Pritchard, Reis and Watson.

ENVIRONMENT & ENERGY (12/10)–Holbrook, Chairperson; Nekritz, Vice-Chairperson; Richard Bradley, Hamos, Joyce, Mautino, May, Phelps, Reitz, Rita, Smith, Verschoore: Tenhouse, Spokesperson; Cultra, Kosel, Leitch, Meyer, Parke, Rose, Schock, Tryon and Winters.

ENVIRONMENTAL HEALTH (5/3)–May, Chairperson; Younge, Vice-Chairperson; Feigenholtz, McCarthy, Ryg: Meyer, Spokesperson; Churchill and Tryon.

EXECUTIVE (8/5)–Burke, Chairperson; Joe Lyons, Vice-Chairperson; Acevedo, Berrios, Richard Bradley, Jones, McKeon, Molaro: Kosel, Spokesperson; Biggins, Hassert, Eileen Lyons and Saviano.

FINANCIAL INSTITUTIONS (16/14)–Boland, Chairperson; Burke, Vice-Chairperson; Acevedo, Richard Bradley, Monique Davis, Dunkin, Fritchey, Giles, Holbrook, Jones, Joe Lyons, Mautino, McCarthy, Osterman, Reitz, Smith: Bill Mitchell, Spokesperson; Bellock, Brauer, Coulson, Cultra, Dunn, Hultgren, Jenisch, McAuliffe, Munson, Reis, Rose, Schock and Watson.

HEALTH CARE AVAILABILITY & ACCESS (6/5)–Flowers, Chairperson; Bailey, Vice-Chairperson; Chavez, Dugan, Howard, May: Osmond, Spokesperson; Krause, Mathias, Mulligan and Sommer.

HIGHER EDUCATION (8/6)–McCarthy, Chairperson; Jakobsson, Vice-Chairperson; Beiser, Brosnahan, Chavez, Giles, Howard, Miller: Bost, Spokesperson; Black, Brady, Eddy, Poe and Pritchard.

HOUSING & URBAN DEVELOPMENT (9/7)–Yarbrough, Chairperson; McKeon, Vice-Chairperson; Graham, Hamos, Kelly, Nekritz, Patterson, Ryg, Younge: Leitch, Spokesperson; Bassi, Biggins, Froehlich, Pihos, Poe and Schmitz.

HUMAN SERVICES (7/5)–Delgado, Chairperson; Rita, Vice-Chairperson; Chavez, Collins, Flowers, Howard, Jakobsson: Bellock, Spokesperson; Cultra, Coulson, Dunn and Jenisch.

INSURANCE (9/8)–Mautino, Chairperson; Yarbrough, Vice-Chairperson; Berrios, Richard Bradley, Colvin, Dunkin, Feigenholtz, Lang, Rita: Parke, Spokesperson; Brady, Dunn, Jenisch, Bill Mitchell, Munson, Osmond and Rose.

INTERNATIONAL TRADE & COMMERCE (10/8)–Mendoza, Chairperson; Franks, Vice-Chairperson; Acevedo, Berrios, John Bradley, Chapa LaVia, Will Davis, Dugan, Flowers, Kelly: Sommer, Spokesperson; Bellock, Hultgren, Krause, Eileen Lyons, Myers, Reis and Sacia.

JUDICIARY I-CIVIL LAW (8/6)–Fritchey, Chairperson; John Bradley, Vice-Chairperson; Brosnahan, Gordon, Hamos, Hoffman, Lang, Nekritz: Hultgren, Spokesperson; Mathias, Osmond, Rose, Sacia and Wait.

JUDICIARY II-CRIMINAL LAW (9/7)–Molaro, Chairperson; Delgado, Vice-Chairperson; Bailey, John Bradley, Collins, Gordon, Howard, Jones, Mautino: Lindner, Spokesperson; Cultra, Millner, Reis, Sacia Stephens and Wait.

LABOR (11/9)–McKeon, Chairperson; Soto, Vice-Chairperson; Boland, Colvin, D’Amico, Will Davis, Graham, Hoffman, Howard, Jefferson, Washington: Winters, Spokesperson; Beaubien, Cultra, Dunn, Eddy, Hultgren, Parke, Schmitz and Tenhouse.

LOCAL GOVERNMENT (6/5)–Osterman, Chairperson; Flider, Vice-Chairperson; Beiser, Kelly, Ryg, Younge: Mathias, Spokesperson; Moffitt, Sommer, Tryon and Watson.

MASS TRANSIT (10/8)–Hamos, Chairperson; Kelly, Vice-Chairperson; Chavez, Dunkin, May, Miller, Molaro, Osterman, Ryg, Washington: Mathias, Spokesperson; Bassi, Churchill, Dunn, Jenisch, Pihos, Sullivan and Tryon.

PERSONNEL & PENSIONS (3/2)—Richard Bradley, Chairperson; Colvin, Vice-Chairperson; Burke: Poe, Spokesperson; Brauer.

PUBLIC UTILITIES (5/5)—Collins, Chairperson; Holbrook, Vice-Chairperson; Monique Davis, Giles, Jefferson, Jones: Watson, Spokesperson; Biggins, Hassert, Leitch and Saviano.

REGISTRATION & REGULATION (14/11)—Saviano, Chairperson; Fritchey, Vice-Chairperson, Acevedo, Richard Bradley, Burke, Monique Davis, Delgado, Granberg, Holbrook, Joyce, Mautino, Mendoza, Miller, Phelps, Reitz: Coulson, Spokesperson; Bellock, Brauer, Froehlich, Kosel, McAuliffe, Millner, Mulligan, Munson, Reis and Sullivan.

REVENUE (7/5)—Reitz, Chairperson; Currie, Vice-Chairperson; Hannig, Holbrook, McGuire, Smith, Younge: Biggins, Spokesperson; Beaubien, Jenisch, Krause and Sullivan.

STATE GOVERNMENT ADMINISTRATION (5/4)—Franks, Chairperson; Dugan, Vice-Chairperson; John Bradley, Chavez, Collins: Stephens, Spokesperson; Lindner, Bill Mitchell and Myers.

TELECOMMUNICATIONS (12/11)—Brosnahan, Chairperson; McCarthy, Vice-Chairperson; Acevedo, Boland, Richard Bradley, Colvin, Dunkin, Fritchey, Giles, Hamos, Joe Lyons, May: Meyer, Spokesperson; Black, Bost, Dunn, Hultgren, Eileen Lyons, McAuliffe, Parke, Pihos, Schmitz and Winters.

TOURISM & CONVENTION (4/3)—Dunkin, Chairperson; Feigenholtz, Vice-Chairperson; Bailey, McGuire: Bassi, Spokesperson; Jerry Mitchell and Pihos.

TRANSPORTATION & MOTOR VEHICLES (15/12)—Hoffman, Chairperson; Miller, Vice-Chairperson; Beiser, Brosnahan, D'Amico, Fritchey, Graham, Joyce, Joe Lyons, McCarthy, Mendoza, Molaro, Nekritz, Soto, Washington: Wait, Spokesperson; Black, Bost, Brauer, Froehlich, Mathias, McAuliffe, Millner, Poe, Stephens, Tenhouse and Tryon.

VETERANS' AFFAIRS (7/6)—McAuliffe, Chairperson; Chapa LaVia, Vice-Chairperson; Bailey, Dugan, Flider, Phelps, Verschoore: Sommer, Spokesperson; Bost, Meyer, Moffitt, Sacia and Schock.

PERMANENT COMMITTEE

RULES (3/2)—Currie, Chairperson; Hannig, Turner: Black, Spokesperson; Hassert.

SPECIAL COMMITTEES

DEVELOPMENTAL DISABILITIES & MENTAL ILLNESS (4/3)—Daniels, Chairperson; Ryg, Vice-Chairperson; Chapa LaVia, McKeon: Churchill, Spokesperson; Bellock and Hultgren.

FEE-FOR-SERVICE INITIATIVES (8/8)—Currie, Chairperson; Delgado, Co-Vice-Chairperson; Feigenholtz, Co-Vice-Chairperson; Brosnahan, Flowers, Hamos, Ryg: Daniels, Co-Vice-Chairperson; Mulligan, Spokesperson; Biggins, Coulson, Krause, Leitch, Eileen Lyons, McAuliffe and Meyer.

GAMING (6/5)—Lang, Chairperson; Berrios, Vice-Chairperson; Molaro, Rita, Scully, Verschoore: Hassert, Spokesperson; Beaubien, Kosel, Stephens and Sullivan.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 1, 2005, reported the same back with the following recommendations:

LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:

HOUSE BILL 160 was recalled from the Committee on Elementary & Secondary Education and reassigned to the Committee on Executive.

HOUSE BILL 221 was recalled from the Committee on Public Utilities and reassigned to the Committee on Executive.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson

A Black(R), Republican Spokesperson

A Hannig(D)

Y Hassert(R)

Y Turner(D)

MOTION SUBMITTED

Representative Black submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 49.

REQUEST FOR FISCAL NOTE

Representative William Davis requested that a Fiscal Note be supplied for HOUSE BILL 470.

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 49

Offered by Representative Granberg:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Department of Central Management Services is directed to conduct a study to determine if the State could reduce travel costs of State employees if airfare and hotel accommodations were purchased over the Internet from online travel companies such as Priceline and Hotwire; and be it further

RESOLVED, That the Department shall conduct the study and report its findings to the House of Representatives as soon as practicable; and be it further; and be it further

RESOLVED, That a copy of this resolution be sent to the Director of Central Management Services.

HOUSE RESOLUTION 51

Offered by Representative Feigenholtz:

WHEREAS, Hazel J. Lewis has served the State of Illinois and the nation continuously as Executive Director of the American Medical Association Alliance, Inc. since July 1, 1973; and

WHEREAS, In 52 years of service, she has been a distinguished leader, motivator, and innovator of programs benefiting all of America; and

WHEREAS, Hazel has led highly successful volunteer group efforts attacking the sources of violence among women and children that saved lives and improved conditions for hundreds of thousands of Americans; and

WHEREAS, She will continue serving the citizens of Illinois in local and statewide philanthropic and professional organizations helping children, the elderly, and those with chronic disease; and

WHEREAS, The American Medical Association Alliance honors Helen J. Lewis for her 52 years of service upon the occasion of her retirement on April 8, 2005; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we commemorate the work of Hazel J. Lewis by designating April 8, 2005 to be Hazel J. Lewis Day in Illinois and we encourage all in our State to be aware of her important health advocacy work; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Hazel J. Lewis as an expression of our respect and esteem.

HOUSE RESOLUTION 52

Offered by Representative Saviano:

WHEREAS, Riverboats licensed under the Riverboat Gambling Act generate millions of dollars in revenue each year for the communities in which they dock; and

WHEREAS, The city of Elgin has received a vast windfall from the riverboats that dock within its borders; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois House of Representatives urges that, if a license authorizing riverboat gambling operations in Cook County is issued, any municipality in which riverboats dock pursuant to such a license enter into agreements with all other municipalities in Cook County, other than Elgin, to share the revenues generated by riverboat gambling conducted pursuant to such a license; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the top ranking municipal official in each municipality in Cook County.

HOUSE JOINT RESOLUTION 8

Offered by Representative Pritchard:

WHEREAS, The National Statuary Hall Collection in the United States Capitol is comprised of statues donated by individual states in commemoration of notable citizens in their history; each state is allowed to provide two statues for display; and

WHEREAS, Illinois has two statues on display: Frances E. Willard, given in 1905 and located in the National Statuary Hall, and James Shields, given in 1893 and located in the Hall of Columns; since 1976, the Hall of Columns has housed part of the National Statuary Hall Collection; and

WHEREAS, There is a procedure in place whereby a state may request the Joint Committee on the Library of Congress to approve the replacement of a statue that the state has provided if the request is approved by the state's legislature and its Governor; and

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois; his family moved several more times, settling in Dixon; he attended Dixon High School where he played football and basketball, ran track, served as president of the student body, and first performed as an actor; and

WHEREAS, He graduated from Eureka College in 1932 with a degree in economics and sociology; from humble beginnings, he went on to become a sportscaster, actor and Governor of California; in 1980, he was elected President of the United States, the first native son of Illinois to serve as President; and

WHEREAS, President Reagan served with honor and distinction for two terms as the 40th President; in the 1984 election, he earned the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election, a record unsurpassed in the history of American presidential elections; and

WHEREAS, On October 11, 2001, President Reagan became the longest-lived president ever, passing the nation's second President, John Adams, who had lived 91 years; on June 5, 2004, the world was told its faithful servant had passed away; and

WHEREAS, During his presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic

expansion and opportunity for millions of Americans; and

WHEREAS, His commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to win the Gulf War; his vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that in commemoration of the 40th President of the United States and native son of Illinois, we request the Joint Committee on the Library of Congress to approve the replacement of the James Shields statue with a statue of President Ronald Wilson Reagan in the National Statuary Hall Collection in the United States Capitol; and be it further

RESOLVED, That the cost of the Ronald Reagan statue come from private donations; and be it further

RESOLVED, That to represent Illinois in selecting the sculptor and obtaining the private donations for the statue, a committee of nine shall be created as follows: the Speaker of the House of Representatives, Minority Leader of the House of Representatives, President of the Senate, and Minority Leader of the Senate shall each appoint two members and the Secretary of State shall appoint one member who shall serve as Chairman of the Committee; and be it further

RESOLVED, That copies of the resolution be sent to the Joint Committee on the Library of Congress, the Governor, the Illinois Secretary of State, and to each member of the Illinois congressional delegation.

HOUSE JOINT RESOLUTION 9

Offered by Representative Meyer:

WHEREAS, The Department of Children and Family Services is charged with acting in the best interest of every child it serves, helping families by increasing their ability to provide a safe environment for their children, and strengthening families who are at risk of abuse or neglect; and

WHEREAS, A significant function of government is to promote the health, safety, and welfare of its citizens; and

WHEREAS, The General Assembly has taken notice of many issues surrounding the operations, funding, and execution of the foster care system that must be addressed to ensure continued action as well as establish a higher standard for serving the needs of both foster children and parents; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Task Force on Foster Care in the Department of Children and Family Services is created and shall be comprised of 8 members of the Illinois General Assembly appointed as follows: 2 members of the Senate appointed by the President of the Senate; 2 members of the Senate appointed by the Minority Leader of the Senate; 2 members of the House of Representatives appointed by the Speaker of the House of Representatives; and 2 members of the House of Representatives appointed by the Minority Leader of the House of Representatives; all Joint Task Force members shall serve without compensation; and be it further

RESOLVED, That the chairperson of the Joint Task Force shall be selected by the members from among its membership and the Joint Task Force shall meet at the call of the chairperson; and be it further

RESOLVED, That it is the duty of the Joint Task Force to undertake a comprehensive and thorough review of the operations of the Illinois Department of Children and Family Services Foster Care Division and related laws and rules impacting the Illinois foster care system, with the intent of making recommendations that would improve the system of Department and private agency accountability, improve Department functioning within the constraints of limited budgets, guarantee necessary medical and psychiatric care to wards within the Department, and increase foster parent support; and be it further

RESOLVED, That the Department of Children and Family Services shall provide assistance to the Joint Task Force and the Joint Task Force shall request assistance from any other entity as necessary or useful for the performance of its duties; and be it further

RESOLVED, That the Joint Task Force shall present a report to the General Assembly no later than December 15, 2005; a copy of the report shall be provided to the Director of the Department of Children and Family Services and the Governor within 2 weeks of the presentation of the report to the General Assembly.

HOUSE JOINT RESOLUTION 10

Offered by Representative Franks:

WHEREAS, First Lieutenant Garlin Murl Conner was a native of Clinton County, Kentucky, who served with distinction and valor in the United States Army during World War II; and

WHEREAS, Kentucky Congressman Ed Whitfield introduced H.R. 327 in the 108th Congress to authorize the President to award a Medal of Honor posthumously to Lieutenant Garlin Murl Conner; and

WHEREAS, Lieutenant Garlin Murl Conner is Kentucky's most decorated war hero, who served on the front lines for over eight hundred days in eight major campaigns; he was wounded seven times but returned to combat and continued to fight on the front lines after each wound; and

WHEREAS, During World War II, over forty 3rd Division soldiers received Medals of Honor, more than any other Division; however, Lieutenant Garlin Murl Conner was not awarded the Medal of Honor due to an oversight and failure to process the paperwork; and

WHEREAS, Lieutenant Conner served in the 3rd Infantry Division with Audie L. Murphy, America's most decorated hero of all wars; as compared to Audie L. Murphy, Lieutenant Conner was awarded more Silver Stars for acts of valor, fought in more campaigns, served on the front lines longer, and was wounded more times; he was awarded many honors, including the Distinguished Service Cross, the Silver Star with three Oak Leaf Clusters, the Bronze Star, the Purple Heart with six Oak Leaf Clusters, and other medals; and

WHEREAS, On June 20, 1945, Lieutenant Conner was awarded the Croix de Guerre, the French Medal of Honor, that was also awarded to Sergeant Alvin C. York, America's most decorated World War I soldier, who was a friend of Lieutenant Conner and lived a few miles from Lieutenant Conner's home on the Kentucky-Tennessee border; and

WHEREAS, Major General Lloyd B. Ramsey (Ret.), who was Lieutenant Conner's battalion commander during combat in World War II, is still living and has signed the necessary documents for awarding the Medal of Honor to Lieutenant Conner; in 1945, Major General Ramsey wrote that Lieutenant Conner was "one of the outstanding soldiers of this war, if not the outstanding....I've never seen a man with as much courage and ability as he has"; and

WHEREAS, Stephen Ambrose, America's foremost World War II historian, founder of the D-Day Museum in New Orleans, Louisiana, and author of many books, wrote on November 11, 2000, "I am in complete support of the effort to make Lieutenant Garlin M. Conner a Medal of Honor recipient. What Lieutenant Conner did in stopping the German assault near Houssen, France in January 1945 was far above the call of duty. I've met and talked at length with many Medal of Honor recipients and am sure they would all agree that Lieutenant Conner more than deserves the honor of joining them"; and

WHEREAS, On April 3, 2001, 3rd Infantry Division leaders named the new EAGLE BASE in Bosnia-Herzegovina after Lieutenant Conner because of his gallantry in World War II and because "It's a company-grade forward operating base named after a soldier with a company-grade rank"; and

WHEREAS, Richard Chilton, a former Green Beret from Genoa City, Wisconsin, has been on a mission since 1996 to have the Medal of Honor awarded to Lieutenant Conner; his research has documented that Lieutenant Conner is one of the great combat heroes of World War II, equal in every way to Audie L. Murphy; Chilton has made presentations to dozens of schools about Lieutenant Conner's war record and has copies of over 2,500 letters written by students to President George W. Bush requesting the Medal of Honor be awarded; after reviewing Chilton's information, a host of former war veterans have written Congress requesting passage of H.R. 327 to award the Medal of Honor to one of America's greatest citizen soldiers, Lieutenant Garlin Murl Conner; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the United States Congress to enact legislation authorizing the President to award a Medal of Honor posthumously to First Lieutenant Garlin Murl Conner; and be it further

RESOLVED, That copies of this resolution be delivered to: the Chairman of the Armed Services Committee; the Clerk of the House of Representatives of the United States; the Clerk of the Senate of the United States; each member of the Illinois Congressional Delegation; and the widow of First Lieutenant Garlin Murl Conner, Mrs. Pauline W. Conner, Route 1, Box 208, Albany, Kentucky 42602.

AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 50

Offered by Representative Reis:
Congratulates Elvesta Topp of Shumway on her 100th birthday.

HOUSE RESOLUTION 53

Offered by Representative Joseph Lyons:
Congratulates Pat Indovina on her receipt of the 2004 Elementary Art Educator of the Year award from the Illinois Art Education Association.

HOUSE RESOLUTION 54

Offered by Representative Cross:
Honors U.S. Senator Peter G. Fitzgerald for his distinguished record of public service for the State of Illinois.

HOUSE RESOLUTION 55

Offered by Representative Rose:
Congratulates the City of Arcola on the occasion of its Sesquicentennial Homecoming celebration on July 9-10, 2005.

HOUSE RESOLUTION 56

Offered by Representative Currie:
Mourns the death of Annie Ruth Rogers.

HOUSE RESOLUTION 57

Offered by Representative Myers:
Congratulates Carthage High School Blueboys football team for bringing home the 2nd place trophy from the Class 2A State Football Championship game on November 26, 2004.

HOUSE RESOLUTION 58

Offered by Representative Myers:
Congratulates the United Red Storm football team on winning the Class 1A State Championship title on November 26, 2004.

HOUSE RESOLUTION 59

Offered by Representative Dunkin:
Congratulates the Rotary Club of Chicago on its 100th year anniversary.

HOUSE RESOLUTION 60

Offered by Representative John Bradley:
Congratulates Kelly Cruse of Marion on being crowned Miss Illinois Teen USA 2005.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 50, 53, 54, 55, 56, 57, 58, 59 and 60 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the agreed resolutions were adopted.

At the hour of 1:34 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, February 2, 2005, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.
The motion prevailed.
And the House stood adjourned.

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

February 01, 2005

0 YEAS

0 NAYS

116 PRESENT

P Acevedo	P Delgado	P Lang	P Poe
P Bailey	P Dugan	P Leitch	P Pritchard
P Bassi	P Dunkin	P Lindner	P Reis
P Beaubien	P Dunn	P Lyons, Eileen	P Reitz
P Beiser	P Eddy	P Lyons, Joseph	P Rita
P Bellock	P Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Franks	P McAuliffe	P Saviano
P Boland	P Fritchey	E McCarthy	P Schmitz
P Bost	P Froehlich	P McGuire	P Schock
P Bradley, John	P Giles	P McKeon	P Scully
P Bradley, Richard	P Gordon	P Mendoza	P Smith
P Brady	P Graham	P Meyer	P Sommer
P Brauer	P Granberg	P Miller	P Soto
P Brosnahan	P Hamos	P Millner	P Stephens
P Burke	P Hannig	P Mitchell, Bill	P Sullivan
P Chapa LaVia	P Hassert	P Mitchell, Jerry	P Tenhouse
P Chavez	P Hoffman	P Moffitt	P Tryon
P Churchill	P Holbrook	P Molaro	P Turner
P Collins	P Howard	P Mulligan	P Verschoore
P Colvin	P Hultgren	P Munson	P Wait
P Coulson	P Jakobsson	P Myers	P Washington
P Cross	P Jefferson	P Nekritz	P Watson
P Cultra	P Jenisch	P Osmond	P Winters
P Currie	P Jones	P Osterman	P Yarbrough
P D'Amico	P Joyce	P Parke	P Younge
P Daniels	P Kelly	P Patterson	P Mr. Speaker
E Davis, Monique	P Kosel	P Phelps	
P Davis, William	P Krause	P Pihos	

E - Denotes Excused Absence

7TH LEGISLATIVE DAY**Perfunctory Session****TUESDAY, FEBRUARY 1, 2005**

At the hour of 3:35 o'clock p.m., the House convened perfunctory session.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 0680. Introduced by Representative Black, AN ACT concerning procurement.

HOUSE BILL 0681. Introduced by Representative Hoffman, AN ACT concerning law enforcement training.

HOUSE BILL 0682. Introduced by Representative Hassert, AN ACT concerning local government.

HOUSE BILL 0683. Introduced by Representative Mitchell, Bill, AN ACT concerning regulation.

HOUSE BILL 0684. Introduced by Representative Mitchell, Bill, AN ACT concerning finance.

HOUSE BILL 0685. Introduced by Representative Fritchey, AN ACT concerning human rights.

HOUSE BILL 0686. Introduced by Representative Bellock, AN ACT concerning liquor.

HOUSE BILL 0687. Introduced by Representative Coulson, AN ACT concerning education.

HOUSE BILL 0688. Introduced by Representative Mathias, AN ACT concerning safety.

HOUSE BILL 0689. Introduced by Representative Lindner, AN ACT concerning procurement.

HOUSE BILL 0690. Introduced by Representative Eddy, AN ACT in relation to economic development.

HOUSE BILL 0691. Introduced by Representative Hannig, AN ACT concerning hospitals.

HOUSE BILL 0692. Introduced by Representative Mathias, AN ACT concerning motor fuel theft.

HOUSE BILL 0693. Introduced by Representative Pritchard, AN ACT concerning transportation.

HOUSE BILL 0694. Introduced by Representative Bassi, AN ACT concerning revenue.

HOUSE BILL 0695. Introduced by Representative May, AN ACT regarding schools.

HOUSE BILL 0696. Introduced by Representative Lyons, AN ACT in relation to public employee benefits.

HOUSE BILL 0697. Introduced by Representative Lyons, AN ACT in relation to public employee benefits.

HOUSE BILL 0698. Introduced by Representative Lyons, AN ACT concerning public employee benefits.

HOUSE BILL 0699. Introduced by Representative Lyons, AN ACT concerning civil procedure.

HOUSE BILL 0700. Introduced by Representatives Lyons - Delgado - Joyce - Coulson - D'Amico, AN ACT concerning regulation.

HOUSE BILL 0701. Introduced by Representative Lyons, Eileen, AN ACT concerning criminal law.

HOUSE BILL 0702. Introduced by Representative Holbrook, AN ACT concerning hazardous materials.

HOUSE BILL 0703. Introduced by Representative Holbrook, AN ACT concerning corrections.

HOUSE BILL 0704. Introduced by Representative Holbrook, AN ACT concerning liability.

HOUSE BILL 0705. Introduced by Representatives Cross - Reitz - Beiser - Holbrook - Coulson, Bassi, Beaubien, Bellock, Biggins, Black, Bost, Brauer, Churchill, Cultra, Daniels, Dunn, Eddy, Froehlich, Granberg, Hassert, Hultgren, Jenisch, Kosel, Krause, Leitch, Lyons, Eileen, Mathias, McAuliffe, Meyer, Millner, Mitchell, Bill, Mitchell, Jerry, Moffitt, Mulligan, Munson, Myers, Osmond, Parke, Phelps, Pihos, Poe, Pritchard, Reis, Rose, Sacia, Saviano, Schmitz, Schock, Sommer, Stephens, Sullivan, Tenhouse, Tryon, Wait, Watson and Winters, AN ACT concerning medical liability.

HOUSE BILL 0706. Introduced by Representative Nekritz, AN ACT concerning revenue.

HOUSE BILL 0707. Introduced by Representative Nekritz, AN ACT concerning animals.

HOUSE BILL 0708. Introduced by Representative Black, AN ACT concerning transportation.

HOUSE BILL 0709. Introduced by Representative Black, AN ACT concerning revenue.

HOUSE BILL 0710. Introduced by Representative Boland, AN ACT concerning regulation.

HOUSE BILL 0711. Introduced by Representative Washington, AN ACT concerning business.

HOUSE BILL 0712. Introduced by Representative Chapa LaVia, AN ACT concerning civil law.

HOUSE BILL 0713. Introduced by Representative Boland, AN ACT concerning regulation.

HOUSE BILL 0714. Introduced by Representatives Munson - Nekritz - Kelly - Coulson - Mulligan, AN ACT concerning civil law.

HOUSE BILL 0715. Introduced by Representative Chapa LaVia, AN ACT concerning elections.

HOUSE BILL 0716. Introduced by Representative Beiser, AN ACT concerning criminal law.

HOUSE BILL 0717. Introduced by Representative Osterman, AN ACT concerning government.

HOUSE BILL 0718. Introduced by Representative Osterman, AN ACT concerning energy conservation.

HOUSE BILL 0719. Introduced by Representative Soto, AN ACT concerning immigrants.

HOUSE BILL 0720. Introduced by Representatives Leitch - Sommer - Schock, AN ACT concerning local government.

HOUSE BILL 0721. Introduced by Representative Leitch, AN ACT concerning land.

HOUSE BILL 0722. Introduced by Representative Colvin, AN ACT in relation to incarceration.

HOUSE BILL 0723. Introduced by Representative Granberg, AN ACT concerning conservation.

HOUSE BILL 0724. Introduced by Representative Granberg, AN ACT concerning education.

- HOUSE BILL 0725. Introduced by Representative Reitz, AN ACT concerning aging.
- HOUSE BILL 0726. Introduced by Representative Miller, AN ACT concerning children.
- HOUSE BILL 0727. Introduced by Representative Wait, AN ACT concerning revenue.
- HOUSE BILL 0728. Introduced by Representative Mitchell, Jerry, AN ACT concerning education.
- HOUSE BILL 0729. Introduced by Representative Reitz, AN ACT concerning safety.
- HOUSE BILL 0730. Introduced by Representative Bradley, John, AN ACT concerning transportation.
- HOUSE BILL 0731. Introduced by Representative Eddy, AN ACT concerning government.
- HOUSE BILL 0732. Introduced by Representative Jakobsson, AN ACT concerning insurance.
- HOUSE BILL 0733. Introduced by Representative Delgado, AN ACT concerning schools.
- HOUSE BILL 0734. Introduced by Representative Delgado, AN ACT concerning public aid.
- HOUSE BILL 0735. Introduced by Representative Moffitt, AN ACT concerning economic development.
- HOUSE BILL 0736. Introduced by Representative Moffitt, AN ACT concerning economic development.
- HOUSE BILL 0737. Introduced by Representative Delgado, AN ACT concerning regulation.
- HOUSE BILL 0738. Introduced by Representative Rose, AN ACT concerning public employee benefits.
- HOUSE BILL 0739. Introduced by Representative Eddy, AN ACT concerning school construction.
- HOUSE BILL 0740. Introduced by Representative Ryg, AN ACT concerning public aid.
- HOUSE BILL 0741. Introduced by Representative Eddy, AN ACT concerning public employee benefits.
- HOUSE BILL 0742. Introduced by Representative Boland, AN ACT concerning business.
- HOUSE BILL 0743. Introduced by Representative Coulson, AN ACT concerning elections.
- HOUSE BILL 0744. Introduced by Representative Wait, AN ACT concerning school students.
- HOUSE BILL 0745. Introduced by Representative Wait, AN ACT concerning taxes.
- HOUSE BILL 0746. Introduced by Representative Flider, AN ACT concerning regulation.
- HOUSE BILL 0747. Introduced by Representative Wait, AN ACT concerning minors.
- HOUSE BILL 0748. Introduced by Representative Jakobsson, AN ACT concerning State government.
- HOUSE BILL 0749. Introduced by Representative Joyce, AN ACT concerning public employee benefits.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Bassi introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 9**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH 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 amend Sections 2 and 5 of Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Senators elected in 2008 shall serve four-year terms. Senators elected in 2010 shall serve two-year terms. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into two ~~three~~ groups. During each ten-year period, beginning with the general election in 2012, Senators from one group shall first be elected for terms of six years and then for terms of four years ~~four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the other third group shall first be elected~~ ; for terms of ~~two years,~~ four years and then for terms of six ~~four~~ years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) Each Legislative District shall be divided into two Representative Districts. ~~In 1982 and every two years thereafter~~ One Representative shall be elected from each Representative District ~~for a term of two years.~~ Representatives elected in 2008 shall serve terms of four years. During each ten-year period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or a Representative office ~~or in any other Senatorial office~~, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

(Source: Amendment adopted at general election November 4, 1980.)

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years. ~~during the term for which members of the House of Representatives are elected.~~

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and

legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of members of the General Assembly in 2008 and thereafter. It does not affect the terms of members elected in 2004 or 2006.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 9 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Black introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 10

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH 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 amend Section 1 of Article X of the Illinois Constitution as follows:

ARTICLE X

EDUCATION

SECTION 1. FUNDAMENTAL RIGHT GOAL - FREE SCHOOLS

A fundamental right goal of the People of the State is the educational development of all persons to the limits of their capacities.

It is the paramount duty of the State to shall provide for a an thorough and efficient system of high quality public educational institutions and services and to guarantee equality of educational opportunity as a fundamental right of each citizen. Education in public schools through the secondary level shall be free. The State has the preponderant financial responsibility for financing the system of public education. There may be such other free education as the General Assembly provides by law.

~~The State has the primary responsibility for financing the system of public education.~~
(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 10 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

At the hour of 3:49 o'clock p.m., the House Perfunctory Session adjourned.