

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**65TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**TUESDAY, OCTOBER 18, 2005**

**11:23 O'CLOCK A.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
65th Legislative Day**

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The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

**LETTER OF TRANSMITTAL**

October 18, 2005

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will have a **Perfunctory Session on Tuesday, October 18, 2005.**

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Lang replaced Representative Hannig in the Committee on Rules on October 18, 2005.

Representative Bellock replaced Representative Hassert in the Committee on Rules on October 18, 2005.

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on October 18, 2005, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bills be reported "approved for consideration" and be placed on the order of Second Reading - Short Debate: HOUSE BILLS 230, 1664, 1920 and SENATE BILLS 92, 176, 1843 and 1879.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Agriculture & Conservation: HOUSE RESOLUTION 520.  
Elections & Campaign Reform: SENATE BILLS 204 and 1445.  
Elementary & Secondary Education: HOUSE RESOLUTION 509.  
Executive: SENATE BILLS 1208 and 1213.  
Higher Education: HOUSE RESOLUTION 609.  
Human Services: SENATE BILL 1620.  
Judiciary I - Civil Law: SENATE BILL 1681.  
Judiciary II - Criminal Law: SENATE BILLS 273, 319 and HOUSE RESOLUTION 530.  
Personnel and Pensions: HOUSE BILL 1498, HOUSE RESOLUTIONS 606 and 654.  
Registration and Regulation: SENATE BILL 331.  
State Government Administration: HOUSE RESOLUTIONS 597 and 621.  
Transportation and Motor Vehicles: HOUSE JOINT RESOLUTION 66.

Tourism & Conventions: HOUSE JOINT RESOLUTION 64.  
Veterans Affairs: SENATE BILL 36.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 1, Nay; 0, Answering Present.

Y Currie(D), Chairperson  
Y Lang(D) (replacing Hannig)  
Y Turner(D)

A Black(R), Republican Spokesperson  
N Bellock(R) (replacing Hassert)

## RESOLUTIONS

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

### HOUSE RESOLUTION 629

Offered by Representative Hoffman:

WHEREAS, Traffic fatalities needlessly claimed the lives of more than 42,636 people, almost all of whom are someone's friend, family, and most beloved in 2004; and

WHEREAS, Traffic crashes have claimed 421,779 lives in the last ten years, January 1, 1995 through December 31, 2004; and

WHEREAS, Fifty-six percent of passenger vehicle occupants killed in traffic crashes are not wearing safety belts; and

WHEREAS, Roadside hazards, substandard road conditions, and obsolete roadway designs contribute to more than 15,000 highway deaths annually, which represents more than 35 percent of all fatal crashes; and

WHEREAS, An estimated 1,925,000 people are injured in traffic crashes in the United States each year; and

WHEREAS, There are more than 6,000,000 nonfatal traffic crashes in the United States each year; and

WHEREAS, Deaths and injuries on highways in the United States cost more than \$230,000,000,000 annually; and

WHEREAS, In 2004, 4,641 pedestrians and 725 bicyclists were killed in traffic-related crashes; and

WHEREAS, Roadway safety improvements can reduce the number and severity of crashes; and

WHEREAS, Continued development of safer vehicles and protective equipment can reduce traffic-related fatalities and injuries; and

WHEREAS, Cooperation between federal, State, and local governments, private entities, and associations is essential to increasing highway safety; and

WHEREAS, Congress overwhelmingly approved H.R. 3, "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users", legislation reauthorizing highway, transit, and safety programs; and

WHEREAS, Safe driving behaviors such as:

Before you put yourself behind the wheel:

1. Ensuring your vehicle is safe, e.g., clean and properly maintained,
2. Allowing yourself enough time to arrive safely,
3. Being physically sound and mentally sharp,

Before you start the ignition:

4. Always buckling your safety belt,
5. Maintaining clear sight picture,

While driving:

6. Paying complete attention to driving,
7. Following signals, signs, and striping,
8. Maintaining safe speed for conditions and safe following distance,
9. Being a courteous and conscientious driver,
10. Being a defensive driver can reduce traffic-related fatalities and injuries; and

WHEREAS, The establishment of a Put the Brakes on Fatalities Day would encourage safer drivers,

safer vehicles, and safer roads; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize October 10, 2005 as Put the Brakes on Fatalities Day in Illinois; and be it further

RESOLVED, That we urge the people of Illinois and interested groups to observe the day by practicing and promoting safe driving behaviors and with appropriate programs and activities.

#### HOUSE RESOLUTION 634

Offered by Representative Beiser:

WHEREAS, Man-made and natural disasters that may tragically cause trauma can occur at any time as evidenced by September 11, 2001, and the devastation of Hurricane Katrina in 2005; and

WHEREAS, The State of Illinois should examine new means of disaster planning to make sure all citizens of the State are cared for in times of need; and

WHEREAS, The State of Illinois should have a comprehensive plan in place that utilizes all of its resources; and

WHEREAS, The State of Illinois has many resources, including State money, State equipment, State facilities, and State employees; and

WHEREAS, State employees are a resource the State has invested in and most would be willing to assist their fellow citizens in time of need; and

WHEREAS, The State of Illinois should create a program to allow non-essential State employees to volunteer to join an Emergency Corps to assist in emergency situations as directed by the Governor; and

WHEREAS, These State employees should be trained in advance to be mobilized as soon as possible at the direction of the Governor in the time of crisis; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Governor Blagojevich, the Illinois Emergency Management Agency, and the Department of Central Management Services to create an Emergency Corps made up of volunteer State employees who are willing to mobilize to assist in any emergency crisis that may affect the State of Illinois; and be it further

RESOLVED, That suitable copies of this resolution be delivered to Governor Blagojevich, the Director of the Illinois Emergency Management Agency, and the Director of Central Management Services.

#### HOUSE RESOLUTION 637

Offered by Representative Bill Mitchell:

WHEREAS, The missions of the United States Department of Agriculture's (USDA) Farm Service Agency (FSA) include stabilizing farm income, helping farmers conserve land and water resources, providing credit to new or disadvantaged farmers or ranchers, and helping farm operations recover from the effects of disaster; and

WHEREAS, The USDA FSA was set up when the Department was reorganized in 1994; and

WHEREAS, Although its name has changed over the years, the FSA's relationship with farmers goes back to the 1930s; and

WHEREAS, The USDA FSA currently maintains 93 offices in the State of Illinois; and

WHEREAS, Secretary of Agriculture Johanns announced a proposal to modernize the USDA FSA; and

WHEREAS, This initiative, known as FSA Tomorrow, includes restructuring county offices and reorganizing state offices; and

WHEREAS, Under this proposal, 44 offices in Illinois have been identified that meet the criteria for consolidation; and

WHEREAS, It is expected the FSA will consolidate its physical presence in 26 of 93 counties; and

WHEREAS, Illinois county offices currently slated for office restructuring include: Alexander/Pulaski, Bond, Boone, Brown, Calhoun, Carroll, Cass, Coles, Cumberland, Dekalb, Dewitt, Gallatin/Hardin, Green, Grundy, Henderson, Franklin, Fulton, Jackson, Jersey, Johnson/Massac/Pope, Kane/DuPage, Kendall, Lawrence, Mason, Morgan, Monroe, Moultrie, Randolph, Richland, Rock Island, Perry, Peoria, Piatt,

Saline, Scott, Schuyler, Union, Wabash, Warren, Washington, White, Whiteside, Williamson, and Winnebago; and

WHEREAS, No final decisions have been made regarding what office consolidations will occur; and

WHEREAS, The USDA FSA state executive directors are to submit consolidation proposals by November 15, 2005; and

WHEREAS, Concerns exist as to how these offices will be consolidated and how the consolidations will affect service levels, as well as distances farmers may have to travel to reach a USDA FSA office; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the USDA to reconsider consolidating the USDA FSA offices; and be it further

RESOLVED, That we urge the United States Congress to increase appropriations for the USDA FSA offices; and be it further

RESOLVED, That suitable copies of this resolution be presented to the President of the United States, the United States Secretary of Agriculture, each member of the Illinois congressional delegation, and the Illinois State Executive Director of the FSA.

#### HOUSE RESOLUTION 650

Offered by Representative Hamos:

WHEREAS, A viable, comprehensive, and coordinated system of mass transit is vital for the quality of life and future development of the northeastern region of the State of Illinois; and

WHEREAS, The region is served by the Chicago Transit Authority (CTA), Metra, and Pace, with financial oversight by the Regional Transportation Authority (RTA); and

WHEREAS, The CTA, Metra, and Pace carry over 500,000,000 riders each year; and

WHEREAS, The General Assembly passed a \$54.3 million appropriation to the RTA to provide, for the first time, paratransit services pursuant to the Americans with Disabilities Act (ADA); and

WHEREAS, All public entities have a responsibility to manage public funds with the highest level of efficiency and to eliminate waste and mismanagement; and

WHEREAS, The federal SAFETEA-LU capital spending bill (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) contains funding for many expansions of service, including Metra's STAR Line and Pace's J line Bus Rapid Transit, and this federal funding will require a local match; and

WHEREAS, The General Assembly will have to consider the merits of these transportation expansion projects and determine the appropriation of State funds towards the most beneficial and effective projects; and

WHEREAS, The office of the Auditor General of Illinois is highly respected throughout Illinois for the thoroughness, fairness, and non-partisan manner in which it conducts audits of governmental agencies; and

WHEREAS, The Auditor General is recognized as an authority upon whom the General Assembly can rely for audits that provide information that is beneficial during legislative deliberations about budgets, appropriations, efficiency of programs, and budget savings achievable through improved management; and

WHEREAS, There is already an audit underway for the CTA pursuant to House Resolution 479; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the members of the House of Representatives direct the Auditor General to immediately conduct financial, compliance, and performance audits of the RTA, Metra, and Pace including, without limitation, their operations, pensions, capital programs, and identifiable areas where redundant operations between RTA, Metra, and Pace and the CTA may be eliminated; and be it further

RESOLVED, That the Auditor General address, in these audit reports, the extent to which the RTA, Metra, and Pace are adversely affected by mismanagement or inefficiencies and that if mismanagement or inefficiencies were corrected, to what extent the improvements would result in budget savings for the agencies; and be it further

RESOLVED, That the Auditor General's audit reports concerning RTA, Metra, and Pace be submitted to the General Assembly and the Governor; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Auditor General, the Legislative

Audit Commission, the Regional Transportation Authority, Metra, and Pace.

HOUSE JOINT RESOLUTION 67

Offered by Representative Reis:

WHEREAS, The Pledge of Allegiance (Pledge) is and has been under attack by activist judges and courts, and the United States 9th Circuit continues to assail the structure of the Pledge; and

WHEREAS, The Pledge, including the phrase "one Nation under God", reflects the historical fact that a belief in a higher power permeated the founding and development of our Nation; it is a recognition of the fact that many people believe in a higher power and the value that our culture has traditionally placed on the role of religion, in a general sense rather on any specific religion, in our founding and our culture; and

WHEREAS, The First Amendment to the Constitution embodies principles intended to guarantee freedom of religion both through the free exercise thereof and by prohibiting the government establishing a religion; and

WHEREAS, The Supreme Court has recognized that governmental entities may, consistent with the First Amendment, recognize the religious heritage of America; and

WHEREAS, Patriotic songs, engravings on United States legal tender, and engravings on federal buildings contain general references to "God"; and

WHEREAS, Congress, and many legislative chambers across the nation, including the Illinois House, have consistently supported the Pledge by starting each session with its recitation; and

WHEREAS, The Pledge is recited tens of millions of times a day, largely by students in schools across America; and

WHEREAS, The recitation of the Pledge is voluntary, rather than mandatory, on all levels and at all times; and

WHEREAS, The practice of voluntarily reciting the Pledge in public school classrooms should not only continue but should be encouraged by the policies of Congress, the various states, municipalities, and public school officials; and

WHEREAS, Those who do not share the beliefs expressed in the Pledge or who do not wish to pledge allegiance to the flag of the United States of America have the right to refrain from its recitation; and

WHEREAS, The phrase "one Nation under God" reflects that religious faith and religious freedom was central to the Founding Fathers, and thus to the founding of the Nation; 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 line with the powers granted to the several States in Article V of the Constitution of the United States, we call for a Convention to propose an Amendment to the federal Constitution to provide explicitly for the constitutionality of public, non-sectarian expressions of personal faith and reverence, including, but not limited to, the current wording of the Pledge of Allegiance, and for no other purpose; and be it further

RESOLVED, That we call upon Congress to draft and submit an amendment of this type for ratification to the several States; and be it further

RESOLVED, That copies of this Resolution be transmitted to the Senators and Representatives representing Illinois in Congress.

At the hour of 11:30 o'clock a.m., the House Perfunctory Session adjourned until Wednesday, October 19, 2005, at 12:00 o'clock p.m.