

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

151st Legislative Day

January 7, 2003

Speaker Madigan: "The House will come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray. Most precious and most Sovereign King, who art the Lord of Lords and the King of Kings. We declare this day that You are God. And it is You that have made us and formed us and not ourselves. For we are Your people, we are the very sheeps of Your pasture. So, father, I pray that You will be thy shepard. That You would watch over us, that You would protect and preserve us, that You would be that guide in our life that leads us. For You said a righteous man's steps are ordered by the Lord. This we kindly pray and ask by faith, in Your Son's name. Amen."

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

Black - 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 Representatives Erwin, Kenner, and Ryan are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Burns is excused today."

Speaker Madigan: "The Clerk shall take the record. There being 113 Members responding to the Attendance Roll Call, there

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is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measures we're referred, action taken on Tuesday, January 7, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to Senate Bill 2023. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure was referred, action taken on Tuesday, January 7, 2003, reported the same back with the following recommendations: 'be adopted' a Motion to Concur with Senate Amendments 1 and 2 to House Bill 1273."

Speaker Madigan: "Mr. Novak. On page 2 of the Calendar, on the Order of Senate Bills-Second Reading there appears Senate Bill 364. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 364, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Novak, has been approved for consideration."

Speaker Madigan: "Mr. Novak. On the Amendment."

Novak: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. Excuse me. Floor Amendment #2 becomes the Bill. To give you a little bit... a little background about the purpose of this Bill, the county that I represent, Kankakee County, is a county of about a hundred thousand people. It has one landfill that has been operated by Waste Management for nearly 30 years. And in the contract with Waste Management and the county board, their solid waste ordinance requires that no out-of-county trash be accepted into that landfill. That was 30 years ago. The picture has changed significantly right now. If you live in a county with a hundred thousand people with a lot of

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wide-open spaces the specter of three... three landfills to be sited, two new ones and one current one in the County of Kankakee gives us the opportunity here to require that our landfills... new landfill construction, be much safer in the interest of the public's health and safety. The Kankakee River is probably one of the most pristine and clean rivers in the state that meanders through the county. Most of the people live near or by the river in urban areas. These two new landfills that are being sited are not too far from the water table and from the streams and from the river. So, we... we have a situation in my home county where the City of Kankakee has sited a landfill. The County of Kankakee has turned around and responded by allowing Waste Management to buy more land and expand their landfill. So, Ladies and Gentlemen, we're talking about... hundreds of trucks coming down to my home county with out-of-county garbage and most of that waste and trash... municipal waste will be from northeastern Illinois, many of you that represent those areas. So, do I want Kankakee County to be a so-called dumping ground for northeastern Illinois trash? I don't think anybody wants their home county... But all of us are familiar when you take that trip to Springfield every week, when you drive through Pontiac and you see that mountain. Well, that mountain is a landfill and that landfill takes trash from out of that county. Do landfills make money? Absolutely. They make a lot of money. The local governments in their host agreements will make money off this, as does the City of Kankakee with their landfill. But what's going on right now, both sides are fighting each other. The county is fighting the city and the Pollution Control Board. The city has filed a lawsuit against the county in the local

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circuit court. So, where does that leave the general public? That leaves the general public in my home county with two new giant landfills to be added in the near future. Two, with millions of pounds of waste coming from out of my... out of our county into our district. This Bill is very, very simple. It says this, it says if we're gonna have newer landfills, new construction of landfills... this is a prospective Bill, why not have double-plastic liners that are required in the EPA rules and regulations? The current law states only one liner of 60 mils thickness shall be used to protect the leachate from going into the groundwater. Now, there's all kinds of technological methodologies used in siting the landfill and I won't get into that. I'm saying let's increase the margin of safety for our citizens, regardless of where any new landfills are being built. Just think of this yourself, two new landfills in your home county, two in addition to the one that's currently operating. That's three, three. Hundreds of trucks everyday coming down the interstate, dumping trash in Kankakee County. I ask my colleagues to please support me on this. I think it's a reasonable approach. We can't do away with landfills, we realize they're gonna be here. But let's make 'em safer for the public and our constituents. Thank you."

Speaker Madigan: "The Gentleman moves that the House concur... the House pass Senate Bill 364. On that question, the Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Mr. Black, let me correct myself. We're on Second Reading considering, the Amendment. This is Second Reading considering the Amendment. Mr. Black and the

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Sponsor yields."

Black: "Thank you very much. Representative, I wanna make something... I need to have something clear. As I read your Amendment, it is as you portrayed it to be, a relatively simple, straightforward Amendment. However, there's some language that concerns me. There is a landfill in my home county, as well, that has capacity, I think they say, for about the next 50 years. But in order to reach that capacity they have various cells that they open as one cell is filled up and covered. Now, if I read your Amendment correctly, the next time they go for a permit to develop the newest cell, they would then have to put a dual liner rather than the current one liner that law tells them they must do. And I know that that's going to increase their operating costs and they're gonna say, we're in compliance with all applicable laws and studies and why all of a sudden, if we wanna open a cell in 2003, will we be impacted by this law?"

Novak: "First of all, Mr. Black, can I ask you a question about..."

Black: "Sure."

Novak: "...the question you asked me? Is your landfill in Vermilion County, is it attempting to expand? Is it... does it have to go through..."

Black: "Yes."

Novak: "Does it have to..."

Black: "It has room to expand. They estimate capacity..."

Novak: "Okay."

Black: "...would run out to about 50 years..."

Novak: "All right."

Black: "...but to meet that capacity they have to get a permit to create the cell..."

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Novak: "Do they... Do they have to go through another siting process?"

Black: "I don't think they go to a siting process because the land in question is already sited for a landfill."

Novak: "Well... If it's already been sited this would not apply to them."

Black: "All right, so..."

Novak: "If they... if they're expanding their landfill to get to... and they have to go through a siting process, okay? If you don't go through the siting process, this will not apply."

Black: "All right. So, if the land is already owned by the landfill company and all they're doing is on land they already own and has already been sited is, of course, as you know from Kankakee, Phil, you simply dig a new hole called a cell, make sure that it's properly lined and inspected..."

Novak: "Right."

Black: "...and then they start to fill that cell as they cover..."

Novak: "Correct. That landfill was sited 'X' number of years ago, Pollution Control Board signed off on it. This is not... this is prospective, Representative, not retroactive."

Black: "Okay. All right. Okay. Now, refresh my memory. I thought we had an agreement, we, being the environmental community. And those of us that understand obviously, we have to have someplace to put solid waste. When I was a kid we called it garbage, but now it's solid waste. Somehow, that sounds better, I guess. I've always been concerned that there are so many counties, Representative, that refuse to site a landfill. And your home county and

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my home county seem to take solid waste from an awful lot of surrounding counties, but that's not the issue that we're here to discuss at this time. But I thought we had an agreement with the EPA and the various environmental groups that the dual liner concept would be studied to see, if, in fact, it grants anymore protection. I'm not sure we know how long the current liner... that we know for certain how long that will hold to not allow leachate escape as so many landfills have done in the past. Now, if we go to dual the liner, do we know or have any empirical evidence that this doubles the safety and the efficiency of that landfill?"

Novak: "Well, ya know, Representative Black, I'm not a scientist, I'm not a hydrologist, I'm not a geologist. All I know is that if we increase the margin of safety with another liner that's 60 mils thick it's gonna be safer for our drinking water and our potable water and our rivers and streams and our constituents. I mean, a dual liner, whether they're put on top of each other or separated by compacted... what they call that hard clay..."

Black: "Right."

Novak: "...which is an ideal place to site a landfill is going to increase the margin of safety."

Black: "All right. So, let me just ask you one question and this is not for purposes of a stalking horse. Do you have any figure, any idea... the dual liner is going to cost more money."

Novak: "Yes."

Black: "Now, that means that that'll be passed on to the consumer. And one of the things I fight in my home county already, as those tipping fees have continued to climb we have more and more fly dumping along rural roads, as I'm

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sure you do in Kankakee County as well, because the cost is no longer an insignificant cost to take a pick-up truck load of solid waste, construction debris to your landfill. Now, if we go to the dual liner, have you been able to get any idea as to how it might impact tipping fees?"

Novak: "Well, it doesn't impact tipping fees at all, Representative Black. It's gonna be a... it will be an extra cost, absolutely."

Black: "Okay."

Novak: "It all depends on the size of the area that's gonna be sited, ya know, depending on the number of acreage. Ya know, it could run a million dollars or a million... maybe more than a million dollars. But when you divide it by each truck that comes in... I've talked to people in the industry, Representative Black, and it comes out to about a dollar a load, one dollar a load. Will that cost be pushed off to the hauler? Yes, of course it will be. Will that cost inevitably be pushed off to the municipality that signs a contract with the hauler? I'm sure it will. I mean, in life here, when fees increase or things increase, a lot of these costs are pushed off, unfortunately. But again, the main reason I am doing this is to enhance public safety."

Black: "Of the current landfills operating in Kankakee County, is one of those owned by the City of Kankakee?"

Novak: "No."

Black: "Is this..."

Novak: "They are siting one all by themselves that will be owned by a private owner and run privately."

Black: "The reason I ask the question, I thought there was a landfill in Kankakee County that could, for lack of a better word, discriminate on costs. I think there's a

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court decision that said if a landfill is owned by a government entity they can charge more money for out of county or out of corporate city limits to dump waste. And I thought one of those was in Kankakee County."

Novak: "Mr. Black, you might be right. I mean the current landfill has been operating since 1974 and, ya know, for years they've been taking... they've been restricting garbage from outside. The county amended that ordinance. They've opened the floodgates up for trash to come into Kankakee County. Now, are their tipping fees higher? I think when you compare them to Pontiac's, yes, they are."

Black: "All right."

Novak: "Pontiac's tipping fees are cheaper."

Black: "All right. It's something that has piqued my interest over the years that some landfills have the capability to make out-of-area dumpers pay dearly for that and if you're not fortunate enough to have that possibility, they can import waste from 40 counties and they pay the same rate as somebody who lives in that county. I've never really thought that was fair..."

Novak: "Well, as I understood it..."

Black: "...but that's the way the courts have ruled."

Novak: "As I understand it, the tipping fees are set by statute."

Black: "Okay."

Novak: "State tipping fees and local fees... fees and then whatever host agreement that the municipality or the county negotiates with the waste company is what they'll receive."

Black: "All right. Thank you very much, Representative. As always, I appreciate your indulgence. Mr. Speaker, an inquiry of the Chair, that staff has called to my attention... and it's not an inquiry to try and delay anything. Staff has some legitimate concerns. I would ask

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the parliamentarian to look at the language. Amendment #2 is referring to a Senate Bill 364 and to a House Bill 364. I would just simply ask that the parliamentarian make the applicable ruling so that the Amendment will, in fact, be in order, since this is the last day of the 92nd General Assembly."

Speaker Madigan: "Mr. Novak."

Novak: "Yes, Mr. Speaker, thank you. Mr. Black, thanks for bringing that up, you're right. Please take it out of the record and we'll get it repaired. Thank you."

Speaker Madigan: "Mr. Black, is Mr. Daniels prepared to consider Senate Bill 2023? That's the next Bill on the Calendar. On the Order of Senate Bills-Second Reading Senate Bill 2023. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 2023, the Bills been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Barbara fler... Barbara Flynn Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie on Amendment #1."

Currie: "I'd like to withdraw Amendment 1."

Speaker Madigan: "Amendment #1 shall be withdrawn. Are there any further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This is a straightforward proposition and request from the Treasurer's Office to transfer unused monies in part of the Capital Litigation Trust Fund so that she can pay some \$540 thousand in court-ordered defense support that has been accrued during fiscal years 02 and 03. The authority given her under this measure is limited to fiscal 02 and fiscal

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03 so that we might consider better ways to organize her ability to know what kinds of obligations the state will incur in these various lines in the coming Spring Session. I'm happy to answer your questions and I'd appreciate your support."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The sponsor yields."

Parke: "Representative, are you saying that the com... that the treasurer wants to pay these Bills, and she has the money set aside to pay 'em?"

Currie: "She has money but not in the appropriate line item within the Capital Litigation Trust Fund. This measure would give her the authority to take money that is not used and will not be used so is to pay off these court-ordered obligations that are in another line of the trust... of that fund but that line is not sufficient to pay those \$540 thousand in costs."

Parke: "So, is this just a matter of moving the... moving it as a technical in nature? I mean is she gonna... Is she... My ultimate concern is that we're spending money we don't have."

Currie: "No."

Parke: "Is this money... is already in the appropriation process, she's able to do it, we just need to move it in the proper line item to make it... so we can do it?"

Currie: "This enables her to... because you have to estimate in advance, the estimation was wrong. So it enables her to move money that she currently has in one line of this Capital Litigation Trust Fund to another where obligations have been incurred but there is no money in the second

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line."

Parke: "Has she asked you to put this Amendment on for her?"

Currie: "Yes."

Parke: "Okay, thank you. I have no more questions."

Speaker Madigan: "Mr. Black, on the Amendment."

Black: "Thank you very much, Mr. Speaker. I appreciate your indulgence. Will the Sponsor of the Amendment yield? Representative, I'm sure you would. There's been some confusion on our side of the aisle that with the language in your Amendment it would allow the transference of money that normally is distributed among downstate counties to, in fact, be distributed upon Cook County. But the Treasurer's Office tells me that, in fact, it is the opposite, that Cook County has returned unused funds that will revert to the Treasurer's Office and then can be used in the other 101 counties. Correct?"

Currie: "That is correct."

Black: "Representative, I am always enthralled when I can stand in complete and total support of one of your Amendments. And this is one of the finest, one of the finest Christmas presents you've given downstate in many a year and I appreciate you bringing this to our attention."

Currie: "Thank you."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr Clerk, read the Bill for a third time."

Clerk Bolin: "Senate Bill 2023, a Bill for an Act in relation to

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criminal law. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Winkel."

Winkel: "Thank you, Mr. Speaker. Amendment #2 which has been adopted becomes the Bill. The discussion that has already been had on that, essentially the amended... the Bill as amended would permit the treasurer to satisfy the state's obligations to defense attorneys and comply with all outstanding judicial orders without requiring any additional monies be appropriated from the General Revenue Fund to the Capital Litigation Trust Fund. I'd be glad to take any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brunsvold, Senate Bill 2291. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 2291 has been read a Second time, previously. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandates note have been requested on the Bill and those notes have not been filed."

Speaker Madigan: "Mr. Brunsvold, did you hear the Clerk that the request for notes have not been complied with? So the Bill shall remain on the Order of Second Reading. On the Order of Concurrence there appears House Bill 1273. Mr. Black. Mr. Black, on House Bill 1273, on the Order of Concurrence. The Sponsor is Mr. Daniels. Did you wish to move the Bill? Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. This Bill deals with the telecommunications industry. And in fact, the Bill

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codifies the existing practice of the telecommunications providers currently in practice by those providers. This Bill deals with two parts, one of which is concept of bundling where in developing a fair and equitable policy of bundling taxable and nontaxable or exempt services. For instance, it's very common these days to have phone companies charge for phone service which is taxable and Internet access which is exempt and will remain exempt. This Bill clarifies and allows a policy of taxing those portions under one total fee for a month, thereby saving the customer the paying of still another bill to read and try to decipher when they get their phone bills. Currently, the re... another reason for the Bill is to avoid the possibility of litigation that may be... may occur based upon the apportionment of certain of these taxes and charges elsewhere and provide and protect our customers and those companies that provide these telecommunication services. And I'd be happy to answer any questions any of the Members may have."

Speaker Madigan: "The Gentleman moves that the House concur in the Senate Amendments. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendments #1 and 2?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendments #1 and 2. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Wait. Mr. Wait, do you wish to call House Bill 2463? Mr. Saviano on House Bill 2721. Mr. Clerk, House Bill 2721,

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Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I make a Motion to Concur with Senate Amendment #1, 3, and 4 oh... on Amendment #1, which becomes the Bill, which would allow the Water Reclamation District of Chicago to annex a little over 30 acres of Hanover Township to provide for a development that is being built there. I know of no opponents to this. I've spoken to the Representative that represents the area and he's in favor of it, also. And I would ask that we concur with Senate Amendment #1 to House Bill 2721."

Speaker Madigan: "The Gentleman has moved that the House concur in Senate Amendment #1. Is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Representative Jerry Mitchell voted? Jerry Mitchell. Has Mr. Mitchell voted? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 2 people voting 'no'. The House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Bost, House Bill 5159, Mr. Bost."

Bost: "Thank you, Mr. Speaker. I make a Motion to Concur with Senate Amendment #1, which becomes the Bill, on House Bill 5159. This increases the bonding authority of the Rural Bond Bank by \$45 million. This legislation allows the bank to sell 45 million more in bonds based on the debt to local government. And its boot needs to be clear that it does not involve state debt. And I'd be glad to answer any questions."

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Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #1. Is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1. And this Bill, having received a constitutional Majority, is hereby declared passed. Mr. Wait, are you ready? Mr. Wait on House Bill 27. Excuse me, Mr. Wait on House Bill 2463."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2463 is an Amendment to the Pharmacy Act. It's basically agreed to by all parties. We'd be concurring in Senate Amendment #1, 3, and 4th. And basically, it just requires that pharmacists' assistants need to have a unique identifiers so we who and actually is filling the prescription, although it's actually under the pharmacist. And like I say, everybody's in agreement in this. And I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendments #1, 3, and 4. Is there any discussion? There being no discussion, the question is... Mr. Black."

Black: "Mr. Speaker, in all due respect, I'd like to divide the question and take each Amendment on its face."

Speaker Madigan: "Good enough. The first Motion will be to concur in Senate Amendment #1. And is there any discussion?"

Black: "Yes, would the... Speaker or would the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Representative, the two classifications that you're

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creating in the pharmacy license, what... what's the difference? What will the difference be between the two classifications of licensure?"

Wait: "Really, it doesn't matter, because #1 actually is collapsed in the #3, so there is there's not gonna be a two distinction."

Black: "In other words, a subsequent Amendment will take it back to a single licensure classification?"

Wait: "Number three actually becomes the Bill, so #1 actually is not applicable, #1 is collapsed into #3."

Black: "If #1 isn't applicable, then why don't you withdraw #1, because there's language in there in Senate Amendment #1 that the medical community is very, very much opposed to. And as someone who unfortunately is on a first name basis with my pharmacist, there's language in Senate Amendment #1 that I don't like. And... if there's nothing in Senate Amendment #1 that survives or is added to the Bill, then why don't we withdraw Senate Amendment #1? Or refuse to concur, if in fact, the Amendment is meaningless, I don't... the reason I raise the point, if in fact, the Amendment is meaningless, I don't know why it's on the Bill."

Wait: "Well, maybe the parliamentarian could explain better than I am, but that's the way it came out of the Senate. The Senate, as you know, Frank Watson is in compliance with this. Our pharmacist over here, Representative Stephens is in compliance with the Bill."

Black: "Well, I would... I would then ask the Speaker to have the parliamentarian explain to me, if in fact, the Senate sent over a Bill. In the... that the Sponsor has presented and he said, Senate Amendment #1 is not applicable. There's nothing in Senate Amendment #1 that has anything to do with

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the Bill. Then why wasn't Senate Amendment #1 withdrawn at some point in the process? Senate Amendment #1 has some language that the medical community is adamantly opposed to and... and as someone who is on literally a first name basis with my pharmacist, I don't want the division six license. I don't think my pharmacist should be able to practice medicine and have a discussion with me on whether or not this is the right prescription for me, that I should go back to my doctor and ask for this or that. I... Senate Amendment #1 has some onerous language in it. The Sponsor has told me Senate Amendment #1 isn't applicable to the Bill, that in fact it's rendered moot by a subsequent Amendment. Is... is that your understanding of what the Senate has sent over?"

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker and in response to your inquiry, whether an earlier Amendment has been rendered inapplicable by a later Amendment is really a substantive question that the Sponsor would need to answer and is not appropriate for me to comment on. The Senate did adopt the Amendment and therefore it's in the House for consideration on the Concurrence Motion."

Black: "All right. Thank you very much. I... I understand... I certainly understand your answer and I understand the Sponsor's dilemma, and normally I wouldn't ask for division of the question and I won't ask for division of the question on the vote. But I would hope that staff could assure some of us on this side of the aisle that, in fact, the language of Senate Amendment #1 is removed in subsequent Amendments. Otherwise, in the absence of any evidence to that, I will certainly oppose this Bill on... on its Third Reading."

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Speaker Madigan: "All right. Mr. Wait. Mr. Wait, what is your pleasure on Senate Amendment #1? Have you moved to concur in Senate Amendment #1?"

Wait: "Yeah. I would move... I would move to concur on #1, 3 and 4."

Speaker Madigan: "All right. Mr. Wait, moves that the House concur with Senate Amendment #1. Is there any discussion on that question? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Representative Slone voted? She's not certain. Clerk... Clerk shall take the record. On this question, there are 110 people voting 'yes', 2 people voting 'no'. The House does concur in Senate Amendment #1. Mr. Clerk, what would be the next Amendment?"

Clerk Bolin: "Senate Amendment #3."

Speaker Madigan: "All right. Senate Amendment #3, Mr. Wait."

Wait: "Yes, I would simply ask that you concur in this."

Speaker Madigan: "All right. The Gentleman moves that the House concur in Senate Amendment #3. Is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #3?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #3. Mr. Clerk, what is the next Amendment?"

Clerk Bolin: "Senate Amendment #4."

Speaker Madigan: "Senate Amendment #4, Mr. Wait."

Wait: "Yes, I would simply ask for concurrence on Senate

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Amendment #4."

Speaker Madigan: "All right. The Gentleman moves that the House concur in Senate Amendment #4. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, in this Amendment then you are removing previous reference to a divisional... a division pharmacy license that could, in fact, be issued to an individual or a business entity that was not in the primary business of dispensing pharmaceuticals. This Amendment removes that Division VI classification, correct?"

Wait: "It removes a reference that was referred to in Amendment #3."

Black: "Okay, fine, thank you."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #4?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #4. And the House having concurred in all three Senate Amendments... this Bill, having received a Constitutional Majority, is hereby declared passed. Mr Clerk for an announcement."

Clerk Bolin: "The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Lang, did you wish to offer a Motion?"

Lang: "Thank you, Mr. Speaker. I move to adopt the Journal Review Committee Report approving the 92nd General Assembly House Journals, Legislative Day 1 through 146 for Regular

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Session. And House Journals, Legislative Day 1 and 2 for the First Special Session."

Speaker Madigan: "We've all heard the Gentleman's Motion. Is there any objection? There being no objection, the Motion shall be adopted."

Clerk Rossi: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Rules Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on January 7, 2003, reported the same back with the following recommendations: recommends 'be adopted' Floor Amendments 3 and 4 to Senate Bill 364."

Speaker Madigan: "Mr. Novak. Mr. Novak. On Senate Bill 364."

Novak: "Thank you, Mr. Speaker. I move to withdraw Amendments 2 and 3."

Speaker Madigan: "The Gentleman moves to withdraw Amendments #2 and 3. Amendments 2 and 3 shall be withdrawn. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Novak, has been approved for consideration."

Speaker Madigan: "Mr. Novak, on Amendment #4 and the Chair would like to advise the Body that the consideration of this Amendment will be on the Order of Standard Debate, which means there'll be a limited number of people participating in the debate. So, the first person participating as a proponent will be Mr. Novak. Mr. Novak, five minutes."

Novak: "Thank you, Mr. Speaker. I don't think it will take that long. Amendment #4 is the corrected Amendment that was brought to our attention by Mr. Black. I appreciate that, Mr. Black. I think we discussed the issue that what is

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going on in my home county and I'll be more than happy to answer any questions. Thank you."

Speaker Madigan: "Mr. Novak has stood as a proponent to the Amendment. There will only be two more proponents, then there'll three people in response. First person seeking recognition would be Mr. Black. I presume he will be in response. Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. I do not rise to oppose the Gentleman's Motion, simply to ask a question for clarification. Representative, Amendment #4 cleans up the technical problem on reference to Senate or House Bill, is there any difference in the language in the Amendment that you presented a few minutes ago?"

Novak: "No, Sir."

Black: "And that was in Amendment 3, correct?"

Novak: "Yes."

Black: "So, to the best of your knowledge the Amendments are identical in language. The Bill is prospective..."

Novak: "Correct." Black: "...and addresses a situation that has come to surface, no pun intended, in your district. Right?"

Novak: "Yes."

Black: "All right. Fine. Thank you very much."

Novak: "Thank you."

Speaker Madigan: "All right. We've had one proponent, one in response. And the next person seeking recognition is Mr. Parke. Mr. Parke, are you a proponent to this Amendment?"

Parke: "I believe I'm an opponent to this..."

Speaker Madigan: "So, you... Mr. Parke will stand in response. Mr. Parke."

Parke: "Thank you. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Parke: "Thank you. Representative, where is the cry from the citizens in your legislative district to double ply their landfill? Where's it coming from? Did you get a bunch of petitions put on your desk saying they want these landfills double plyed?"

Novak: "Letters to the editor, phone calls, constituents."

Parke: "And that's because there's leakage into the underground aquifers or why are they complaining?"

Novak: "There's only one landfill, Mr. Parke, operating right now, one. It's been operating for 30 years. There has been some discharges from that current landfill, that the EPA is well aware of. Now, they've never fined them, but they've made the corrections. We're talking about two additional landfills close to each other, within a few miles, that's close to the aquifer. There is an outcry back home for more safety. Now, I could have drafted a Bill and went down the whole litany of things to make it the safest in the world, but I didn't. I thought the best thing to do the most simplest thing to do would be ask for another liner, a double liner."

Parke: "Well, Representative, is this liner going to be for new landfills or for... explain to me where you're gonna put this. Is this gonna be on a new landfill that may be developed in your district?"

Novak: "It's prospective. It's for all new landfill construction where siting proceedings have occurred, landfill siting proceedings, under the EPA Act."

Parke: "Will this only be for your geographic area or is this for the whole state?"

Novak: "Whole state."

Parke: "And... well, why... Will a double ply do it, or should you triple ply it?"

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Novak: "Well, let's have four of them, ya know, maybe five."

Parke: "I'm trying to figure out what are you gonna solve... I mean, you're not gonna solve the problem for the people that sent the letters to the editor, right?"

Novak: "We don't live in an ideal world, Mr. Parke. And I think, ya know, just the suggestion of a second liner will, ya know... Am I creating false expectations, I hope not. I'm trying to fight for my citizens in my district that wanna be safer from the prospect of three landfills taking in millions of pounds of garbage, everyday. Put yourself... put yourself in my position. Would you be here fighting for your constituents on this issue? I know you would."

Parke: "I'm sure I would. I'm just trying to make sure that we're not spending money on something that isn't necessary. What I'm trying to figure out is, are we doing something that's gonna solve the problem. And you're gonna double ply any new landfill, but it doesn't solve the problem with the one that's leaking now. Am I right?"

Novak: "When I say... I mean you can't do anything, you can't go back. This is a prospective Bill. You can't make it retroactive, that's illegal."

Parke: "Has this been done in any other state, Representative?"

Novak: "Yes, many states have double liners."

Parke: "How many?"

Novak: "Many states have double liners. Michigan is the closest to us that has double liners."

Parke: "And have they... in your reading and research have you found that it has solved the problem, that there's no longer leakage?"

Novak: "Well, I don't think, Mr. Parke, there's any way that a landfill can be a 100% safe with respect to any type of leakage. Again, another liner just adds to the margin of

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safety. It makes it safer."

Parke: "Well, you, earlier in your testimony, said that you thought it was only a dollar per tipping fee. What is the current tipping fee?"

Novak: "Well, the state tipping fee or the local tip... there's two tipping fees."

Parke: "Well, where does the dollar come in, Representative? Is it the local one or the state?"

Novak: "In talking to industry people that are very familiar with the business, a double liner for about a two to three hundred acre landfill will be about a dollar more a load than it would cost."

Parke: "What does a load cost then? I'm trying to get a percentage of increased cost."

Novak: "Mr. Parke, I don't know what the local tipping fee is right now. It's a few dollars, I think, a cubic yard. I think they go by cubic yards."

Parke: "So, if it's two dollars we're going to increase the cost a third. Is that right?"

Novak: "I'm sorry."

Parke: "If it's a two dollar tipping fee, your extra dollar then increases the cost a third for every cubic yard of garbage put in."

Novak: "Well, that's possible, yes."

Parke: "Okay. Thank you."

Novak: "So, how much does safety cost?"

Parke: "I have no problem with what you're trying to achieve, Representative, but I think we all need to understand is, how far do we want to go. And I am just torn between the Representative trying to solve a problem that's in his district and then could possibly be in everyone of our district and at the same time, how much is it gonna cost us

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to provide when we buy those stickers or however we pay for our garbage disposal on an individual basis to make sure that, in fact, we're solving the problem that can be solved. Each one of you gonna have to make your own mind. This seems like it's a difficult issue in terms of one hand your solving a problem for your constituents and in another hand are you really solving the problem. Thank you."

Novak: "Thank you."

Speaker Madigan: "All right. Ladies and Gentlemen, we have four people seeking recognition: Mr. Winters, Mr. Hassert, Mr. Mitchell, and Mr. Franks. And we've had one proponent and two people in response, which means that we'll have the opportunity for two more proponents and only one more person in the response. So if Mr. Winters rises in response and anybody else wishes to rise in response, there'll be no opportunity for that. Mr. Winters."

Winters: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Mr. Winters, I presume you're rising in response? "

Winters: "I am."

Speaker Madigan: "Okay. Mr. Winters and the Sponsor yields."

Winters: "Phil, did you have a Bill that was similar to this last year that failed to get out of committee?"

Novak: "Mr. Winters, I drafted a Bill last year that I never pursued."

Winters: "Okay. Okay. One of my concerns is we did pass last spring, House Resolution 715 which called on the Illinois EPA to study this particular issue. It was to be reported back to the General Assembly by December 31st. Have you seen a copy of that study?"

Novak: "No."

Winters: "I haven't either. Now, I've been going through that

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big stack of mail that's seem to build up at my desk down here and I just haven't come to that study yet. I guess I think that this legislation may be premature, because while the cost may seem to be relatively minor at a dollar a ton, the argument should be made is whether the benefit to our society is worth the cost that you're imposing. I know that this is prospective, that only new landfills, but if we don't know that the second membrane will add additional, enough additional protection, to warrant the cost we probably should not make that imperative or mandate that second membrane. Do you have any kind of analysis that would show that there is a benefit other than in the psychological, is there any real benefit, any scientific proof that a second membrane will help the situation at all? And one other point is, we have never had, to my knowledge, under our new regulations we have never had a landfill leak, only old ones that were designed in the 1950s, the 1940s have we ever had a leaking landfill. With the new technologies that we use today, we've never had one leak. Why are we then upping the cost?"

Novak: "To make 'em safer."

Winters: "But... but do you have... have you any scientific evidence that says that they will make it safer?"

Novak: "I'm not a... Mr. Winters, I'm not a geologist but... I think we all here can use a little logic. I mean, if you double a liner you're gonna put 60 mils of more... 60 more mils of plastic in between leachate and the groundwater."

Winters: "Well, you... "

Novak: "Right now, it's 60. If you double it, that's a hundred and twenty mils. An extra 60 protects the leachate from getting into the groundwater. I mean, is that an illogical statement?"

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Winters: "It is to me."

Novak: "Okay."

Winters: "It absolutely is. I think if you're gonna use logic, when you use logic you use real numbers, you don't make it up. You don't assume things and I think that's what you've done."

Novak: "I'm not making numbers up. I'm just citing the thickness of the geomembrane that's required in the statute."

Winters: "Well, here's the question then. Is the EPA currently authorized, if they feel that local conditions would require 10 feet of fill, 20 feet of fill, a second membrane... my understanding is the EPA if they think there's any scientific reason, they can require in the siting process a second membrane, if it is warranted. Do you know if that's the case?"

Novak: "I don't know. I don't think so."

Winters: "That is what I was told that the EPA... "

Novak: "Well... "

Winters: "...has the authority today. What you're doing is taking the authority away from the experts and saying that this General Assembly has become a scientific expert and we are mandating something that has been optional up to this point."

Novak: "I disagree with that."

Winters: "Well, again, if the study's not back from the EPA how can you have anything to back up your disagreement other than merely, I think that it will help the situation? You have not demonstrated that there's ever been a leak of a single membrane, so I don't see where the problem is, other than the public perception."

Novak: "The reason why there aren't any leaks because the landfills haven't been built yet, the new ones, the two new

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ones."

Winters: "Well, not in that space, but we have landfills built under the current EPA regulations that have been in existence for almost a quarter of a century and I'm not as sure that we've had any leachate problems."

Novak: "Well, Mr. Winters... well, Mr. Winters, why does the EPA require leachate collection systems on landfills? If they don't leak, why are we collecting leachate?"

Winters: "We're collecting leachate above the membranes."

Novak: "Well, how do you know?"

Winters: "We're collecting them above the membranes... "

Novak: "How do you know?"

Winters: "That's the way they're desi..."

Novak: "How do you know it's not below the membrane?"

Winters: "Because I've studied the way the landfills are put together. I was on the landfill siting committee in Winnebago County. The leachate collection is at the bottom of the actual tipping area but above the clay liner and above the membrane. Those are secondary. We pull off the leachate, treat it as a... as a sewage disposal plant would normally treat waste and only if that fails, do we then rely on the membrane and on the clay liner that is below the membrane. So, if you're already pulling... the reason there is leachate is obviously, water moves through the landfill, but it's not moving through the membrane to get to the leachate collection system. So, I would urge a 'no' vote to this Bill. I think it is a 'feel good' legislation, one that was not able to be passed last year. We are waiting for the EPA to come back with a study on this. This is a preemptory strike, and one that will cost our citizens, those are the ultimate payers of any fee that we impose. And I would urge a 'no' vote. Thank you."

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Speaker Madigan: "All right, Ladies and Gentlemen, we have now had one proponent and three people in response. So, there shall be no more people in response. There are four people seeking recognition, Mr. Hassert, Mr. Mitchell, Mr. Franks, Mr. Black. Do any of you stand as a proponent to this Bill? We understand that. Now, I presume that there are no more proponents of the Bill. And we've come to the end of the debate. Mr. Brent Hassert."

Hassert: "Mr. Speaker, I just want a clarification of the Bill. Something to do locally in our county that I need to ask."

Speaker Madigan: "Why don't you do that right now, Mr. Hassert."

Hassert: "Representative Novak, just... this is regard to Will County in regarding their landfill siting process they're in right now. How do you see that affecting them, if this Bill became law?"

Novak: "Well, if this Bill... I think we gotta look at the time element here. Today is the last day. And we'll soon be adjourning sine die. And I think the Senate will be doing likewise, probably on or about the same time. If this Bill, if it's called over in the Senate, okay, and if it gets to the Governor's desk he will put a provision in there to carve out the Prairie View... Prairie View Landfill situation."

Hassert: "Okay. Thank you."

Novak: "You're welcome."

Speaker Madigan: "I understand there's a request for legislative intent where there will be a dialog between Mr. Bill Mitchell and Mr. Black. So, turn on Mr. Bill Mitchell and Mr. Black. Mr. Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. I request to yield my time to Representative Black."

Speaker Madigan: "Mr. Black."

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Black: "Mr. Speaker, with leave of the Speaker, I would like to ask the Sponsor for purposes of legislative intent, the definition of the word 'expansion', with your permission, because I have already spoken in debate."

Speaker Madigan: "Mr. Novak."

Novak: "Yes, Sir."

Speaker Madigan: "Mr. Black."

Black: "Representative, staff has tracked this Amendment 2, 3, and 4, all the way through. We want to make certain that we are on the same page that you are. If you'll look at line 33 and 34 on Amendment 4, in parentheses, 'or expansion of an existing municipal solid waste landfill.' For purposes of legislative intent I think you've answered this, but it's very important that we get it on the record. Expansion of an existing municipal landfill on land that has already been sited will not be required to dual line a new cell, correct?"

Novak: "Correct."

Black: "That's... that's all we want to know. Thank you very much."

Novak: "Correct."

Speaker Madigan: "Mr. Novak to close."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know a previous speaker said this is a 'feel good' piece of legislation and I vehemently disagree with that. If you had the prospect of two massive landfills in addition to the one that's currently sited in your area, I think you'd have the same concerns I would. I know we're not all things to all people in this General Assembly, that we can't solve all the problems. We're all realists. But if we can... but if we can make the lives of our constituents a little safer from possible contamination

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from landfills, because we know these things are not gonna go away, we hope to God there are not more of 'em sited. But when it comes to my county, which is a sort of an urban/rural area, with the prospect of hundreds of trucks coming down Interstate 57 from Lake County, Winnebago County, DuPage County, Will County, Cook County, you know, I don't like it. And I'm sure you wouldn't like it either. So, let's just be a little bit logical here and you know, support me in this effort to increase the safety for our citizens that live near or adjacent to the proposed landfill areas. Thank you."

Speaker Madigan: "The question is, 'Shall the House adopt Amendment #4?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 98 people voting 'yes', 12 people voting 'no'. The House does adopt Amendment #4. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 364, a Bill for an Act concerning methyl tertiary butyl ether. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Novak on Third Reading."

Novak: "Yes, Mr. Speaker. I think this issue is pretty well debated, and once again, the adoption of the Amendment indicates there's quite a bit of support in this chamber. So, I'd ask for the same number, maybe a little higher."

Speaker Madigan: "The Gentleman moves that the House pass Senate Bill 364. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all

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voted who wish? Has Representative Joyce voted? Representative Krause. The Clerk shall take the record. On this question, there are 98 people voting 'yes', 12 people voting 'no'. The... this Bill, having received a Constitutional Majority of the House, does pass Senate Bill 364. The Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke for the purpose of an announcement."

Hartke: "Thank you very much, Mr. Speaker. Members of the Assembly it's my honor and privilege today to introduce some guests in the gallery we have today, from Houston, Texas, or Nassau Bay, my brother Frank and his wife JoAnn. If they would stand up. Yes. And we also have the long time County Treasurer of Lawrence County 8... serving eight terms, Mr. Larry Umfleet, and the Democratic County Chairman for Lawrence County, Mr. Ed Brian. Would you please stand. Thank you and welcome to Springfield."

Speaker Madigan: "Mr. Brunsvold, on Senate Bill 2291. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Mr. Clerk, have the notes been filed on Senate Bill 2291?"

Clerk Rossi: "Senate Bill 2291 has four notes that are outstanding; a fiscal note, a state mandates note, a Home Rule note, and a state debt impact note."

Brunsvold: "Mr. Speaker, I'd move those notes do not apply."

Speaker Madigan: "The Gentleman has moved that the note requests do not apply. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. I anticipated this Motion. I would ask if it would be in order to ask the Chair that we separate the Motion. There are some notes that may in fact be inapplicable, but I... there's one that I would like to argue on its face that it is, in fact,

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applicable. I would like to divide the question and have each note considered separately."

Speaker Madigan: "The Gentleman's request is in order and therefore, we'll first consider a Motion on one of the notes, the Home Rule note. So, the first question for the Body would be whether the request for a Home Rule note applies. And on that question, if you... if you feel that... The question is, 'Whether the Note Act is inapplicable?' And if you support Mr. Brunsvold, you vote 'yes'. So, those in favor of Mr. Brunsvold vote 'yes'; those opposed vote 'no'. This question is determined by who gets more votes. It's not a 60 vote requirement. Mr. Clerk, take the record. On this question, there are 55 'ayes' and 55 'noes'. And the Motion fails. Mr. Brunsvold."

Brunsvold: "Mr. Speaker, what was that Motion on, which note, the Home Rule?"

Speaker Madigan: "Home Rule."

Brunsvold: "Home Rule."

Speaker Madigan: "That Motion failed. Did you wanna go to another note?"

Brunsvold: "Yes, proceed through them."

Speaker Madigan: "What do we have available? State debt. So, the next question is, 'Whether the request for a state debt note is inapplicable?' And again, if you support Mr. Brunsvold you vote 'yes'; if you do not vote 'no'. Open the voting. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 54 'ayes' and 54 'noes'. And the Motion fails. The next question will be on the fiscal note request. And here again, the question is, 'Is the request for a fiscal note inapplicable?' And the Chair recognizes Mr. Black."

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Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I'll be the first to admit that sometime notes are filed to simply slow the process. It's a legitimate use of parliamentary procedure. But over and above that legitimate use, I rise to support the fact that the fiscal note is applicable. Now, some of you don't wanna vote on the underlying Bill, I'm gonna give you a chance maybe to escape having to do that. This Bill, the underlying Bill, costs money, taxpayers' money. There's a property tax abatement of almost a million dollars a year. There are state subsidies that come out of the existing Act that could amount to \$4 million a year. Now, I can't... I have tried for two years in this chamber to get property tax relief. I want equity on Homestead Exemption with Cook County. The hundred and one counties of the state get \$3,500 a year as a homestead, Cook County gets \$4,500 a year. You never let my Bill out of... to just get equity, I can't get that Bill out of subcommittee. We can't get property tax relief for those people who are totally and permanently disabled, but we're gonna give almost a million dollars in property tax relief, not to mention state subsidies, to a racetrack that is no longer a racetrack. Now, don't kid yourself. You vote for the underlying Bill you are costing tax coffers money. The fiscal note should be filed on this Bill and not to do so is a dereliction of your duty... our duty as General Assembly Members. I urge you to reject the Motion that a fiscal note is not applicable. The fiscal note is at the heart of this Bill. Vote 'no'."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I would agree with Mr. Black on his first point that they use the notes to slow the

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process down. In fact, this note was filed in the dead of night, not here on the floor, in the Bill Room at the last second by Mr. Tenhouse and I don't really believe that Mr. Tenhouse filed them personally, but he was probably already in bed when these notes were filed. Then the process is they're supposed to notify me to get a letter from the proper agency to respond to the request. As of this time, I've never received notice that a note has even been filed or requested, excuse me, requested. So, I think really if nothing else, the Members of the new General Assembly ought to consider the Fiscal Note Act or the Note Act in itself as a change in Rule so things like this don't happen. There ought to be a way to get around this, a way that you can't use notes to slow the process down. The fact the Senate does not even use this situation. So, I would respond to his first point that way. The second point is that on the merger of these two tracks the tax credit's gonna be given up immediately. We're gonna make money on the deal. There's no change in this Bill on the fiscal note, nothing changes. Everything remains the same as far as the dollars are concerned. This Bill changed nothing except putting two tracks that are sitting out there right next to each other, that have been requested to join by the racing board and puts them together. That's what it does. And there have been a lot of... I guess I'll use the word lies, out there on the rotunda saying what's happened out there and what's not happened. Well, a lot of misinformation has been cast around this chamber on this Bill and I would like to have the opportunity to debate the Bill here on the floor. And in fact, we're probably doing it right now as part of the note process. But as far as the fiscal note's concerned I disagree with Mr. Black.

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This Bill changes nothing, in fact, it's better off... we're better off than we were before because they're gonna drop the tax credit immediately. So, I would disagree and ask for an 'aye' vote."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I wasn't planning on rising to speak on this, but I have to tell you the integrity of the system is in question here. Now, either you nor any Member of this chamber has the right to file a fiscal note to determine whether or not a piece of legislation has a financial burden or a cost to the taxpayers of this state is basic to what this country is all about. To question the integrity of a fiscal note, I think, is disingenuous. It disturbs me to think that something that we've approved in the Rules now just because we don't like the concept 'cause it applies to a specific Bill that we want is wrong. The fiscal note, whether it was filed two minutes before it could or five weeks before it could, is not the question. The question is the integrity of the fiscal note and that's what we're arguing here. I have no fault with the Sponsor of the underlying legislation, but I have a fault with the concept of saying that a fiscal note should not apply. It applies. Everyone on this floor knows that it applies. For us to vote against this is a travesty. We have to support the concept of the fiscal notes which is a rule we all agreed on when it was passed or the majority voted on when it was passed. I would say vote on what is right."

Speaker Madigan: "The question is, 'Is the request for a fiscal note inapplicable?' And again, to support Mr. Brunsvold you vote 'yes'; if you do not you vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? The Clerk shall take the record. On this question, there are 48 'ayes', and 61 'noes'. The Motion fails. And Mr. Brunsvold indicates he does not wish to offer a Motion on the remaining request for a note. Mr. Clerk, do you have any Agreed Resolutions?"

Clerk Rossi: "Agreed Resolutions. House Resolution 1163, offered by Representative Parke; House Resolution 1164, offered by Representative Bost; House Resolution 1165, offered by Representative Giles; House Resolution 1166, offered by Representative Mautino; House Resolution 1167, offered by Representative Lurquin; House Resolution 1168, offered by Representative Hannig. House Resolution 1169, and House Resolution 1170, offered by Representative Monique Davis; House Resolution 1171, offered by Representative Lurquin; House Resolution 1172, offered by Representative Winters; House Resolution 1173, offered by Representative Jim Watson; House Resolution 1177, offered by Representative Winkel; House Resolution 1178, offered by Representative Durkin; House Resolution 1179, offered by Representative Barbara Currie; House Resolution 1180, offered by Representative Feigenholtz and House Resolution 1181, offered by Representative Connie Howard."

Speaker Madigan: "You've all heard the Agreed Resolutions. Representative Currie moves that the House adopt the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted and the House does adopt the Agreed Resolutions. Ladies and Gentlemen, we are prepared to adjourn. We have two remaining items of business which would be Death Resolutions for Members who just died recently. And so, if the Members would take their chairs, if the staff would retire to the rear of the chamber. And before we begin

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with the Death Resolutions, I would simply like to thank all of you for the very fine service that all of you have rendered to the State of Illinois during this Session of the General Assembly. As you know, this institution is not perfect. As you know, you don't always win on your favorite issues, but at least you're here and you're participating with your fellow Members in lawmaking for over 11 million people who live within the State of Illinois. And speaking for myself, I think that all of you should be complimented for the fine work that you've done, dedication to duty and straightforwardness in terms of the positions that you advocate both in the committee and on the floor. And we'd like to recognize Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, want to thank all the Members of the House and in particular the staffs of both sides of the aisle. I think it's the greatest staff in America and there's no question that we have the best. I want to acknowledge four people in particular on my staff that took advantage of the early retirement program. Our Chief of Staff, Laura Anderson, has worked for the House Republicans for 18 years. She has takin' early retirement. I don't know how you do that when you're 38 years old. You take early retirement, but she chose to do it and she's opening her own business, so she will continue as a small businesswoman in the State of Illinois. And Laura, I don't mean small in the sense that you're a small person, I mean it's small. But anyhow Laura Anderson the best to you. Thanks for your 18 years. Denise Pierce has been my personal secretary for 23 years. Can you imagine that? She... deserves an award just for that. But and it's with a... just a tremendous amount of... personal feelings that I wish her the absolute best.

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Now, for those of you that may not know Denise is going to work for Tony Libri. So, as you may know since you live here six months out of the year, he's running for mayor. Now, why Denise would leave the General Assembly and go to work for perhaps the next Mayor of Springfield is beyond me, 'cause it seems like she's going out from the fire... from the frying pan into the fire. But Denise has done that, Denise 23 years, thank you very much, Denise Pierce. Jill Garrett has been my personal assistant back in my district office. She's worked for me for 22 years and Jill Garrett is on her way down, she's not here yet. But I do want to acknowledge her and thank her. She was my assistant in our Cook County, suburban collar county, and district office. To Jill Garrett for her 22 years, thank you very much, Jill. Kitty Shores has already retired. Now, many of you knew Kitty 'cause she was right outside the office here. She was the one with the smile and always... Speaker, she was the one that always had that fishing pole in the trunk of her car or in the back of her pickup truck, as it may be. And I can tell ya she's probably fishing right now. Twenty-two years of service, Kitty Shores, thank you very much. With those four people, I have just represented 85 years of experience and service to the people of Illinois and what struck me the most, is 85 years, it's the rule of 85. Hence, that's why they all took retirement. But... in case you didn't get that one, the rule of 85 was one of the things you needed for early retirement. But to those four in particular and the others in our staff, I want to give my thanks. As you all know, I'm going into another position right now. And I want to thank you, Speaker Madigan, for the exciting 20 years. We won a few battles, but lost many. And so, thanks to all of

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you for the opportunity to serve you as a Republican Leader. Last night we passed the baton to the new Leader. I certainly wish Tom Cross every good fortune in the world. I think, Tom, you're gonna find out that the position now takes on a little more partisan role. What that means is, where you're becoming a partisan Leader, I'm becoming an independent guy. So, I'll be over in the Stratton Building. Call me if you want, I'll have the wine over there with the cheese. So, I look forward to serving with the rest of you in the new General Assembly. God bless you all. Thank you very much for the opportunity to serve you and be with you for 20 years. Thank you."

Speaker Madigan: "First Death Resolution will be relative to former Representative Doug Hoeft. And on that question, Mr. Clerk, would you read the Resolution."

Clerk Bolin: "House Resolution 1176.

HOUSE RESOLUTION 1176

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of State Representative Doug Hoeft of Elgin on December 17, 2002; and

WHEREAS, Representative Hoeft was born in Rochester, Minnesota on May 26, 1942 and lived in Elgin for the past 37 years; and

WHEREAS, He received his Bachelor of Science from Denison University, attended Northwestern University, and received his Doctor of Education from Northern Illinois University; he taught school for one year at Flower High School in Chicago before taking a job teaching social studies at Elgin High School in 1965; he taught at the school for 10 years before going to work in the Kane County regional office of education; in 1987, he was named

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regional superintendent of schools; he was also a teacher for six years before becoming a legislator; and

WHEREAS, In December 1991, he announced his candidacy for the 66th District House seat vacated by former State Representative James Kirkland; he quickly gained a reputation for his knowledge of education issues, and was known as "Mr. Education" in the halls of the General Assembly; he had served in the Illinois House since 1993; he was known as one of the Legislatures strongest voices and most vocal advocates for education issues; and

WHEREAS, He served on a number of legislative committees, including those dealing with education, election reform, and prisons; he served in numerous civic and community activities, including: Vice-President, Elgin Well Child Clinic; Secretary, Elgin Family Service Association; Chairperson, Elgin Community College Human Services Committee and Elgin Adult Education Planning Council; Kane County DUI Task Force; Elgin Area Private Industry Council; Criminal Justice Commission; Citizen Advisory Council for the Department of Children and Family Services; and Governor Edgar's Drug and Alcohol Abuse Prevention Task Force; and

WHEREAS, His committee assignments included Elementary and Secondary Education, Environment and Energy, and Insurance, and he was a spokesman for Personnel and Pensions; he was a member of the Pension Laws Committee (PLC) and the legislature that increased the retirement benefits of State employees and downstate and Chicago teachers; he was chairman of the Unification Subcommittee and was a member of the Policy Subcommittee that formulated the PLC's formal pension policy; he was an advocate for charter schools and reforming the Illinois State Board of Education; he also supported waivers from some State mandates to promote innovation and coordinated a task force to improve gifted education; and

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WHEREAS, He was praised for his commitment to both State schools and the Elgin area; in November, he was re-elected to a sixth term that would have begun in January; his hard work and sense of humor will long be remembered; he always entertained everyone with his "joke of the day"; and

WHEREAS, His passing will be deeply felt by his friends and family, especially his wife, Libby; his son, Brian; his daughter, Amy Saylor; his father, William; his two brothers, William and Bruce; and his sister, Nancy Eagles; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the death of State Representative Doug Hoeft along with all who knew and loved him, and extend our sincere condolences to his family and friends; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of State Representative Doug Hoeft."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the har... House.

It's with the heaviest of hearts that I stand before you today and remember and honor our friends, Doug Hoeft and Tim Osmond. They were taken from their families and us much to soon and we will miss them so much. But to this moment I want to talk and reflect upon Doug Hoeft, friend, scholar, educator, pal, and joke teller. Some of us listened to those jokes and laughed out of courtesy, because some of those were really bad, Libby. I'm joined beside me by his wife Libby, who we have thanked so much for her sharing with us Doug's life. But Doug would probably rather I tell you one of his bad jokes than talk about all of the good things that made him a wonderful friend and an outstanding public servant. But I'm gonna

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talk a moment about his good qualities anyway. He was above all, a teacher. Even as a Legislator he taught the rest of us the value of honor, of dignity, the value of truth, the value of keeping your word no matter what. Doug had a Doctorate in Education from Northern Illinois University. And he never forgot his commitment to education. It mattered so much to him. As a matter of fact, I can tell you 90% of the meetings that I had with Doug in my office were over quality education and making sure that whatever we did in this chamber was done right. Whether his passion on school testing and his belief in those programs and doing it the right way, or charter schools or quality first education or yes, Chicago School reform, Doug was an individual that was passionate about his beliefs. He taught schools in Chicago and in Elgin. He was Kane County regional Superintendent which is the front line for trying to solve education problems. Doug was elected to the House of Representatives in 1992, and he quickly gained the reputation, well-deserved as it was, as Mr. Education. Doug made it abundantly clear to me that he was totally committed, totally committed to improving the quality of education for all children throughout every part of this state, whether the most northern tip or the southern bottom or the eastern or western shores of Illinois, he wanted to make sure that everybody had a quality education. Now, Doug, in those efforts, wasn't afraid of controversy. He was an advocate, as I said, for charter schools and for reforming the State Board of Education. Doug also supported granting school waivers from some state mandates to promote innovation, new concepts, new ideas and new approaches. And Doug's public life away from the Legislature also reflected his

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commitment to education and improving the lives of children. He was vice-president of the Elgin Well Child Clinic. He was secretary of the Elgin Family Services Association. He was chairperson of both the Elgin Community College Human Services Committee and Elgin Adult Education Planning Council. And as a Legislator, he tackled the state's complicated pension system and was able to achieve much needed changes. Matter of fact, I remember so well times that he'd come into the office, talk about education, then he'd say, 'Oh, by the way, I need another minute of your time to talk about the pension system.' And he'd lay out the Bills, the myriad of Bills that came through the commission. But to his core, to his absolute important commitment to the people of Illinois Doug Hoeft was a teacher and that made him proud. I'm proud to have known Doug Hoeft and proud that I was one of his students, for he did teach me much. December 16th for me will always be a day for me to pause and reflect, to remember the worth of a man such as Doug Hoeft, as well as the smile and the sparkle in his eye and the commitment to improve the quality of life for every Illinoisan. My heart and the heart of this Assembly will forever go out to Doug's family and close friends. To his wife Libby, his son Brian, his daughter Amy, his father William, his two brothers, William and Bruce, and a sister Nancy, we offer our heartfelt condolences. We tell you that Doug did make a difference. Doug was a person that when he met his commitment he fulfilled all of what you'd expect, in the best of the best. To Doug Hoeft, thank you. May God hold you in his hands, may he forever bless you."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Members of the House, this may be

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the hardest speech I've ever given on this floor. Many of you you don't realize the after being elected in 1994, I went to ALEC, not even as a sworn in Member. I went to ALEC in D.C. and I met a man there who befriended me and his name was Doug Hoeft. He asked me, 'where you gonna be livin' when you get to Springfield?' And I explained to him I had a brother here, but you know I didn't want to bother their family and I wasn't quite sure. And he says, 'Well, come talk to my Senator, we've got a house and I think you'd fit in well there.' I went and met and Steve Rauschenberger owns the house. Many of you know that house, it's called 'animal house'. And it's not because of wild parties, it is because of the shape of the house when we first got in, on how bad it was. But when I came here to the General Assembly, after my first week of swearing in I moved into 'animal house'. For eight years when I come home in the evening or I leave in the morning, Doug was there. Doug was a great friend. Doug is a great teacher... Doug was a great teacher. He was a great calmer. When things were too hectic here and the arguments had went on too long and the frustrations were bad, Doug was real quick whenever I got home to as Rausch... Steve Rauschenberger explained during his Memorial Service. He would ask, 'How are you?' Well, I'm all right. 'No, no, how are you?' And then he would force the issue to sit down and talk about the day. Quite often, the three Senators that live in the house... you see, Senators if you don't realize this, they don't get a lot of time to vent their frustrations during the day, so when they come home at night, they make a lot of noise and it's very frustrating to try to deal with the noise that they make. So, Doug was very quick to look at me and smile and

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possibly take a glass of wine and go to the porch swing and then we could have times talking about everything but this place. And it was a good thing. You know, Doug was a peace keeper, whether it was between the Members that live in the house, if something started to come to a head based on the arguments of the day or what the differences were between the House and the Senate. I know, he always considered it a challenge to keep peace in an Education Committee between Monique and Mary Lou. And... he took that challenge and he always enjoyed trying to keep peace because he knew conflict was inevitable, combat is optional. Libby, thank you for sharing with us the man you love, I love him, too. You know we went through eight years of not really having too many arguments on all these issues that we were from different parts of the state and lived in completely different worlds. And he came down and visited and he said that, he said, 'Mike you don't live in the same world I do.' And... and our districts are so different but we never really had heated arguments. Until this last, a little bit over an issue on this side of the aisle. And it was heated, both one of us... both of us expressed our concerns and got a little vocal. And it was in the first week of Veto Session that it all came to head, but then it was straightened out. And at the end of that time, matter of fact, it was on the 20th of November, the day before we left that Doug and I talked it all out and it was good and it's okay. And the next morning I got up and as usual and Doug had prepared coffee and had made his morning walk down to the convenience store where he picked up his bran muffin and the newspaper. And after drinking my coffee, I walked back to where his bedroom is where he sat in his chair and he read his paper. And he was sitting

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with the paper and he and I had a long discussion just as friends about the issues of the week and about what had taken place. And as I headed off back over to the Capitol here and it was the last time we talked. And you notice he didn't mention anything about that surgery he had up and coming. But what he said wa... what I said to him was I said, 'Doug, I love ya, man. It'll be okay.' He said, 'I know Michael, and Michael, I'll see you when you get up here.' So his last words were, 'Michael, I'll see you when I get up here or when you get up here.' So, I'm looking forward to the time when I see him again."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. This is a very difficult time and I know we could all share some very personal stories. Doug and I were in the same class, being elected in '92, and came in with a new map. Doug was the first Member I believe out of my class that actually got a Bill out of committee. So, I believe of our new Members he was the first one that really began that education process. We could... all the things that have been said and will be said about Doug, I think, above all if we wanted to say, wanted to identify who was the 'Education Representative', it would be Doug Hoeft. But if we also wanted to say who was the conscience and the integrity of the House, Doug Hoeft would be on that list. We're all going to... all going to miss Doug. During our recess, during our break between Veto Session and now, after the passing of Doug and Tim, several times I caught myself just thinking, well, when I get... when I get back to Springfield I'm gonna ask Doug what he thinks on this, just momentarily, thinking we're not gonna have that opportunity. Even last week, I caught myself thinking that one time. Doug really was, you

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know, we all have some rocks that we cling to and Doug was one of those for me. One of the way we get through these times is to think on those good times. And one good time may be somebody will even enhance it. But Doug in a group from our class went out and temporarily borrowed a life-size elephant from it was either a gas station or a tavern and during the night moved it down to the parking area. I believe the Majority Leader's parking place, if I remember right. And then after they did that, Jim McPike at the time, after they did that, they were concerned that never again would they have a piece of legislation moved. But things worked out, as Doug said they do. He's truly gonna be missed. He was a friend to every Member in here. And I guess I would just challenge you, how many of you could have that same legacy. And I would close with this, the first sitting Member that died after Doug and I were elected was Robert LeFlore Jr. and when we had the tribute to him, the Resolution, he had... his replacement had not been named yet. And so his name was still up on the board. And Doug asked that as we left the chamber that day that Robert LeFlore's attendance be shown up there that he was 'present' in this chamber. And that's what was on the board as we left. Doug said that shows that the spirit, the legacy, really the presence of Robert LeFlore continues in this chamber. Well, as we leave today, although we don't have Doug's name to put a 'present' light by, that he's in this chamber, let us dedicate to ourselves to the fact that Doug Hoeft's spirit, his presence, and his legacy do continue on in this chamber as we remember him and as we continue the work that he started and did such a tremendous job. Doug, we love ya and we miss ya. Thank you."

Speaker Madigan: "Representative Lindner."

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Lindner: "Thank you, Mr. Speaker. Doug and I were district mates in Senator Raushenberger's Senatorial District. And so, we were on many podiums together back home. And whether it was a visiting dignitary or somebody else introducing us here's how it would always go. Ladies and gentlemen, I'd like to welcome our Legislators today, Patricia Reid Lindner, and Douglas 'Hooft', and then next time it would be Douglas 'Heeft', and then the next time Douglas 'Hoft'. And Doug would just look at me every time and he would shake his head and he would say, 'Pat, don't you think after all this time they could at least get my name right?' And that happened time after time. And although it was funny, I don't think it was very funny to Doug. But as people have said, Doug was a thoughtful Legislator, he never filed tons and tons of Bills, but I'd go to him and talk about some issues and he would always have his Bills ready by December to file for the next year. And I think as chaotic as this place gets, when Doug started to speak on education it would get quiet. He loved being a Legislator. He loved the history of the Capitol. When anyone would come from the district, even though it was from my area, Doug would always show them around and he just took great delight in doing that. And his jokes, I don't know about all of you, but I can maybe remember the first dirty joke I learned when I was in sixth grade but I can't remember anything else. Doug had a joke a day. He could remember so many jokes it was just amazing. And no matter how bad they were or no matter if I didn't get them sometimes and I'd wake up in the middle of the night and I think, oh my gosh, that's what he meant. And you always still had to laugh 'cause he always had that funny little giggle. He got such a big kick out of telling the joke

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that you just had to laugh along with him. But Doug liked to play jokes too. We had a tradition that Doug and Steve and I always went out for a Christmas luncheon together and we traded off paying for it. Well, the one time that I was supposed to buy, I was my usual late self and they had already ordered the wine. So, when I got the Bill it was \$450.00. And I said, 'Oh my gosh, what kind of wine did they order, I know we didn't eat that much.' And of course, Doug had bribed the waitress in to giving me that check. So, he liked to play jokes as well as tell 'em. Well, I was bound and determined to have that luncheon this year and called Steve and said, 'Do you think that we could take a bottle of wine up to the hospital with Doug?' Needless to say, unfortunately, we didn't have it. I will miss Doug tremendously. But I hope to heck that he's someplace right now that they're gonna get his name straight."

Speaker Madigan: "Jerry Mitchell."

Mitchell: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. As Mike said, this is a tough one. Doug was my refuge, as well. We shared a very common bond and that was kids and education. I remember when I first met Doug, he introduced himself and said, 'What's your background?' Which he pretty well already knew. He said, 'Well, what'd you teach?' And I finally told him, well, I taught many grades. I've taught in the elementary and was an elementary principal and I guess what I enjoyed the most was second grade. And he laughed and he says, 'Me too. You know the best time I had in education were the three years I spent in second grade.' And then that little giggle. You know, Doug and his jokes are infamous but the reason he enjoyed it so much is he really didn't care

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whether it was a good joke or a bad joke. I was with him on many occasions when he would tell a bad joke to someone and he knew, and he knew that he'd either get a groan or a chuckle, that they didn't understand. And he even liked that. It would tickle him to know that he could tell a bad joke and get so much enjoyment, even out of the groan of his Members. I loved Doug. Issues bother me, I get a little passionate about kids as some of you know. And Doug was always a steadying influence. He'd always say, 'Jerry, Jerry, you got to look at this, you got to look at that.' And he would bring up every possible issue. He could play devil's advocate. He could be supportive. He could give me everything in opposition that I would get to an issue. He understood adequate financing. He understood equitable financing. He understood lack of financing. He is 'Mr. Education' and no one will change that legacy. I respected him. He came to my district, we went door-to-door and had races to see who could get to the most doors. Doug said I cheated because I cut through yards and I shouldn't do that. In this chamber one of the most important issues always are the kids and what we do to them or for them. And Doug always had that as his primary concern. He loved life. He loved his colleagues. He loved his family and he loved kids. And Doug shined, every single day Doug shined. And we all took from that, that brilliance that was Doug's, it touched all of us, both sides of the aisle. He had so many friends, it's just unbelievable. Again, I have to add my thanks, Libby, to you and your family for allowing us to share Doug. We will never forget him and we will always miss him. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. You know, when I became Chairman of the Elementary second... Secondary Education, one of the first things that I said that what I care about most is that every child in the State of Illinois have an opportunity to get a good education. And after I made my remarks, a Gentleman by the name of Doug Hoeft came up to me and said, 'Congratulations, Mr. Chairman. You're gonna be the best chairman we ever had.' And we developed a relationship after that. This is one individual that I truly respected. I admired the abi... what he brought to the table. I... I truly admired the knowledge about the educational process that he brought to the table. And that comforted me, being the new Member, new chairman. I was not abreast of all the issue. Doug could, on any issue, give you the history of that issue and bring you up to speed and educate you, whether you disagreed or not he could educate you on that issue. And I truly respect that and I'll appreciate that from Doug Hoeft. The jokes, I'll tell I got plenty of jokes. I just truly admired someone that could remember every joke, he could remember every word to his jokes. And of course, because I respected him I had to sit there and listen and endure those jokes, as well. But also, Doug was a very passionate individual. He was so passionate about educating our children in issues that he wanted to address. He would come to me and say, 'We... need to take a stand on this, we need to do this.' And I truly respect an individual who's very compassionate about their work. But he was also very competitive. I recall one time golfing with Doug and I wasn't a good golfer and he was a little better, but he wanted... he wanted me to play well just so that he could compete against me. And I didn't take it that seriously, but that was just his nature. And also I

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recall the time where my wife and I we were together and he had just met my wife. I introduced him to her and he had someone else in the room and he grabbed all four of us and said, 'We're gonna play a game of pingpong.' Nobody knew each other and he wan... and he took my wife, 'you're gonna be on my team and we're gonna win.' That was just the type of guy he was. He just made everybody in the room feel welcome and at home. I will never forget that. Also, I truly believe that Doug is watching us today. He's watching to see if this state is gonna continue the work of giving a child a good education. And I know I'm gonna do everything in my powers to continue to work towards that goal. One good thing about a man that leaves the body is that the spirit goes somewhere. And I truly believe that Doug's spirit went to heaven, because the heart that he had, the love that he had for people and for children. He's truly gonna be missed. And I hope his family is just continuously blessed and that blessing is perpetuated from generation to generation. Thank you."

Speaker Madigan: "Mr. Hassert."

Hassert: "Thank you, Mr. Speaker. I had the pleasure the last 10 years of being Doug's office mate. And I too, had to hear the jokes everyday. And he came in and he gathered the secretaries around and he would do this ritual every morning to tell these jokes. And sometimes he just... I know he just made 'em up. They really didn't make sense, but we tolerated it and we enjoyed it and we loved him for that. But getting back to what Representative Moffitt said, our freshmen year when we came down here we... we... there's a big class there I think there's 26 on our side and almost as many on... on the Democratic side. So really, you guys really didn't know what to do with us, so

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we thought we had gone back to college. And this is kinda like a fraternity and we kinda just went our own ways and did what we want. Well, one night Representative Lindner, Representative Mulligan, myself, Representative Brady, who's now a Senator, were driving along with Doug out to eat and we did go out by the park. And here we'd seen this big pink elephant sitting in a driveway with sunglasses on, a cocktail glass on his trunk. Now, somehow we decided that this is something that we could use. Don't know what possessed us to think that, but we figured we could use this pink elephant some way. So, we went up and knocked on the door, and int... introduced ourselves as State Representative which was probably not smart on... on in cumbency protection programs. But we did do that and we said, 'Jesus ya know, where did you get this elephant?' The guy says, 'Well, I got it for my daughter's 16th birthday, she just had a birthday this weekend and we... the guy hasn't picked it up.' And I said, 'Well, do you think we can rent it from you?' And he said, 'Well, I know the guy that owns it, why don't you just take it?' Now, Bill Brady drove a Lincoln Continental, so obviously we couldn't haul it with that. So, we had to figure out the next step, how do we get the elephant back to the Capitol? Now, we did decide that we had to do something with it. So, we formulated our decision that we'd have to go get this elephant somehow. And we were gonna take it and we thought it'd be real cute to park it in the Speaker Madigan's parking spot. So, the next step was, where do ya at 11 o'clock at night, where do ya find somebody with a pickup truck and a ball hitch? So, then again Sam's came into play. We knew all the policy decisions were being made over at Sam's at that time of night. So, we drove

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over there and sure enough, we walked in and we seen this large Representative that we all loved and enjoyed, too, was that we also lost is Terry Deering. 'So Terry', we said, 'We know you got a pickup truck and he says, Well yeah, I do.' I said, 'Well, can we borrow it?' He said, 'Well, yeah, sure, I don't care.' I said, 'Do you have a ball hitch on it?' He goes, 'No, I don't.' So that was another problem. So then in the meantime we found a tow truck driver to give us the ball hitch. So, we put the ball hitch on. Of course, out of this bunch I was the only so-called person that could drive the pickup and drive this truck. So, we went back and got the elephant about midnight. We proceeded to drive down through the park and that. And this thing was big enough that it was hittin' the trees as we're driving by. So, we pull up to the circle here, out in the Capitol and we go to the guard and said, 'Um gee, by the way, can we... can we park this elephant in Speaker Madigan's parking spot?' And he says, 'Well, Speaker Madigan doesn't have a parking spot.' Okay. And then he goes, 'Well, by the way, who are you?' And we go, 'Well...' Bill Brady goes, 'Well, I'm Representative Cross.' So he says, 'Well...' I said, 'Well how about McPike?' And ya know we were pretty... no offense Mr. Speaker, but as freshman we were pretty intimidated by both you and Jim McPike. So we said, 'Well, that's good enough, we can park it in that spot.' So we proceeded to back it in. The guards were gracious enough to let us do that. And we got a chuckle, but it continues to get better. The next morning we didn't realize... I was staying at the Hilton. I had a higher room and I got up in the morning and ya know, Leader Daniels always kinda instilled upon us we shouldn't do anything stupid as freshman. Of course,

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this kinda... kinda ranked right up there as being stupid. So I got up in the morning, I looked out my window and I could see this pink elephant from my hotel room. I said, 'Oh my god, what did we do?' So we proceed... we didn't realize that day, on the second floor, they were revealing a portrait of Governor Thompson. So, all morning all the dignitaries were coming up past this pink elephant into the building. So nobody knew about it, for some reason it made the news the next night, made the papers. But that was Doug's way, he enjoyed that good sense of humor. He enjoyed part of being part of a prank. We laughed about it. We had to make... we thought we're making our mark as a freshman class, I guess we did. We assumed we were gonna get chewed out sooner or later, but we really didn't. But that was the type of character Doug was. He had a good sense of humor. Now everybody talked about, you know, how compassionate Doug was. You know, he was always friendly. There's another side to Doug, too. You had to get him on a basketball court to see it, though. First time I played basketball with Doug Hoeft we played against the staff. And all of a sudden, this guy that was 10 years my senior was running up and down the court, to no avail, recklessly running into people and he got in a fight. And we had to pull him off of one of the staff members. So, Doug had a compassion for he... he wanted to... he enjoyed a little bit of competition in the right format. But I will miss Doug, he was part of my life for 10 years and you don't realize until somebody's gone how much they mean to you. And Doug was there, he was always there for me. I think 10 years ago another little story is, I think, it was his 50th birthday and we... had to do something. So, under my instructions, after the work the secretaries went out and

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bought him a blow up doll. And we proceeded to dress this blow up doll in a kind of a nice outfit, decorated it in his office. And we sat him at his desk and Doug came in this morning and we had this blow up doll kinda dressed up with lipstick on and everything else. And Doug coin... coined this doll Wanda and I think Wanda over the years made a few more appearances, 'cause he kept her around and she used to pop up here and there. But Doug always loved the sense of humor... he's compassionate about his issues. You can see when his frustration came about certain things he'd come in his office a little bit in the morning a little frustrated about something and deal with the education or having had the Superintendent of the schools used to be as one of his prime targets. But he really was a true gentleman. And I will definitely... I am glad Doug was part of my life for 10 years. And Libby, I will definitely miss him. God bless him. Thank you."

Speaker Madigan: "Mr. Johnson."

Johnson: "Yes. We have all heard an awful lot about Doug that we know very well in here. And... but I think Doug really would like to be remembered as a model in this chamber. When I think of Doug, a verse always comes to mind, 'that every good and perfect gift comes from above.' And I believe with Doug who we shared some wonderful, wonderful times with a group of us would meet every Wednesday morning for a time of prayer and encouragement. That... Doug always knew who he was in terms of his Maker. He knew his faith, he had his priorities right. It was faith, it was his family, it was Libby and his daughter and son and then because of that, he had an obligation to serve others. We all know Doug as being somebody heavily involved with education, but all of you can remember his speeches in here

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on a broad range of issues that, I think, reflected who Doug really was. And he had touchstone and that touchstone was his faith and his family. In one of those Wednesday mornings, Doug shared with a few of us that as he... we looked at the Lord's Prayer. And it was God's will and that God really calls each of us to be faithful in that which we are told to do. Doug understood good and evil, he understood right and wrong. He understood that he could not control the outcome of every piece of legislation. But Doug understood that he was to be faithful. And Doug was faithful. And I think that... if anything that is the legacy that Doug leaves for us in this chamber, that we are all called to be faithful to do that which we are called to do and which we understood... stand is right and wrong and to further our public interests in that fashion. And for me, that's the legacy that Doug Hoeft leaves with us. And because of that, Libby, I know that you have the assurance and we all have the assurance of where Doug is today. And when Doug went home to his heavenly Father, I know that he was welcomed with those words of, 'well done, thy (sic-thou) good and faithful servant' and what more could any of us hope. Doug is remembered, Libby. And our thoughts are with you and the family."

Speaker Madigan: "Representative Currie."

Currie: "...Speaker, and Members of the House. Doug Hoeft's untimely death was a terrible blow to his family, to his friends, to each and every one of us, to his district and to the people of Illinois. Doug Hoeft was always affable. He was a man of independent mind, a free spirit and yes, a quipster. We did call him 'Mr. Education', not primarily because of his wealth of knowledge about how our school system and its finances operate, but because of his total

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commitment to educational opportunity and educational success for every one of our children. Doug Hoeft had great respect for this institution. Doug Hoeft will leave a legacy that shows 10 years of true service to us and to Illinois. We loved Doug... We will miss him. And Mr. Speaker, I would ask that all Members be added as Joint Sponsors of House Resolution 1176."

Speaker Madigan: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker. To Libby and to his son and his daughter, his father, I'd like to say that I proudly served with Doug Hoeft. We served on the Education Committee together and I believe it was the Banking Committee. And once, when we had first gotten our new computers, Doug left his computer in one of the committee rooms. Constance Howard said to me, 'Look, someone has left their new computer.' I said, 'Doug Hoeft was sitting there, let me take it to him.' So, I walked over to his office and took him to the cr... took him the computer and he was so happy and so grateful he said, 'Let me... you didn't read anything on it did you?' I said, 'No, but I'd probably only find the Gettysburg Address by Abraham Lincoln.' I'm one of those with lower intelligence perhaps because I enjoyed his jokes. I always got the lightbulb to go off and I understood them and I found that his humor helped to make a better day. After heated debate on many issues that we disagreed upon, Doug would walk over and say, 'You know, I gotta just tell you this', and then he would soften the blow of my loss and he would say, 'You know, after we really talk about this maybe you'll see things a little differently.' But I think he taught me that it takes a very big person to walk across the aisle and say to that person who has lost, his or her issue didn't come out the

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way they wanted, walk across that aisle and say to them, 'You know, we can still talk about this. We can... we can meet on this.' And shortly before Doug's going home, he called me and he said, 'Monique, I want to work on reforming the State Board. I hope you'll work with me on that.' And we had planned to meet and do some work on it. However, God had better plans for Doug Hoeft. I believe as Legislatures, one of the greatest gifts that Doug has left for us was he never remained angry after an issue had been voted off. It was over and that's why he found the jokes a very useful tool to break the ice and get us all back on an even keel. I think we're all grateful to have had Doug Hoeft in this House. My sister had the same operation that he had, the same procedure. So, I do understand the suddenness, the surprise, the hurt. But when we get over all of that, we must say, Doug Hoeft had completed his work and now maybe ours had better begin. Thank you."

Speaker Madigan: "Representative Munson."

Munson: "I, too, am a student of Doug Hoeft. I cannot recall a moment that I've spent with Doug when the discussion didn't revolve around people. It was obvious to me that his real passion was to make a difference in people's lives and he did it every single day. Whether it was his lifelong dedication to children and education or solving problems for his constituents, no matter how large or small, or mentoring an inexperienced city council member, Doug was always, always about people. His impact on people's lives were real and permanent. We will miss him. I'm grateful for his guidance and his faith in my abilities and I'm honored to have been his friend and I will never forget him. Thank you."

Speaker Madigan: "Representative Rutherford."

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Rutherford: "Mr. Speaker, thank you and Ladies and Gentlemen of the House. Some of my previous speakers have commented about the class that we were elected in, in '92, that... that were sworn in '93. We have a picture that our class... from the Republican side of the aisle and there was one larger of the bipartisan, but the one on the Republican side of the aisle that hangs in my office. And as I think about it now, all of us from that class, this... Doug will be the first one to leave us. It will be very strange to look at that class picture. Libby, Doug and I had a couple of things, maybe more in common than most. One of them was the fact that we had a last name that sometimes can be easily done a different way. And Doug and I had an agreement from our very first day our freshman year that anyone said his name different than Hoeft, I would be there to help them learn and understand that it's different. And Doug did the same for me, that anyone that would suggest that perhaps the pronunciation of Rutherford was done differently, Doug would stand up and help correct them to do that. And the other thing that Doug and I had very much in common was our birthday, May 26. As you recall... you knew that it was our birthday, but it was also a very eclectic group of us in the General Assembly that had birthdays on May 26. Of course, Doug and I and 'Pate' Philip, and then you add to that Jan Schakowsky. So, when you think about Doug, Dan, Pate, and Jan all celebrating a birthday together, we never did. Doug and I would always wonder whether we'd be in Session because it was around Memorial time, Memorial Day, and sometimes we're in and sometimes we weren't. But regardless, whenever I would see Congressman (sic-Congresswoman) Schakowsky since she left us, she would always ask and think about it and I

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would bet 'Pate' would probably think about us, too. I'll ask him come tomorrow. But I can tell you that on every May 26, I will remember our good friend Doug. And I will continue to work on seeing that our names are pronounced correctly. God bless you, Doug."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I too, would like to share in this tribute to Doug, because Doug truly was one of the most wonderful individuals with whom most of us have ever had the pleasure to become acquainted. It was in the capacity on the Pension Laws Commission that Doug and I became fast friends. And Doug was... as with the arcanian education and its policies and its rules, Doug was very, very impressive in his ability to grasp the arcania and the regulations and the rules within the very complicated pension systems that we have. And it was a very special challenge for us because we were assigned a responsibility to try and bring some sense of coherence and continuity to our pension process. And I always admired the way that Doug would delve into that, cheerfully. Now frankly, most of us were challenged to even be able to have anything resembling a cheerful mean when we were dealing with something as obnoxious as those pensions, but the... Doug embraced it and Doug always had the deepest affection for his colleagues on the Pension Laws Commission, especially his friend, Harold Murphy. And so, it was really a very disturbing day when I called Doug's office prior to our Pension Laws Commission because inevitably we would gather together go over with staff all of the details of the various pension proposals that were on the agenda, and find that he wouldn't be with us that week. He wouldn't be

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coming down to be with us at this event. And this was especially concerning to me because as so many stories have been told, out of respect for Harold Murphy and as a gesture of his affection, Doug had been talking to all of us, trying to gin up as many pension proposals that would benefit Harold Murphy that he would indeed walk out of here with the keys to the kingdom, the doors to the budget. He had Harold Murphy becoming entitled to virtually every conceivable kind of pension that you could even imagine and he was just... every time he had a new idea Doug would just start giggling as someone referred to and start laughing and say, 'Oh, Harold will love this one.' And so it was especially poignant that day because sadly, those proposals were not introduced. And sadly, we adjourned that meeting knowing that those proposals would not be reintroduced because the fellow who inspired them with his great sense of humor, his wonderful compassion, his deepest of affection for each... each one of us, each of us as Members and as his friends, would not be returning. So, I would add my voice to each one of you... yours to say that, Doug, we admired you. We loved you, we respect you and we will miss you."

Speaker Madigan: "There is a request from Representative Currie that all Members of the House be added as cosponsors of the Resolution. If there's no objection, that request will be granted. Those in favor of the adoption of House Resolution 1176 say 'yes'; those opposed say 'no'. The 'ayes' have it. And House Resolution 1176 is adopted. Mr Clerk, do you have another Resolution?"

Clerk Bolin: "House Resolution 1175 offered by Representative Daniels."

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HOUSE RESOLUTION 1175

WHEREAS, It is with deepest sorrow that the members of the House of Representatives of the State of Illinois learned of the death of one of our respected colleagues, Representative Timothy H. Osmond of Antioch, on Tuesday, December 17, 2002; and

WHEREAS, Representative Osmond served the citizens of the 62nd District since his election to the House of Representatives in 1998 and was re-elected to a third term in November of 2002; he previously served as Antioch Township Supervisor and Trustee as well as being an alternate delegate to the Republican National Convention in 1992; and

WHEREAS, During the years he was a member of the legislature, he was known as a strong voice for small businesses and an advocate for education, a conservative on fiscal issues and a moderate on social issues; he was involved in legislation relating to industry, increasing security around Illinois nuclear plants, and controlling crime; he brought Illinois FIRST funds to the 62nd District that were used for education, parks and recreation, and seniors; and

WHEREAS, Representative Osmond graduated from Antioch Community High School in 1967; he received a Bachelor of Business Degree from Western Illinois University in 1971 and became a Certified Insurance Counselor in 1981; and

WHEREAS, Representative Osmond was the owner of Osmond Insurance Service Ltd. and was a member of St. Peter Parish in Antioch; he had served as the Director of State Bank of the Lakes; he was a volunteer paramedic on the Antioch Rescue Squad for over 20 years and was chief of the squad from 1995 to 1997; and

WHEREAS, Representative Osmond was a member of various civic

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and business groups including the Antioch Chamber of Commerce and Industry; the Antioch Lions Club, for which he served as a past treasurer; the Antioch Rotary Club, for which he was a past president and Community Service Award Recipient in 1998; the Lakes Region Historical Society; the Northern Illinois Conservation Club; the Antioch Republican Club, for which he served as a past president; Ducks Unlimited; and the North Central Association Visiting Committee for Antioch Community High School; and he was a Rotary Exchange Student Host Parent; and

WHEREAS, Representative Osmond will be remembered as a down-to-earth person who kept well-informed on the issues and had a sincere and genuine personality; and

WHEREAS, The passing of Representative Timothy Osmond will be felt most deeply by his devoted family and friends who supported him throughout his public and private career, especially his wife, JoAnn, his son, Michael, and his daughter, Colleen Canarchy; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our most sincere condolences to the family of Representative Timothy H. Osmond, a respected colleague who will long be remembered; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Representative Timothy H. Osmond."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Once again we talk about an honored Member of this fraternity, this great organization, the General Assembly. The greatest in America, the greatest part of democracy. And Tim Osmond represented the great part of that. I met Tim

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when he was first elected to the House in 1998, and I was impressed from the start. I thought to myself, there is a man with a sharp mind who cuts to the essential problem without a lot of hoying around, without a lot of baloney. He knew he got to the results quickly, that was Tim Osmond. He was to the point and he was almost always right. Of course, Tim would say he was always right, but he could do it with a smile. And he could do it with a sense of reality. And he could do it with a sense of understanding. Now, Tim's roots are in Antioch and he knew the value of roots, of family, of community, that as much as anything else defined Tim Osmond. He graduated from Antioch Community High School and stayed in the area receiving his business degree from Western Illinois University. When he returned to Antioch he became Antioch township trustee and supervisor. Tim had his own insurance agency in Antioch and was a member of Antioch Saint Peter Parish Church. Tim also served as director of the State Bank of the Lakes. But I think what most defined Tim's commitment to his community is that he was a volunteer paramedic on the Antioch Rescue Squad for over 20 years. And he was chief of the squad from 1995 to 1997. Tim Osmond served as a volunteer paramedic for over 20 years. Now, other Legislators have an idea of what that means, but not all of us here totally understand the commitment that requires. And of course, there are other Representatives here who are volunteer firemen and understand the commitment there. What it means is over 20 years of getting out of all hours of the day and night, holidays included. It's 20 years of rain and snow, heat and cold. Always trying your best to save someone's life or to be there in a time of emergency. Unless you've been there, you can't imagine the degree of

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dedication it takes to work for 20 years as a volunteer paramedic on a rescue squad. You certainly don't do it for the glory. You do it because you want to help your fellow human beings the best you can. And that was Tim Osmond, always ready to help. As a small business man he knew the problems faced by small businesses all over the state, and that made Tim Osmond a very strong voice for small business. Tim loved his community and its people. The outpouring of sympathy and condolences was overwhelming from the community that so loved him. He received a community service award from the Antioch Rotary's Club and he was Rotary exchange host parent. So, yes, our heart goes out to the family, to JoAnn, to his son Michael, his daughter Colleen and her husband Ed. Rest assured that everyone that Tim touched was honored by his commitment, was honored by his love of country and his love of state. Tim Osmond was with us in this General Assembly for all too short of a time, but he made his impact in the community and this state. So, Mr. Speaker, with your indulgence, I would like to talk about Tim Osmond in a poem that also represents our beloved Doug Hoeft, in talking about the two of them. The title of the poem is, We Remember Them. 'At the rising of the sun and at its going down, we remember them. At the blowing of the wind and in the chill of winter, we remember them. At the opening of buds and in the rebirth of spring, we remember them. At the blueness of the skies and the warmth of summer, we remember them. And at the rustling of leaves and the beauty of autumn, we remember them. And at the beginning of the year and when it ends, we remember them. As long as we live, they too will live, for they now are a part of us, as we remember them. When we are weary and in need of strength, we

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remember them. When we are lost and sick at heart, we remember them. And when we have joys we yearn to share, we remember them. When we have decisions that are difficult to make, we remember them. And when we have achievements that are based on theirs, we'll remember them. And as long as we live, they too shall live, for they are part of us as we remember them.' Godspeed you, Doug and Tim, Godspeed you."

Speaker Madigan: "Mr. Beaubien."

Beaubien: "Thank you, Mr. Speaker. I'm honored today to talk about my good friend, Tim Osmond. As is often the case, I didn't realize until he was gone how much a part of my life he had become. Tim and I used to travel back and forth to Springfield almost every week. Seven hours in the car with Tim, you begin to learn an awful lot about each other. We never stopped talking, never stopped laughing and shared very great moments together. In Springfield, we were always looking after each other and as most people know, he did more of the looking after than I did. Tim was loved and respected on both sides of the aisle. He was a person of absolute integrity. Tim was thoughtful and kind, but his most endearing attribute was he was genuine. Tim was Tim, no pretence, no hidden agenda. What many of you may not know about Tim is the way he was loved and respected in his home community of Antioch and who loved and respected his entire district. At his funeral, Dee and I sat next to a rather elderly individual and had time to talk to her before the service started. And I think she summed up Tim in the best words that I could possibly ever make up or add. She said, 'Tim, was a man of the people.' She said, 'He helped everyone. He was always doing things for everybody.' As a member of the paramedic group, a

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community volunteer, church member, insurance agent and Legislator. Tim loved being a Representative, loved the insurance industry. But most of all, he loved his family. He was an avid golfer and hunter and he shared this with his son and the stories with his daughter and son-in-law and his wife, son-in-law Ed, his daughter, Colleen. But most of all he shared things with JoAnn and we are honored to have her carry on his legacy here in the state Legislature. As I was talking to JoAnn about serving, I commented about how proud Tim would be to have JoAnn here. Do a favor for Tim and I, tell the people that you care about them and do it regularly, because you may not have the chance. Tim, we're gonna miss you and we love you."

Speaker Madigan: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. I had the opportunity about a year and a half ago to go with a group of Legislators on a trip organized by Representative Hartke to China. And the eight of us were each able to bring someone and Representative Osmond brought his son, Mike and Representative Hoeft was also on the trip and brought Libby. And we got to know Libby and Doug so well and... Mike and Tim, such a wonderful experience to work... to work so closely together. But it was... it was fun to watch Mike and Tim. Mike was the youngest one on the trip and Mike's over there and he... I hope he doesn't mind my talking about him, but watching Mike master chopsticks and 15 course meals and... I spec... 'specially remember that the... the meal in Shanghai where we had to tip the glasses and Mike kept tipping and by the end of the meal he was... Mike was very happy. But I watched the two of them interact and they had such a good time. And at the end of the trip I said, 'You know, Tim, your son Mike is going to

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be so happy he had this trip.' And I think that China trip was so wonderful. I also just want to say a word about Doug and Libby on the trip, because Doug was the consummate Representative there. He was carrying around... would carry a model of the Elgin streetsweeper. And he would... give it to the dignitaries saying trying to say, 'You know, you need to buy the Elgin streetsweeper so you don't have to... use the broom', which literally we saw on some of the freeways. So, you know, it's just so ironic that two of the eight of us on that trip passed away on the same day and it was just incredible. But you know, it's wonderful knowing Tim, wonderful knowing Doug and... and Mike, I'm glad you had the trip."

Speaker Madigan: "Mr. Hassert."

Hassert: "Thank you, Mr. Speaker. Four years ago when I first met Tim, I just knew Tim, I wanted him to be my friend. There's no doubt in my mind any of you who have met Tim have to feel the same way. The guy had a presence about him that makes you just want to like him and love him. Tim was a... when he came down here, unfortunately, Representative Persico, and myself, Beaubien, and Representative Cross took him underneath our wing. That probably was not the best mentoring program that he could of taken that road. But we did, of course we found out he could golf, so that was one... one reason that we needed to fill foursomes occasionally. But there's a unique concept about Tim that we didn't see down here too much, that Tim actually read the Bills down here. And we were kinda confused ourselves, what he was doing all the time. But he would understand the Bills. He would read them. He would actually ask questions. And they were very substantive questions. Tom and I were fortunate among some other

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Members here to have lunch with Tim the day he died and it was a good lunch, it was a great lunch. And my job as of that lunch, believe it or not was to get up and kinda roast everybody around the table. And there's about 25 people around the table, so it was a pretty big job. But everybody took it in good heart and Tim that day, I can honestly say we had an excellent time. Tim, I think when I went to his... his wake and stood in line for four hours, something dawned on me. I don't think that many people ever voted for me in an election. I have never seen such an outpouring, along with both Doug and Tim. That just shows you beyond what we know each other down here is to see that kind of a... kind of a outcry for... when somebody passes. With Tim's family, obviously is so... should be so proud. You know I was proud. And I know Tim was looking down and said he was proud. He was a great guy. Every morning he would be there early, again reading Bills. I never quite understood that concept, but he was there and trying to digest everything he possibly could. And he would call people in and he would try to figure things out. And he did love his family, just spoke about hunting with Mike all the time, golfing. We had a lot of yucks. Personally, Mark and I and Mike went hunting this past Saturday, shared a few stories about his dad. I'm gonna miss Tim. In the short four years I knew him, I am... I'm just sad that I had... hadn't had a longer time to spend with him. And lastly, I have no idea who's gonna take care of Beaubien... since Tim is gone. And he did a great job of that. But again, God bless Tim. I loved him and I'll miss him. Thank you."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Another

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untimely death, another tragic blow for family, for community and for this institution. Tim Osmond was a gentle, genial man. He always had a smile on his face. And he had an insatiable curiosity about the arcane rules and parliamentary procedure under which we operate. Forever turning up at my desk or giving me a ring, just checking out the way we do it here. He got better and better at it. And not very long ago when he came to ask a question and already knew the answer, he said, 'I'm getting the hang of it, I really like this place.' Like it he did and like him we did. It was only four years but he made his mark in this House of Representatives. He made his mark for his community and for this state. We will miss Tim Osmond. And Speaker, I would ask that all Members of the House be added as cosponsors of House Resolution 1175."

Speaker Madigan: "Mr. Cross"

Cross: "Thank you, Mr. Speaker, and I... Brent, I'm kind of offended that you took my speech. So I... I'll have some other comments, though. I don't recall the first time I met Tim. And I've been struggling with that the last few weeks. But I do remember the time that sticks out for me of when I really... the time that I remember Tim of being with me. And it shows you the kinda guy that Tim Osmond was. Our daughter ended up in a pediatric intensive care unit at Lutheran General. She'd been diagnosed with diabetes. And we had been there for maybe an hour or two, somehow the word got out. And who showed up in that intensive care room but Tim Osmond. And I didn't know Tim that well. But Tim showed up and the quiet way and the strength he had that he always conveyed was just... was quiet, but you knew he was there and as I said in a strong way and he wanted you to know that he cared. And he was

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very simple of how are you doing, what can I do to help you, I'm concerned about you, as a friend and I'm concerned about your family. And that's the kind of guy that Tim Osmond was. And JoAnn and Ed and Colleen and Mike, that's the way that he came across in Springfield. And I suspect that you are getting a lot of people on this process today and you have since Tim's death, of wanting to help you. And it may be over... overwhelming, because I think the way Tim treated people, I know that if the situation was... would be reversed he would be helping us. And we all... I think a little piece of Tim is all with us now because we feel a need to help you because of the way Tim was. So, bear with us if we're a little overwhelming in our... our wanting to help you. He was that kind of person, of caring about people. And like Brent, I had an opportunity to spend a lot of days with Tim, early mornings in the Stratton Building, on golf carts, political events in Lake County, in the car we all... he would often say, 'Hey, I'd like to just go for a ride with ya, if you're... This summer when we were helping people in the campaigns and inevitably, the discussion would involve... somehow a town would come up in our discussion. And Tim Osmond new someone in every town in the State of Illinois. And you guys know that. Every time a town came up, he'd say I know that person from Pekin Insurance. I know that person from Western Illinois. I know that person from politics. This is the kind of guy Tim was. He went around the state making friends. And they were real friends and they were genuine friends and they were legitimate friends. And one of the things that I always noticed about Tim and we always do this, unfortunately in this business, when we meet people, not all of us, but some have a bad habit of, ya

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know, looking over the shoulder to see who the next person is. That was not how Tim Osmond was, when he met ya, he wanted to talk to ya, he wanted to see ya eye-to-eye and he wanted to really find out what you were about. And I hope that we've all learned... picked up a little bit of that from Tim, at least I hope I have. Brent joked about the fact that Tim read the Bills. Brent and I would be there in the Stratton Building and he would start asking us about Bills. And we didn't even know what Bills he was talking about. Because, Brent, do I dare admit that you and I don't read the Bills? But Tim read'em and the other thing that Tim did in addition to being a good person is I think he challenged all of us. At least he challenged me to be a better State Representative. Because with Tim, things were not grey, they were simply black and white. And as Mark said, he always wanted to do what was right. And for Tim, it was very simple as to what was right. He understood the political process, he understand... he understood politics, but public policy is what we... what I think drove Tim. And the public policy side of him is... was let's do what's right for my constituency, let's do what's right for my district and let's do what's right for the people of the State of Illinois. And again I hope that is something that will stick with me for as long as I'm in this business. Now, I don't want ya to go away here with just sad memories of Tim Osmond. Tim Osmond also had a sense of humor. He wasn't a story teller or joke teller like Doug Hoeft, but Tim Osmond could laugh heartily and as Brent and I... as Brent told you earlier we had a lunch the day Tim died. And he can remember watching him throughout that lunch and he had some very, very, very, very hearty laughs and it was fun to watch that. I had the opportunity to have lunch

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with him the day before, as well. And Tim and I had been talking for several months, I think, if not longer, of the... his desire to go to Plano Molding. Plano Molding which is down in Plano, Illinois and for those of you who hunt and fish, they make tackle boxes and they make gun cases. And it was just right up Tim's alley. As Mark said, he was an avid outdoorsman and he would go with Mike often. So, we went over to Plano Molding, but before we came to... before we went over to Plano Molding he showed up at my office. And he brought for me a coat. He had had a blue coat, waist length that I had admired. It just said, 'Tim Osmond, State Rep.' So he brought me a coat. It was a nice-looking, blue coat. Some have said it looks a little bit like the old FFA coats. But it... nevertheless it was a nice coat. And it was one he brought me and... and I wear that coat and I'm gonna wear that coat from here on out, and with a lot of pride. But the other thing he brought me was a little Christmas present and he said, 'This is for your son, Hudson.' Hudson's 6 years old. And I said, 'Well, okay good. I'll give it to him on Christmas Day.' He said, 'No, no, open it now.' So I said, 'Well no, Tim, it's ya know, it's... let's wait for Christmas and I'll give it to him.' He said, 'No, I'll give it to Hudson. You can open it, I want you to see what it is and you're really gonna like it.' So, Tim Osmond opens up the Christmas present for Hudson. This is when, I tell ya he has a sense of humor. He gave me a duck call or he gave Hudson a duck call. That is what's been going on in our house for the last two and a half or three weeks. And Mike knows that sound and JoAnn knows that sound and Colleen and Ed know that sound. But that was the kind of sense of humor that Tim had. And we've enjoyed listening

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to this duck call and we will continue to listen to this duck call because it rem... will remind me of Tim. So, JoAnn and Mike and Ed and Colleen we loved your dad. He was a good man and I know he was a good dad. He's a good husband and he was a good Legislator. And he was a very, very good friend to all of us. And we're gonna miss him. And I hope a little bit of him will stay with all of us because he was such a good influence. And you should be proud of all he did and all he's done and we... we certainly are. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Unlike Representative Cross, I do remember the first time that I had the honor and the privilege of meeting Representative Osmond. It was my first week here as a Representative. And all of you may recall at some point or another, I have talked to each and every one of you about, probably all my Bills. But the first time I went to go see him it was a little intimidating to me as a freshmen going over to visit the office of a Republican Representative. And I went in there thinking I'm probably gonna get about 20 seconds. And he said, 'Sit down, kid.' And didn't wanna hear anything about my Bill, he wanted to know everything about my family, where I came from, my parent's names, my brothers, if I have any pets, what I like to do, why I wanted to be a State Rep. And then, once we got through all of that, then he wanted to hear about my Bill. But he... he didn't want to hear the synopsis of my Bill, he wanted to know what it was that I needed his support on. Tim was always there for me as a Legislator. He was, more importantly, there for me as a friend. I, like Gwen Klingler, also had the opportunity to go to China with Tim and with Mike. And my

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mother and I became very, very close to Tim and to Mike at the time. Gosh, this is tough. Excuse me. But... jes... after that trip Tim asked me if he could come to my district and take a tour of my district, which as some of you may know, is a hike away from his. Not too many people do that. He really cared about what was important to me. I really did feel that Tim was not just another colleague, for me, he was my friend. My heart goes out to the family. I could really talk forever about him but it's a little more difficult than I... I thought. But one thing I truly can say about Tim Osmond is that he was a gentleman in every sense of the word. When my mom and I were in China, and my mom is a senior, Tim was like her protector. I wasn't allowed to carry one bag for her. I wasn't allowed to do anything for her because Tim said, 'You know, that's my job.' So, he had Mike doing all our handy work, too. But... but it really... it's just... was such a great opportunity for me to have the experience of both Tim and Doug. Libby, you know what it was like to be on that trip and I can't say enough about both of them. But it was just, for me as a freshmen, it was such an honor and a privilege to work with both of those guys who for me are the guys, are the boys. Tim, every time I came over which were many times to the Republican side to say hello to my friends, he'd always make sure I didn't leave there without talking about something substantive. So, the whole thing about family was always brought up but he always wanted to know what are you working on now, how can I help, and explain that to me, 'cause I want to understand. So, for that I'll always be grateful and I think it's that... a lesson I learned about Leadership in terms of when you've got somebody who's over there inquiring, well then truly

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listen to what they have to say. And see what we can do to help and that's our job and something I learned from him and something I learned from... from Doug. So, God bless both of them and God bless your families."

Speaker Madigan: "Mr. Black."

Black: "... much, Mr. Speaker and Ladies and Gentlemen of the General Assembly. One of the great joys of serving in this Body for a number of years is that you get to meet some fascinating people, people that make an impact on your life. You may not even appreciate or understand the impact that they make on your life until a certain amount of time has passed. But we're given a great privilege to serve here and to get to know people of the quality of Doug Hoeft and Tim Osmond. One of the great difficulties in serving in this Body for a number of years is that you hear far too many Death Resolutions over the years. I was somewhat shocked and appalled earlier when Representative Bost said that there were frustrations and stress in this job. I've never noticed that. But it was interesting to see how Doug and Tim handled that, a far better than I. And Doug and Tim would often talk to me about what's really important in this process. And Tim... Tim moved into an apartment in a building that I've lived in for some years. Ron Stephens had that apartment the year prior and there was a slight difference in having a apartment mate across the hall. Ron was much more quiet and subdued than Tim. And Tim... Tim did have a great sense of humor. One... one night we were in late, we got to the parking lot at the apartment about the same time. And I asked Tim as we were going in the door and walking up to our third floor apartment. I said, 'Tim, have you had any heat in your side of the building the last night or two? It's been a little chilly in my

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apartment. It was about 50 degrees in there the night before.' He says, 'No, no, I've not noticed that at all.' He said, 'If it gets too bad in your apartment just knock and come over and you can sleep on the couch.' Well, later that night, in fact, it was early the next morning I woke up and it was... I think the thermostat was as far down as it could go, which meant it was below 50 in my apartment. So I put on a pair of levis and an old sweatshirt and knocked on Tim's door. And he said, 'Who's there?' And I said, 'It's Bill, do you have any heat in your apartment?' 'Just a second.' He took about a minute or two to come to the door. He opened the door and there he sat in his or there he stood in his topcoat, a pair of sweatpants as I recall, I swear he had on galoshes and a hat with the fur flaps that I haven't seen since I was in grade school and he said, 'What's the matter?' I said, 'It's a little chilly in my apartment.' He said, 'It's just fine in mine.' But these two gentlemen that we eulogize today remind me this can be every family unfriendly place to work. We are gone too much. We are away from home too often. We miss too many things that our children do that we can't go back and see again. And yet, some of us continue to do it. And then we pick up a newspaper article and we see how we're regarded by the public; politician, Legislator, public servant, whatever you want to call us, we're usually at the bottom of the list. And yet, when you get to work with people like Tim and Doug, you begin to realize that this can be, this can be a noble calling. It can make a difference. We make mistakes. We're not perfect. But I think Tim and Doug kept everything in perspective and it's important that we remember this. They made sure their families were their priority. They loved

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them, they cared about them, they talked about them and they kept that priority, as Representative Johnson said earlier. And it's important that we remember that. They kept their sense of humor and yet they believed deeply in what they were elected to do and they always tried to do the very best that they could do. And if you don't have a sense of humor in this place, I feel sorry for anyone who comes here and doesn't. I remember so well we were testing the television cameras, the Jumbotrons as I called them when they were put in. I thought we were going to have instant replay so that the Speaker could have certain Motions reviewed to make sure they were in order. But as we were testing it out one day, Representative Osmond was recognized and he was in the back of the chamber and the lighting didn't work very well. And as we looked up to the screen we could see a reflection but we couldn't see Tim. And I never will forget he said, 'If it helps, I'll stand on tiptoes and tip my head back a little bit but, Mr. Speaker, that isn't a very flattering image. But if it's the best we can do, I can live with it.' And that's the way both of them will be remembered by me. They kept their priorities on the ground, they were men of their word, they made this process better. We're all better for having been able to know them, to have been able to work with them and to have learned from them. And to Doug's family and to Tim's family, it's been said but we don't say it enough, sometimes we don't say it enough to our own families. Thank you for sharing them. Thank you for the nights you were alone. Thank you for the weekends they spent on the road or at committee hearings around the state. And as long as people like Tim Osmond and Doug Hoeft are willing to serve here, willing to go through elections which get

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more difficult and perhaps nasty every cycle. As long as someone like Tim, as long as someone like Doug are willing to go through that process and willing to serve here, then I think the future is indeed bright and we should all take pride in what we try to do here to the best of our abilities as they always did to theirs. We will miss them. My condolences to the family, but I hope you take comfort in the thoughts and prayers of the many friends that Tim had and Doug had and the fact that each of them, I think, will live in our hearts who were privileged to know them, forever. And a piece of them will stay in this deliberative Body for many, many years."

Speaker Madigan: "Mr. Delgado."

Delgado: "Tim, 'Oz' Osmond, was one of my teammates. We came in together '98, '99. And everyone's correct, he's down to earth. Talk about being a regular kinda guy, my wife attended that training with me, Iris, and she was there takin' notes for me of every... trying to make sure I had all the information I would need. And Tim got to meet Iris and... as we were locked away over there at the hotel and training session, I got to meet a wonderful man who I call Tim 'Oz' Osmond. 'Oz man' I called him, because being an outdoorsman he's tremendous, 'cause we also have a wonderful softball team here. And Tim was over there at our practices and I could see him as my target at first base in a little practice there as I tried to make the play at short or second or outfield, throwing it to first base. And that's the picture every time I blink my eyes, I get to see. You're right, Representative Black, when you talk about that silhouette back there. I have a long... or short history in criminal justice. I kept thinking it was the witness protection program he was in because his

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silhouette sort of came across the jumbo screen. But Tim Osmond is one of my teammates. We came in together. And then I had an opportunity because, believe me, the magnetism that he brought to this General Assembly as a human being, because sometimes we have to remember that's what we are at first. And then, by the way, we're Legislators with the trust of our communities. Well, the magnetism, I've been to many... matter of fact, I decided I was gonna stop attending wakes since I've attended so many as a guidance counselor, as a youth worker. I said, no more. It made me grow up too quick. I saw too much in a young age. But my car took me to Antioch, Illinois. I dropped everything I was doing. My wife asked me, 'Your gonna go?' Because she knows how I struggle with this type of situation, because I'm always tryin' to smile and always try to look at the positive side of life but there is blessings in everything. And I took that drive way up there. And I'm so happy that I did, because I got to see what America could really be all about, especially, Illinois, because the sense of community, the sense of family. You would think with all respect, we've... I've been here four years, along with Tim. You would have thought that this Gentlemen has served here for the last 30. That city was shut down pretty much in respect, because truly the winds of Antioch were under his wings. And as for your family, JoAnn and Mike, God bless you. He did touch me, touched my family as a Legislator. We would have worked together, shed our Democrat, Republican jackets and understand that that's what it's all about. He's a man, he's a dad, he's a loved one. He had to be it all, and that's something that touched me very, very strong that had me drive up. Because and then we hit the snow we saw

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up there and it was something to stand in that line for a few hours, as someone else had just previously stated. And you should have heard the conversations of everyone in there. They grew up together, they shared a common bond in their community, their children share, they were saying, oh... we're showing you the high school and his... and his school. And families were talking about they remember when they were children. And I got to meet so many wonderful, wonderful families that had noticed I was in line and kept asking me, if they didn't know me, where I was from. And I got to see some of the colleagues. And yes, that's the one I attended and I do truly wanted to make it over to Representative Hoeft and... because it was being on the same day and traffic conditions, I knew in my heart that my temple and my church would be in my mind that day. I just knew I had to be with Tim and his family and get to meet everyone over there. And Doug, you were my teacher, too. On the House of Representatives, I've been here now going on my fifth year. I've been on the Education Committee since I've entered. And Doug was one of my teachers. He took me under his wing and knows extremely well how to deal with diversity. But the 'Ozman' is gonna be tremendously missed because now when I throw that 16 inch softball he was gonna be one of those guys who were gonna catch it. And I know he's always got our back. So, to the family, may God bless you Dios te bendiga and on behalf of our families, too. We know how difficult this time is, but we will as 'Oz' would say, 'You know we're gonna turn a profit and we're gonna be able to take this family and move it forward.' And JoAnn, welcome and if there's anything that we can do we're here. And we always have to remember, hug your loved ones and always remember

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that we all have flaws, but ultimately there's a judge.

So, God bless you and Godspeed to your family."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I would also like to pay tribute to Tim Osmond who was truly a delight to work with and one of probably the more capable and intelligent people. When he took on an issue, he took it on, head on. Many of you don't know, this summer one of the national Bills on credit scoring, he went out and did that. He, basically, wrote the national legislation, took him through a six-hour standing debate. He had such a great insight into those issues. And one of the... one of the neatest things, when Tim came down here, he would come into the Insurance Committee and a Bill would come up, he could take a look at it. Yes, he did read the Bills. And what was really interesting is it cut to the heart of it. And he would ask some great insightful questions. And a time would come and I began to rely on his questions and insight because he was that good in his area. And I would turn to the Clerk at the time of the Roll Call and say, 'Mr. Clerk, you skipped Representative Osmond', and he would turn to me and say, 'Mr. Chairman, Mr. Osmond's not on this committee.' He had such an interest that he would take and he would sit in and offer insight on a lot of the legislation. And he was respected by all the Members. So, in his second term he was appointed on and we were all thankful for that. But he was a... a truly a great friend and he had a great sense of humor and a willingness to serve for the people of Antioch and to work with all those into the... in the chamber here. He did his job, he did it well and we will truly miss him."

Speaker Madigan: "Mr. Myers."

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Myers: "Thank you, Mr. Speaker. I remember very well the first time I met Tim Osmond. It was back around the year of 1969 when we were both students at Western Illinois University. And while the year may be in question, the memory of that meeting is very vivid in my mind. Tim Osmond was president of the Inter Fraternity Council at the time and I had just been elected president of a group of young men who we're trying to start a new fraternity on campus. Western Illinois University at that time was not real conducive to welcoming new groups of... of Greeks Organizations getting started because they were in competition with each other for those individuals out there to join their groups. But I and some other representatives of our fraternity went to Tim's house, his fraternity house and that was intimidating enough, but to meet the individual who was chairman of the Inter Fraternity Council at that time was also going to be intimidating. But Tim was very warm, he was very courteous in his meeting and welcomed us with open arms. That memory is very indelibly inscribed in my mem... in my mind. He not only welcomed us that day at his fraternity house, but encouraged us to become a member of the Inter Fraternity Council and we sat with that body at their regular meetings. He displayed to me the years that I knew him at Western Illinois University, he displayed to me the moral character and attributes that he has exhibited since he's been in the Legislature. When I first heard the name Tim Osmond as a possible new Member to the Illinois General Assembly, I thought to myself, could it be one and the same? And when I found out that it was one and the same I eagerly awaited his arrival so that maybe we could renew an old acquaintanceship. And indeed, once he arrived we shared many memories of our days at Western Illinois

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University as students. And the leadership that I saw him exhibit after he arrived, to me was... was very similar to the leadership that he had demonstrated as an Inter Fraternity Council President at Western Illinois University. I will always remember that compassion and warmth that he showed a group of upstarts. Many of you have described his caring for people in his district and in other districts. He did truly care and I will remember that caring. He will be missed."

Speaker Madigan: "There is a request from Representative Currie that all Members be added as cosponsors to House Resolution 1175. If there is no objection, all Members shall be added as cosponsors to the Resolution. The question is, 'Shall House Resolution 1175 be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. We are now prepared to adjourn sine die. And for that purpose the Chair recognizes... Representative Currie moves that the House do stand adjourned sine die. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does... stand adjourned sine die."