

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

124th Legislative Day

April 25, 2002

Speaker Hartke: "The House shall come to order. The Members will please be in their chairs. We shall be led in prayer today by Senior Pastoral Associate Tana Kjos of the Cross of Glory Lutheran Church in Lockport. Associate Kjos is the guest of Representative Kosel. Our guests in the gallery may wish rise and join us for the invocation and the Pledge of Allegiance. Pastor."

Reverend Kjos: "Let us pray. All mighty God, we thank you today, for Your presence here in this place. For the way that You make amazing things happen through ordinary people. You are so awesome. Please take our shortcomings, our mistakes, our self interests, and turn them into gifts, good works and outcomes that benefit all people. Thank You for the tasks ahead today, for the confidence of the people in this state to put these matters into the hands of these leaders. Please be with the leaders all over our globe, help them strive for peace and justice. Be with all those in the military, keep them safe. Remind us today and everyday of our responsibility for all those less fortunate the poor, oppressed, the hungry, those suffering from addiction, the abused, the broken and the disabled. Give us the wisdom to make a difference, the courage to make difficult discussions and the power to see them through. We trust, Lord, that You hear our prayers and will grant us all that we need. In Your amazing name, oh God, we pray. Amen."

Speaker Hartke: "We shall be led in the pledge today by Representative Connie Howard."

Howard: - 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."

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Speaker Hartke: "Roll Call for Attendance. Representative Currie, a report on the Democrat side."

Currie: "Thank you, Speaker. Please let the record show Representative that O'Brien is still waiting for that baby and Representative Younge is also excused today."

Speaker Hartke: "Representative Bost."

Bost: "Morning, Mr. Speaker."

Speaker Hartke: "Good morning."

Bost: "Let the record reflect that all Republicans are present today."

Speaker Hartke: "Mr. Clerk, take the record. 115 Members answering the quorum call... a quorum is present and the House is ready to do business. Representative Currie for an announcement."

Currie: "Thank you, Speaker and Members of the House. Last night the Legislative Leaders in conjunction with the Illinois Pharmaceutical Research and Manufacturers' Association sponsored our first Annual Charity Bowling Tournament. And the beneficiary was the National Children's Cancer Society. Together we raised more than \$16 thousand. The winning team... the winning team was in fact from the Bureau of the Budget, although we're still checking their scores to see if they really do add up. And I'm especially happy to report that the third place team was captained by my secretary, Carol Shehorn and it included many of her family members. In fact, her son, John, had the highest individual bowling score last evening. So, congratulations to all who participated and thanks to everyone who helped make this event such a great deal of fun and a roaring success for the National Children's Cancer Society."

Speaker Hartke: "Representative Crotty. And for what reason do you seek recognition?"

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Crotty: "Thank you, Mr. Speaker. I would ask everyone to join with me in welcoming the Mayor of Richton Park and his wife Tammy, here to the General Assembly today. They're sitting right up here and behind, if you'd stand up. Nice to have you."

Speaker Hartke: "Welcome to Springfield and the General Assembly. Committee Reports."

Clerk Bolin: "Committee Reports. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure were referred, action taken on Wednesday, April 24, 2002, reported the same back with the following recommendations: 'do pass short debate' for Senate Bill 1540. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measures was referred, action taken on Wednesday, April 24, 2002, reported the same back with the following recommendations: recommends 'be adopted' House Joint Resolution 64. Representative Giles, Chairperson from the Committee Elementary & Secondary Education, to which the following measures were referred, action taken on Thursday, April 25, 2002, reported the same back with the same following recommendations: 'do pass as amended Short Debate' Senate Bill 1930. Representative Fritchey, Chairperson from the Committee on Consumer Protection, to which following measures was/were referred, action taken on Thursday, April 25, 2002, reported the same back with the following recommendations: recommends 'be adopted' House Resolution 771. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measures were referred, action taken on Thursday, April 25, 2002, reported the same back with the following recommendations: recommends 'be adopted' House

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Joint Resolution #60."

Speaker Hartke: "On page 10 on the Calendar, on Resolutions appears Senate Joint Resolutions 63. Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Joint Resolution 63 disapproves of the report filed by the Compensation Review Board. Now under... under the rules to deny a report by the Compensation Review Board, both the House and the Senate must pass identical Resolutions. If we are to change one word or to amend, then of course, that would have the affect of letting the Compensation Review Board recommendation take effect July 1. I have a copy of this report if any of you would like to see it. Basically, what... what we are doing is to deny the Compensation Review Board report, saying that the salary of an associate judge shall be increased to \$129,719 and that the State of Illinois shall contribute 3% of each judge's salary toward the statutorily required employee contribution. I think this is a straightforward Resolution. In a time of fiscal crisis we simply cannot sit back and allow the Compensation Review Board report to become law in fiscal 2003. That's what it does and I'll be more than happy to answer any questions that you have, and would urge an 'aye' vote."

Speaker Hartke: "Is there any discussion on Senate Joint Resolution 63? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Senate Joint Resolution 63?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On the question... on this question, there are 115 Members voting 'yes', and 0 voting 'no', one

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voting 'present'. And the House does adopt Senate Joint Resolution 63. On page 4 of the Calendar, on Third Reading appears Senate Bill 2313. Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2313, a Bill for Act concerning compensation of public officials. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2313 is a very simple Bill. It is simply saying that no cost of living adjustment as authorized by Senate Joint Resolution 192 of the 86th General Assembly shall be given to any officer or employee covered under the Compensation Review Board Report for Fiscal 2003. We passed an identical House Bill 3699 by a vote of 109-3. That House Bill currently is sitting in the Senate Rules Committee. So, to deny the COLA request for Fiscal 2003 you would need to vote 'yes' for this Bill. This Bill and the Senate Joint Resolution that we just passed will save approximately \$12 million in compensation costs for Fiscal 2003. I think it sends a strong message that the Members of the General Assembly recognize the fiscal crisis and that we will, in fact, bear a portion of what we are asking state employees and vendors to do. And that is that we will forego a cost of living increase that would be reflected in your July check, unless this Bill goes to the Governor's desk and becomes law. Be glad to answer any questions you have, would urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you. Will the Gentleman yield?"

Speaker Hartke: "The Gentleman indicates he will yield."

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Brunsvold: "Bill, is there anybody in the state getting a cost of living increase?"

Black: "Joel, I would assume that there will be. There are people who are not covered under the Compensation Review Board Report. For example, members of the executive branch staff would not be covered. And they were given, I believe, a pay raise two years ago. There are people who simply are not covered under the purview of the Compensation Review Board. So, I can't sit here and won't sit here and tell you that no one will receive a cost of living increase. I believe those covered by union bargaining contracts will receive July 1, a salary increase. I think it's 3.85%, Joel, but I'm... I'm not even sure of that. But, yes, I'm sure there will be people who will receive a cost of living increase, who are not covered under the authority of the Compensation Review Board."

Brunsvold: "On a number, Bill, on a number of discussions with individuals, they say that the General Assembly... newspapers indicate the General Assembly needs to deny their raise. Well there's a lot of people argue that the cost of living increase is not a raise. And I would like to make that point that, you know, this is not a raise, and it never was a raise. It's trying to stay even with the cost of living. Thank you, Bill."

Black: "That is a very good point. I'm glad that you... we brought that up. This would not be and no... and in no way can be construed as a raise in our base salary. It would be a cost of living increase that the underlying Act would allow, that we are denying for Fiscal Year 2003. Not to say that in 2004 that might again be part of the report. But this has nothing to do with our base salary increase. It certainly has something to do with the cost of living

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increase that we would be eligible for on July 1. And Joel, it depends... there are a variety of salaries in the General Assembly, depending upon one's Leadership position, Committee Chairs, Spokespersons, et cetera. I tried to figure it out and it's a... it means about somewhere in the range about of a thousand to \$14 hundred that we will each give up, depending on what your base salary amount is as you serve in the General Assembly."

Brunsvold: "Thank you, Bill."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker and I agree wholeheartedly with what Joel has said and also what Bill has said. Ladies and Gentlemen, I realize that... that for some of you, some younger Members that... that count on this as your main salary, that... that this is a sacrifice."

Speaker Hartke: "Shhh... Please, excuse me, Jerry."

Mitchell, J.: "But at this time... "

Speaker Hartke: "Excuse me, Jerry. Ladies and Gentlemen, would you please pay attention to the speaker."

Mitchell: "At this time, Mr. Speaker and Ladies and Gentlemen of the House, this is a significant gesture that we can make in lieu of the crisis that we have. It's not a whole lot of money, even total, but the gesture itself sends a message to other groups that we understand that the State of Illinois is in a crisis situation, and what we can do personally and individually to help with that situation, we're gonna do. We've got an awful lot of work to do before we get out of here on the budget itself. We've got a lot of hard work to do try to protect those that can't protect themselves, that don't... that this isn't a want, it's a need for them and those at the end chain that

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desperately seek our help, our work's cut out for us. We'll probably spend many, many, more hours than usual on this budget, it's going to be painful. But I think this sends a strong message to everyone that we realize that we're in a crisis situation. It will pass, but we have to make sure that we do as little harm to individuals back home as possible. I rise in strong support of the Gentleman's measure. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes Gentleman from Kankakee, Representative Novak."

Novak: "Yes. Mr. Speaker, the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he'll yield."

Novak: "Mr. Black, what is the... what is the dollar amount in savings to the state? Do you have any idea?"

Black: "Phil, let me check with staff. It's different on this Bill, if you combine Senate Joint Resolution 63 and this Bill I think the total savings would be \$12 million. Let me see if I can get you what the actual fiscal impact of this particular legislation would be."

Novak: "And this is... as I understand it, Mr. Black, this is... this is for one year?"

Black: "Yes."

Novak: "Okay."

Black: "Only Fiscal 2003."

Novak: "Okay."

Black: "Staff tells me that the Senate appropriations people ran the numbers, and this Bill if passed, and the Governor signs into law, would save approximately \$5 million in COLA compensation costs for Fiscal 2003."

Novak: "Well, what's... what's the Senate Joint Resolution provide for?"

Black: "The Senate Joint Resolution would prevent a salary

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increase that the Compensation Review Board recommended for associate judges and that we also pick up 3% of their retirement costs. So, that would be about a \$7 million in savings."

Novak: "Okay. Then let me ask this question, does this Bill include the judiciary? Does this Bill include the... jud...?"

Black: "No, it would... it would include... it would include the judiciary on the cost of living and it would also include state's attorneys on their cost of living as part of their stipend from the state."

Novak: "Okay. So, this is just the COLA. This is exclusive of any recommendations made by the Compensation Review Board for salary increases."

Black: "That's correct."

Novak: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognize the Gentlemen from Cook, Representatives Lang. Representative Lang."

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

Speaker Hartke: "Sponsor indicates he'll yield."

Lang: "Thank you. I intend to support your Bill, Mr. Black. Just a technical question. What is the impact of the passage of this Bill on the General Assembly Members who retire? Will this... will these COLAs that we're not going to be paid on a current basis not count for retirement at a later date, also?"

Black: "That question has been raised, Representative. I do not have a answer for you. And I apologize, I should have called the GARS myself when that answer was not forthcoming, that's the wrong word. When I got the information from the Senate, that answer is not in here."

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And I know many of us will probably be talking with GARS in the future. My guess is that it would have some impact, relatively minor, on a Member's pension who will be leaving us as of January 1, 2003. But based on strictly the COLA, I would... I would think if you add in the... the average of about \$1,150, the... the... the sacrifice for the pension would be at minimal at best."

Lang: "Thank you. You've answered my question."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Yarbrough."

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

Speaker Hartke: "Sponsor indicates he will yield."

Yarbrough: "Representative, would you speak to the legal issue arising from this Bill whether this prohibition violates the Illinois Constitution provisions for judges? Could you speak to that, please?"

Black: "Well, Representative, I can't in good faith or conscience speak to that. I am not an attorney, I am not a judge. I have looked at it, I know staff has looked at it. We think this is imminently constitutional. We are not reducing your base salary during your term of office. That is a definite constitutional issue, in my opinion, if you are reducing your base salary. What this Bill does is to eliminate a cost of living increase for one fiscal year, and it will take effect before that fiscal year begins on July 1. In my opinion, and I'm certainly not an attorney nor a constitutional expert, it is constitutional. But, like so many things we do here, the final answer on your question will have to be given, I'm sure, by a court of law. And you may be right, I... all I can tell you is that many people have looked at this, and said since we are not reducing your actual base salary in your term of office, it

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would be constitutional."

Yarbrough: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one seeking recognition, Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen House. I appreciate the questions. I appreciate those of you who have asked to cosponsor the Bill. This doesn't come easy. Many of us in here are not people of independent means, I'm certainly not. This is my... the check I receive here is the only check I receive. I'm not employed by any outside agency. When I severed my relationship with Danville Area Community College some years ago when I came here, that was on an unpaid leave basis and that has long since expired. So, it... it does represent a sacrifice for some of us, there isn't any question about that. Our utility costs will go up next year. Our travel costs to and from Springfield will no doubt go up next year. Our costs for renting a motel room or an apartment, while we are in Springfield, will no doubt go up next year. However, as Representative Jerry Mitchell said, when we are asking state employees to take an unpaid day of work, when the Governor is asking the labor unions to perhaps reopen their contract on their salary issue, I don't think we, in good conscience, can support those kinds of moves if we are not also willing to make the same sacrifice that we are asking state employees to make in what is a very real, and very serious budget crisis. And it's for that reason that I ask for an 'aye' vote on this Bill."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2313?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish?
Representative Colvin, would you care to vote? Have all
voted who wish? Mr. Clerk, take the record. On this
question, there are 109 Members voting 'yes', 5 Members
voting 'no', and 1 Member voting 'present'. And this Bill,
having received the constitutional Majority, is hereby
declared passed. The Chair recognizes Representative
Crotty. For what reason do you seek recognition?"

Crotty: "Thank you, Mr. Speaker. And again, I would like the
Ladies and Gentlemen of the House to welcome trustee from
Richton Park, Gary Marquardt and his wife Germa, and the
name Marquardt should be pretty familiar to us. I hope
that there's a relationship there. So, nice to have you
here, welcome."

Speaker Hartke: "Welcome to Springfield, your State Capital. The
Chair recognizes Representative Flowers, for what reason do
you seek recognition?"

Flowers: "Thank you, Mr. Speaker. I would like for the House to
recognize the South Side Occupational Academy in the
gallery. Would you please give 'em a hand?"

Speaker Hartke: "Welcome to Springfield, your State Capital. On
page 3 on the Calender, on Third Reading appears Senate
Bill 2074, Representative Currie. Mr. Clerk, read the
Bill."

Clerk Rossi: "Senate Bill 2074, a Bill for an Act in relation to
criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is an
initiative of the Illinois Association of Clerks of the
Circuit Court. It merely provides that if there are unpaid
balances, there's a schedule of interest applied and as
with your Visa Bill, after 90 days the Clerk will notify

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the credit rating agencies that you're a deadbeat. I know of no opposition. This is a Bill that came out of the Senate unanimously, and I'd appreciate your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from... McHenry, Mr. Franks."

Franks: "Thank you, Mr. Speaker. I'd like to speak to the Bill."

Speaker Hartke: "Shh... Ladies and Gentlemen, please. Give the speaker your attention, please. Mr. Franks."

Franks: "I understand the speakers... I'm sorry, the Sponsor's intent with this Bill. But what this Bill does is increases the cost of fines by 5% for costs that remain unpaid after 30 days. And then it increases to 10% and then it increases to 15%. So, what this Bill does is it really penalizes poor people. For those people that can't pay their fines right away, they're getting an extra penalty for not being able to afford it. It's a penalty for being poor. And what this also does, frankly, is it changes the priority in which debtors may pay their Bills. So, if you're a secured creditor and you have a judgement against someone you get statutory interest at 9%. However, what this Bill plans to do is to force people to have to pay fines criminally, before they would pay a secured creditor. So, if you have a judgement, or if you have a mortgage, or anything else, those are going to be put behind anyone who's trying to pay a criminal fine. I believe this is a really bad bill. It really hurts poor people, and it takes away the priorities of what we have set up. And I'd urge you to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the Majority

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Leader's Bill. If you go into any court facility in the State of Illinois, and by the way we... we do not fully fund the court system and we're suppose to do that, but we don't, we're not able to. Some day perhaps we can reexamine that. But I... I just find it disingenuous that somebody could say if you're found guilty of a criminal offense, and you blow off that fine, as many of them do, talk to many of your court clerks, there are, in some cases, hundreds of thousands of dollars of unpaid fines on the books. Now, if you're just going thumb your nose at a court ruling, and not pay the fine, then by golly, it only stands to reason, fine, we'll charge you with a little interest. And if that doesn't work, I'll join with the Majority Leader next Session and if they continue to thumb their nose at the court and show total disregard for what they have been convicted of, and refuse to pay their fine then fine, let's just lock 'em up. And they can work it off at so many cents a day. It only makes good sense. This state can't afford deadbeats. We've got a billion dollars in unpaid child support and probably millions of dollars in unpaid fines. And I daresay, I'm generalizing because I don't know, but I daresay many of those unpaid fines are the result of somebody just saying, I'm not going to pay it, come and get me. We'll come and get you, that's fine."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Cross."

Cross: "Thank you Mr. Speaker. Like Representative Black, I think this is a fine Bill. It's one of the best Bills we've seen this Session. If you'll look at the Bill and if you'll look at the analysis it actually provides for a fee penalty that will help offset court costs. I can't imagine

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why anyone would demagog against this Bill. If you'll look at the proponents from the Cook County Clerk's Office to the Clerk of Circuit Court, the North Eastern Illinois Circuit Clerks Association, the list goes on and on and on. I applaud Representative Currie, Majority Leader Currie, in taking this initiative on. It's a Bill that should be passed and I would encourage a 'yes' vote. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Mulligan."

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, of course I wasn't in the committee that this came out of, so I just have a couple of questions. Would this cover delinquent child support or is this only for criminal?"

Currie: "Any... any judgement, Representative, and just to clarify, poor people are not at stake in this measure. Because the court already has and would continue to have the ability to waive fines if people in fact are unable to meet this requirement."

Mulligan: "So, it's currently the law in Cook County that if they are poor that the fine would be waived?"

Currie: "The court has that opportunity today and nothing would change in that opportunity under this measure."

Mulligan: "Can they get an automatic judgement against the people that are delinquent?"

Currie: "Can... I'm sorry I didn't...."

Mulligan: "Can they get an automatic judgement against people who are delinquent if they have assets? I mean rather than just heap on the fines, can't they try to collect them by putting a lien on their property or doing something like that?"

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Currie: "Sure they can, sure they can. The court can bring them back into court, hold them in contempt. This, we believe, will give people an incentive to pay up before using additional court resources, in order to make sure that they are current with their obligations, just as with your Visa Bill."

Mulligan: "All right."

Currie: "You know, ultimately they can send the sheriff after you if you don't pay that either."

Mulligan: "Right."

Currie: "But in the meantime, they charge you interest, and they hope that will encourage you to pay up, pay promptly. That's all this measure is about."

Mulligan: "All right. So, then they're just going to add on to, a fee that they already have a certain percentage... at what point does it become delinquent?"

Currie: "After 30 days unpaid balance, then 5%, and after three months if you continue to thumb your nose at the court then they would be... be allowed to notify the credit agencies that you are a deadbeat."

Mulligan: "If the person is in jail and unable pay do they wait for a certain length of time before that they would be delinquent?"

Currie: "These... these are, I believe, not people in jail. I think they're people who are out on the streets."

Mulligan: "All right. So, they're just criminal fines for people that are not in jail, that would allow the court to impose the fee because they're not being paid."

Currie: "They impose an interest charge if you don't pay up."

Mulligan: "Okay, thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

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Davis, M.: "Thank you very much, Mr. Speaker. I'd like to yield my time to Jack Franks."

Speaker Hartke: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I've heard a lot of arguments here. I think one of the previous speakers had talked about trying to collect from these deadbeats. I agree a hundred percent and that's what we're trying to do here, but we... let's look at reality. The fact is once a judgement has been entered into in this state, 9% interest automatically accrues statutorily. What this Bill will do, will allow potentially, for 24% interest on people. We're talking about trying to stop payday loan abuses. Now the State of Illinois wants to charge 24% for people who haven't paid? In the real world, when a judgement is entered that is the beginning, that doesn't get paid right away. People, typically, enter into payment schedules. These payment schedules can go more than 90 days. Under this Bill, if it goes more than 90 days, 24% interest will accrue. Now, if you've got a working family that's trying to make ends meet and they've entered into a payment schedule in good faith and they're sending a hundred dollars a month to the court to pay for their fines, to add 24% interest to these people, I believe is criminal. I'd ask you to vote 'no'."

Speaker Hartke: "Further discussion. Since no one is seeking recognition, Representative Currie to close."

Currie: "Let me just point out that if you have the payment plan, you'll not be late and this Bill will not apply to you. It only applies to people who don't pay up... who don't pay up in a prompt fashion. I'd appreciate your 'aye' votes. We've got enough deadbeats. This is a way to encourage people to meet their responsibilities imposed by the

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courts, just as Visa has a chance to make sure they meet their responsibilities through their decisions to buy. Please vote 'yes'."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2074?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey and Representative Flowers, would you care to vote on this issue? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 Members voting 'yes', 12 Members voting 'no', 6 Members voting 'present'. And this Bill, have received a Constitutional Majority, is hereby declared passed. Mr. Clerk for an announcement."

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

Speaker Hartke: "Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 831, offered by Representative Schoenberg; House Resolution 832, offered by Representative Daniels; House Resolutions 833, offered by Representative Crotty; House Resolution 834, offered by Representative Krause; House Resolution 836, offered by Representative Mathias; and House Resolution 849, offered by Representative Brady."

Speaker Hartke: "You've all heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 74 offered by Representative Barbara Flynn Currie. Resolved, by the House of Representatives of the 92nd General Assembly of the State

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of Illinois, the Senate concurring herein, that when the House of Representatives adjourns on Thursday, April 25, 2002, it stands adjourned until Tuesday, April 30, 2002 at 1:00 p.m., and when it adjourns on that day, it stands adjourned until Wednesday, May 1, 2002, and when it adjourns that day it stands adjourns until Thursday, May 2, 2002, and when it adjourns that day it stands adjourned until Tuesday, May 7, 2002 at 1:00 p.m.; and when the Senate adjourns on Thursday April, 25, 2002, it stands adjourned until Monday, May 6, 2002 at 3:00 p.m., and when it adjourns that day, it stands adjourned until Tuesday, May 7, 2002."

Sparker Hartke: "You've heard the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. On page 5 on the Calendar, on Second Reading appears Senate Bill 1730, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1730, a Bill for an Act in relations to vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, House Resolution 849."

Clerk Bolin: "House Resolution 849."

WHEREAS, The members of the Illinois House of Representatives congratulate Senator John W. Maitland, Jr., of Bloomington for his illustrious legislative career on the occasion of his retirement from the Illinois Senate after serving for 24 years; and

WHEREAS, Senator Maitland was born July 29, 1936, in Normal to John and Elsa Maitland; he married Joanne Sieg and together they

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have 3 children: Jodi Ann Zook, John III, and Jay; he is the grandfather of seven: Amanda, Justin, and Abby Maitland; Dana, Carly Ann, and Samantha Zook, and Alexia Maitland; and

WHEREAS, Senator Maitland is a United States Marine Corps veteran and farms 2300 acres; and

WHEREAS, Senator Maitland attended Danvers High School, Normal Community High School, and Illinois State University; and

WHEREAS, Senator Maitland has served the State of Illinois as Senator since 1978 and as the Assistant Majority Leader since 1993; and

WHEREAS, During his tenure, the "Dean of the Senate" served on several committees for the National Conference of State Legislatures, including Chairman of the Agriculture, Food Policy and Nutrition Committee in 1986 and 1997, Chairman of the Agriculture and Forestry Committee from 1992 to 1993 and Committee Member from 1993 to 1994, the Executive Committee in 1993, 1994, and 1998, and the Federal Budget and Taxation Committee, State Federal Assembly, from 1993 to 1994; and

WHEREAS, Senator Maitland served as Co-Chairman of the Illinois Pension Laws Commission from 1996 through 2000, Chairman of the State Board of Education's Mandate Task Force, and Vice-Chairman of the Task Force on School Finance; and

WHEREAS, Senator Maitland's extensive list of awards throughout his career includes Outstanding Legislator of the Year by the Illinois Association of the Homes for the Aging in 1989, the Illinois Community Action Association in 1989, and the Child Association of Illinois in 1988 and 1989; he received the Legislative Award from the Illinois Correctional Association in 1992, the Layman of the Year Award from the Bloomington Kiwanis

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Club in 1992, and the Friend of Extension Award from the Illinois Alpha Nu Chapter of Epsilon Sigma Phi in 1995; Senator Maitland received a 100% Rating from the Illinois State Chamber of Commerce from 1992 through 1999, and from the National Federation of Independent Business/Illinois in 1992; in 1995, he received the Illinois State University "E. Burton Mercier Alumni Achievement Award" and in 2001, Senator Maitland received the Illinois Biotechnology Leadership Award; and

WHEREAS, Senator Maitland is an active member of his community, serving on the Board of Trustees for Illinois Wesleyan University and the Board of Directors for National City Bank; he is on the Founding Steering Committee of the Lincoln Club of McLean County, the Aquaculture Advisory Board of Illinois State University, and the Bloomington-Normal Agriculture Club; Senator Maitland belongs to the Kiwanis Club and the McLean County Farm Bureau; he was the Former President of Illinois Wesleyan Associates Board of Directors from 1986 to 1987; and

WHEREAS, Senator Maitland is an active member of Trinity Lutheran Church; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Senator John W. Maitland, Jr., on his retirement; we thank him for his service to the State of Illinois and wish him all the best in his future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Senator John Maitland as an expression of our esteem."

Speaker Hartke: "The Chair recognizes Representative Rutherford."

Rutherford: "Speaker, could I have a little order, please?"

Speaker Hartke: "Ladies and Gentlemen, please, would you give the speaker your attention?"

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Rutherford: "Mr. Speaker, the reason I ask that we do have a little attention today is because the man we're gonna pass this Resolution to honor I can guarantee has touched the lives of every man and woman in this chamber. I apologize for being a little tardy coming back over here, Mr. Speaker, to present this Resolution. But I was in the Senate just a few moments ago where John Maitland, his wife Joanne, their children, and their grandchildren were being honored by that esteemed chamber. And, folks on both sides of the aisle and what I thought was most heartening was that actually the majority of those that rose were on the other side of the aisle from John Maitland. If all of us could walk away from here having touched the lives of our colleagues, the little boys and girls of Illinois like John Maitland, this state would be one heck of a lot better place. I remember when I came here my freshman term, John was and is my Senator. At that time, Dan Brady's predecessor, Bill Brady was here. And I remember coming here, John Maitland was the man to know on the budget. He was the Assistant Majority Leader of the Senate and here were two freshman House Members. Every single week we were in Session, John Maitland took time to have breakfast with his two House Members. We were the envy. We had the audience, we had the attention. We had the ear of one of the most respected and probably one of the most influential and absolutely one of the most knowledgeable Gentleman in the Illinois General Assembly. John not only shepard us young freshman House Members, but I know that he worked very closely with many of our predecessors, the Jim McPikes, I remember when they worked on the big issues and deals on the replacement of corporate personal property tax a number of years ago. I know that he's worked very

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closely with our agriculture friends, on the things he's done there. I know that he's done tremendous efforts with regards to our universities and I don't mean just what he did for Illinois State, but we all know what he's done for higher ed. Ladies and Gentlemen, John is over in the Senate chamber right now and when we adjourn and leave here I hope you will take the time to let him know how much you love him. John will leave officially being a Senator at the end of this month. So, he will not be with us as a sitting Senator when they adjourn today. Each of you that have written him a card, have dropped him a letter, I can tell you Joanne reads everyone of those to him and it's in a basket next to his easy chair in his living room. Those things mean a lot to him. Ladies and Gentlemen, pray for John, pray for his speedy recovery. And also when you're talking to the Lord, thank Him for allowing John Maitland to have been a part of our lives in the way that he has touched the people of Illinois in such a positive way. God bless, John Maitland."

Speaker Hartke: "Representative Brady."

Brady: "Thank you, Mr. Speaker and my colleagues in the House. I stand also with my district colleague, and Senator... and future Senator Rutherford. I didn't have the long history that Dan and Bill did in serving with Senator Maitland. I knew the Senator while I served in county government and as I was about to be sworn in and come down to this august Body. Shortly before that, Senator Maitland, suffered a devastating stroke of which he has rallied back to the point where he can come back to Springfield with the demands on him and his rehabilitation, he simply has to continue the rehabilitation. And, has probably made the toughest decision in his life when he chose that his health

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was first and he had to give up his position as Senator. I would just like to encourage you to do exactly what Representative Rutherford had suggested. We just left the Senate and the Resolution that they passed, and to please go over and say hello to Senator Maitland and wish him well, because when you talk about recovery in a process like this, the well wishes, and the smiles, and the handshakes, and the thank-yous is what's going to help Senator Maitland on his way to a full recovery. Senator Maitland had told me before he had the stroke how forward... how much he looked forward to serving and helping and mentoring me. We never had that opportunity. But, he's helped me in more ways than he will ever know. And, I promise you, my colleagues, that next week when things are little bit slower paced for Senator Maitland that we will bring him back to the House to give the House a final salute. Thank you very much and please go over and thank Senator John Maitland."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Stephens, the Gentleman from Madison."

Stephens: "Thank you, Mr. Speaker and Ladies and Gentlemen. We don't know what life is going to deliver for us. Sometimes, frequently, life is just not fair. Representative Rutherford, your remarks about your Senator touched all of our hearts. John Maitland is many things, certainly, a great Member of the General Assembly, a great family man, a great community citizen, and a patriot. We were able to spend summers, oh, for about ten years in a row we did a guy thing, and John and I got to know each other pretty well. He's a Marine. He would always call me 'doggie' in reference to my Army background, teased me unmercifully because one summer I gave away flashlights

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with my name on 'em. And he kept his flashlight in the cab of his tractor, he says. I share that with you because it says a lot about John Maitland, the kind of... He always enjoyed seeing you. He always enjoyed the interaction. He would see you in the hallway of the Capitol, or whether he saw you in church on Sunday, or on the way to the golf course. He made you feel important. He still makes me feel important. Life is not fair. John understands that, accepts it, and chooses to go on in spite of life's difficulties. I am inspired by that. A great man, a great patriot, I will always love him. And if you tell him I said that, I'll stand behind it. Thank you, Mr. Speaker."

Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We tend to forget sometimes, we get so wrapped up in the day-to-day business of this Body and, obviously, the last few weeks have not always been the most pleasant of days to come to work here. But as you enter this magnificent facility, this magnificent Capitol, well over a hundred years old every day, if you'll take the time as I always try to do and look up into that dome early in the morning and you begin to realize what a distinct privilege we have that people send us here to try and do their work. And I'm always amazed at the quality of people that I've been privileged to work with while a Member of this Body, the people that you get to meet. And while we often disagree, I think all of us affix and look to what we think is the best course for us to take that will best serve the interests of all the residents of the State of Illinois. Now, we may disagree on how we're going to get there and what methodology we may use to get there, but I think it's a privilege every day to work with you and other

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Members of the General Assembly as we try to do the best we know how to do. And in this process, you get to meet some remarkable people, people who will just stay a part of your life for as long as you live. I was blessed to work with a Senator for 12 years. A remarkable, remarkable man by the name of 'Babe' Woodyard who taught me a great deal about this process. And in working with Senator Woodyard, I got to know and appreciate John Maitland. And John is all of the things that you have heard said about him. I think, probably is as knowledgeable about the process here as anyone and helped me focus on the fact that the process is more important than any of us individually, and that we often need to keep our minds and our eyes fixed on the fact that the process, if we let it work and we help it work the way it is supposed to, the end result will generally be favorable. And that is one of the things I will always thank John Maitland for. After his devastating stroke, he faced that the way he faced everything, with a grace and a dignity that is just a part and parcel of John's personality. And when it became obvious that the stroke was serious, he then faced his rehabilitation with the discipline that John has always displayed in every facet of his life, the discipline that he used here to focus on finding solutions and trying to convince those of us who weren't convinced that perhaps this was the way we should go, that we should find common ground and that we should work toward those solutions and that we should work towards doing what is best for all the people of the State of Illinois and he approached that task with that grace and that dignity and that discipline that made him such a revered Member of the Illinois General Assembly. He will no doubt be missed by not only those in the Senate, but

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certainly, by those in the House who were privileged to have known and worked with him. He is a member of a occupation group that is near and dear to my heart and there are fewer and fewer every year in the General Assembly. And John was the first to tell you I'm a farmer, and he was proud of it. And as we lose those people, not only from the General Assembly, but I think, today in Illinois there are probably less than 2% of the population who're directly involved in production agriculture, certainly a far cry from what it was 75 years ago. And John would be the first to tell you, don't ever lose sight of the fact how important those people are in developing food and fiber. And one farmer able to feed 650 some people and it's a noble calling and how hard he would work to make sure that agriculture always remained in a position of respect and right up there with all of the other occupations and difficulties and issues that we face. Agriculture was always very near and dear and very important to John. And it's very difficult when we lose that kind of experience in that background. But I know all of us would wish John well. I know all of us wish that his recovery will proceed and I think with his discipline it will do so. And I just look forward to the day when John will come back and visit and be able to walk in this chamber and to speak to those of us who were privileged to work with him. And as Representative Rutherford and Stephens have said, we should remember him in our prayers as he works diligently towards a full recovery of his devastating stroke. And for those privileged to have worked with him, we should thank God every day that we are given an opportunity to serve in this Body and that we are given an opportunity to work with people that are literally

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giants in their time and John Maitland certainly fits that description."

Speaker Hartke: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I had the pleasure... the privilege and honor of working with John Maitland on any number of task forces and committees over the years we served together. Most of them were focused on education. John Maitland was a joy to work with: knowledgeable, articulate, open to new ideas, and absolutely committed to the needs of the school children of the state. John worked to solve problems, not to make points. There was not ever a partisan bone in his body, certainly never a mean one. He made a major difference to school children and that's a very important legacy, a legacy he leaves to us. He also leaves as his legacy, I believe, a commitment to comity, to cooperation in this great institution, the Illinois General Assembly. It's an outstanding legacy. And, Speaker, I hope that all the Members of the House may be joined in this Resolution. And I hope we will all join together and wish John, Godspeed."

Speaker Hartke: "The Chair recognizes Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. You know, one of the very best things about public service is the opportunity to meet those rare individuals whom we might not otherwise come across. And certainly, in the case of John Maitland, we have had the honor and the privilege to work with a true giant, a giant in spirit, a giant in vision. A man whose example of public service, commitment to his family and his community and to the people of Illinois has just been absolutely exemplary. I'll never cease to be grateful to John. When I was appointed in 1986 to serve in the Illinois State Senate after the untimely death of Senator

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Prescott Bloom, the very first person upon that appointment to come and to visit and to share his insights with me, was John Maitland. John Maitland never left my side to try and help and guide and just make things better for our community during that tragic and unfortunate event. And then through that year, with help from Roger Sommer, Keith's brother, Senator Sommer and Stan Weaver and others, John Maitland was the person who shared with me so many insights into the issues which confront us to this day. I'll also never forget John Maitland because ten years ago, right now, I was just coming out of St. Frances Hospital, and I had had the third operation for malignant melanoma, this time the brain tumor. And in the... on that occasion, on that occasion, there was no one who kept more in touch, inquired virtually every day, who was... I could always sense his presence in that hospital room, 'cause John Maitland was with me in spirit, if not in actual body. John Maitland has been an example of what we would all aspire to be. John Maitland has been that kind of individual, I think, who has not only worked to help the school children and the farmers and the others of Illinois, but he has served as an example of what they too should aspire to become. At times like this, I'm reminded of the lines from Emerson, who said that a man cannot speak, but that he judges himself. With his will, or against his will he draws his portrait in the eyes of his companions. And I must say and I'm sure you would all concur, John Maitland, the portrait you have given us and our state is truly a masterpiece. Thank God for John Maitland and Godspeed."

Speaker Hartke: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. John Maitland is someone I didn't know that well

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when I first came down here 16 years ago. And I still really don't know Senator Maitland as well as some of the comments from some of my colleagues on both sides of the aisle. But one thing that I do know about John Maitland, that he cares for the have-nots. Four years ago when I was put on the Dereg Committee and my sole interest was LIHEAP Low-Income Energy Assistants Program (sic-Low-Income Heating Assistance Program). And I thought that I was gonna have a uphill battle to put in a funding source so that we could keep that program, not only alive, but to increase funding to make sure that low-income people would be insured to have heat and lights all year round. And I looked up one day in a meeting, we were in a so-called back room. And I looked over to the other side and there was John Maitland, fighting just as hard or harder for LIHEAP. And then I knew we had it won, because the way he carried himself. He's a quiet guy, and you guys know I'm not all that quiet. But the way he carried himself showed me a lot. And what anything that I could... best piece of advice that I could offer to any freshman on any side of the aisle, get out of your seat and go over to the Senate and get to know some of those Senators, Democratic and Republican. Because you never know when you have a friend in this General Assembly. I know that I have a friend in John Maitland. And the other night, when he had his affair at the Renaissance, I told Senator Maitland that LIHEAP is in my hands now and we're gonna make sure that LIHEAP will always be here for the citizens of Illinois. God bless John Maitland and the family of John Maitland."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I think that although there are a

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great many wondrous accomplishments we can point to in the service of John Maitland, I shall always remember him best as the father of an agency that is known as The Community and Residential Services Authority. It was many years ago and I happened to be chatting with John about some problems that some of the people in my district were having, trying to find residential placement for sons or daughters who were severely developmentally disabled and who were going through a very difficult time because they got a runaround from all the different agencies and units of local government, as well as State Government, involved in determining those placements. And it turned out that there were several families in John's district that were having similar problems. And when we were discussing that I still remember that he... he had a kind of a little half smile he would use now and then. He really did have a wonderful sense of humor. And he said something about I think what these people need is kinda like something Harry Truman talked about. They need a place where the buck stops. And so it was his idea to create what is now called The Community and Residential Services Authority. When parents are facing what has got to be one of the most excruciatingly difficult things that any family can ever face, and that is having to put into residential placement, a son or a daughter, who simply can no longer live at home. To have some place where there is a means of getting the decision made, getting what needs to be done, accomplished without undue stress on that family is something that John Maitland enabled by recognizing that problem and helping to create what is now called The Community and Residential Services Authority. I want you to know that of all the things that he did that mattered greatly to children and

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adults and people of all different kinds of needs throughout the state, nothing he probably ever did meant quite as much to the people with the most severe and excruciating needs as The Community and Residential Services Authority. I shall always remember him for that and ask God to bless him."

Speaker Hartke: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, as I move for the adoption of this Resolution and ask that all Members be added to the Resolution in honor of John Maitland. It struck me yesterday, as I was at the prayer breakfast, the Governor's prayer breakfast, how important it was that we renew our spiritual heritage of Illinois and how proud I was again to serve at the prayer breakfast. Today, it strikes me as I listen to these emotional and sterling tribute to John Maitland, one of our colleagues, how important he is not only to us, to this institution, but to Illinois. How important the words that we heard and listened to and the tributes to this great man, is to the heritage of the Illinois General Assembly. He has brought pride to this Assembly, to the people of Illinois, and to his family. He's one of the reasons that we are able to stand up today as free in a democracy. He has served our country in so many ways. I can't tell you how grateful I am to John Maitland. It's indeed a privilege to be able to serve with him and others like him in this Assembly that represent the good in mankind, the good in the General Assembly. What I would like people of Illinois to understand is the caliber of this man and the caliber of people that serve in this Body and in the Senate. And I'd like school children and people that as they grow up, see the John Maitland example of life. You all have done him a

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great service, as he has done for us. I want to thank you for that in honoring him today in this Resolution and honoring his family and three children and seven grandchildren. We are all blessed by him. And yes, we are all blessed by the many kind things you said today. Mr. Speaker, I move for the adoption of the Resolution."

Speaker Hartke: "You've heard the Gentleman's Motion. He's asked leave that all Members be added to the Resolution. Leave is granted. You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Allowing perfunctory time for the Clerk, Representative Currie now moves that the House stands adjourned until Tuesday, April 30, at the hour of 1 p.m. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."