

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

133rd Legislative Day

May 21, 2002

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

Pastor Crawford: "Let us pray. Most precious and gracious God, Who is the giver of life, we humbly submit ourselves to You. We ask that You would grant us grace that is sufficient in all of our doings. Father, grant us a peace that would pass all of our understandings and a spirit that's willing to do that which You've called us to do. So, I ask this day that the grace of God and the preciousness of Your spirit that it would be with us throughout this day, that we will find peace in it, that we would find strength in it, that we would find comfort in it, and that we would find wisdom through it. This we finally ask humbly. Amen."

Speaker Hartke: "We shall be led in the Pledge of Allegiance today by Representative... Ladies and Gentlemen, we will not have the pledge today. We're going to incorporate it with the ceremony today. Roll Call for Attendance. Representative Currie, report on the Democrat side."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Hamos, O'Brien and Murphy are excused today."

Speaker Hartke: "Representative Bost on the Republican side."

Bost: "Thank you, Mr. Speaker. Good afternoon. Let the record reflect that all Republicans are present today."

Speaker Hartke: "Mr. Clerk, take the record. 111 Members answering the call... the Roll Call. A quorum is present and we're ready to do business. Mr. Doorkeeper."

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Illinois National Guard: "Ladies and Gentlemen, the posting of the colors. Please join us in the Pledge of Allegiance to the flag."

Illinois National Guard - 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."

Illinois National Guard: "Ladies and Gentlemen, we represent the 182nd Airlift Wing with the Illinois Air National Guard and our aim today is to promote patriotism and to keep alive that spirit of all American patriots who have sacrificed their lives and fortunes in support of our country, the United States of America. Throughout the history of the country, flags of many other nations have flown over our land, none to stay, none to suppress the ideals of freedom, the principles of life and liberty, regardless of race, creed or religion. One flag has survived, our Old Glory. Please be seated. We would like to present a few of the flags in the history of our great country. The first is the most widely-flown flag of the early colonies, the Queen Anne flag. I am the Queen Anne Flag. I waved over the 13 American colonies from 1707 to the Revolution. I was the flag of England red with the Union combining the crosses of St. George and St. Andrew. Before this, other flags have flown over different parts of America: the banner of the Norsemen, the flags of Spain, France, Holland, Sweden, and an earlier English flag. Halt! The Grand Union flag. I am the Grand Union flag. I was raised over George Washington's headquarters outside of Boston on January 2, 1776. The Revolution had started the year before and the colonies needed a flag of their own. My union was the same as that as the Queen Anne flag, but the union was broken

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into seven red and six white stripes. Post! The Betsy Ross flag. I am the Betsy Ross flag. I was the first official flag of a new nation, United States of America. I was created by a Resolution of the Continental Congress in Philadelphia, that the flag of the 13 United States be 13 stripes alternate red and white and that the union be 13 stars, white on a field of blue. This represented a new constellation. This Resolution passed on June 14, 1777, a date we still celebrate each year as Flag Day. Post! The Star-Spangled Banner. I am the Star-Spangled Banner. I waved over Fort McHenry when it was bombarded on the night of September 13, 1814. This flag inspired Francis Scott Key to put his thoughts and feelings into a verse that became the lyrics of our national anthem. I had 15 stripes and 15 stars. Two stripes and two stars had been added to the original 13 on May 1, 1795. It was soon found, when still more states joined the Union, that this flag would eventually become an awkward size and shape if more stripes were added. Therefore, on April 4, 1818, Congress passed a law that restored its original design to 13 stripes and provided that a star would be added to the blue field for each new state. Post! Ladies and Gentlemen, the Civil War Regimental Standard of the Seventh Illinois Volunteer Cavalry Regiment. Inscribed on the flag are the battle honors of the regiment which included Summerville, Campbellsville, Port Hudson, Corinth, Nashville, Iuka, Grierson's Raid, Franklin, Coffeeville, Island No. 10, Crawfordsville, and New Madrid. The painted silk flag is a fragile and irreplaceable symbol of the early Illinois citizen-soldier's commitment to preserving the Union. Thanks to the appropriations of the Illinois General Assembly and the support of the Illinois Military Flags

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Commission, we are in the position of being able to begin proper preservation of this and 480 similar Civil War flags. Post! Soldiers, attention! Ladies and Gentlemen, please rise for the flag of the United States of America. I am Old Glory. For over 200 years, I have been the banner of hope and freedom for generation after generation of Americans. I was born amidst the first flames of Americans' fight for freedom. I alone am the symbol of a country that has grown from a little group of 13 colonies to the united nation of 50 sovereign states. Planted firmly on the high pinnacle of American faith, my gently fluttering folds have proved an inspiration to untold millions. Men and women have followed me into battle with unwavering courage and they have looked upon me as a symbol of national unity. They have prayed that they and their fellow men and women might continue to enjoy life and liberty and the pursuit of happiness which have been granted to each American as a heritage of free men and women. So long as you treasure the priceless privileges bought with the blood of our forefathers, so long as truth, justice and charity shall remain deeply planted in human hearts, I shall continue to be an enduring banner of the United States of America, for I am Old Glory. Sergeant, retire the colors. Ladies and Gentlemen, on behalf of all the men and women of the National Guard of the United... of the Illinois Air National Guard and the Army National Guard, we thank you for inviting us today and we hope you have a successful Assembly. Thank you."

Speaker Hartke: "House Resolution 902. Mr. Clerk."

Clerk Rossi: "House Resolution 902 offered by Speaker Madigan."

HOUSE RESOLUTION 902

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WHEREAS, The Illinois National Guard and its militia forebears have faithfully served the State and the nation for more than 300 years, quickly answering the call to arms with pride and professionalism; and

WHEREAS, Five brigades of Illinois volunteers, including Abraham Lincoln, were mustered in April 1832 to defend settlers and end hostilities during the Black Hawk War; and

WHEREAS, Illinois provided the Union with leaders such as President Lincoln and Generals Grant, Logan, and McClernand, as well as more than 250,000 men during the Civil War, the largest contingent of any state; and

WHEREAS, Illinois was the first state to respond to the Federal call for troops and mustered ten regiments, including Poet Carl Sandburg and the Naval Militia for service in the Spanish American War; and

WHEREAS, The Illinois National Guard was called for service to pursue Pancho Villa and restore peace on the Mexican Border in 1916; and

WHEREAS, 25,000 Illinois National Guard troops were mobilized during World War I and nine soldiers of the 33rd Infantry Division received Medals of Honor for their heroic conduct; and

WHEREAS, The 33rd Infantry Division helped recapture the Philippines, and Illinois National Guard units served in all theatres of World War II; and

WHEREAS, Illinois National Guard units served in both the Korean Conflict and the Vietnam War; and

WHEREAS, In 1993, when the Mississippi River flooded its banks, 7,000 members of the Illinois National Guard provided

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assistance to their fellow Illinoisans who were displaced; and

WHEREAS, In recent years, 1,200 Illinois Army and Air National Guard members have been deployed to support operations in Macedonia, Kosovo, and Iraq; and

WHEREAS, Since late September 2001, when Governor Ryan activated nearly 300 soldiers to augment security forces at the State's 11 commercial airports, this vital reserve component with a unique dual, State, and federal mission has played an increasingly greater role in defending the homeland and contributing to the nation's war on terrorism; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate May 16, 2002 as Illinois National Guard Day in recognition of the dedication, commitment, and service in the service of the men and women of the Illinois National Guard to the residents of the State of Illinois and the United States; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Major General David Harris, The Adjutant General of the Illinois National Guard."

Speaker Hartke: "You've heard the Resolution. 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. The Chair would like to thank Adjutant General David Harris and his staff for the wonderful ceremony today. The Chair recognizes Representative Stephens. For what reason do you seek recognition?"

Stephens: "Thank you, Mr. Speaker. I just wanted to join the rest of you in recognizing the Illinois National Guard and their fine presentation today and what an honor it was to have an actual flag from the Civil War emblazoned with a

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lot of different battles, some in unknown corners of the country that maybe go best just remembered. The... And I'm reminded that over 200 thousand of Illinois' finest young men and women died in that great war for the noblest of causes so that all men could be free. And I would remind you, Mr. Speaker, as I know you're aware, to this point in history 36 more Americans are dead having followed their flag into battle. I'm pleased to join with you, Mr. Speaker, in recognizing the great sacrifice that has gone before us and that is still being asked today."

Speaker Hartke: "The Chair recognizes Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to remind some of the Members that are new here in the General Assembly that if you have not done so, you should go over to the Michael Howlett Building, that's where the Secretary of State is basically housed at, and you should go into the Hall of Flags where you would see a history of all flags from this great state that have been... that have been in the forefront of battles that we have fought, not only in the Civil War, World War I, World War II, Korean War, and Vietnam, but the flag that our young men and young women are following as right now as they're over in Afghanistan. But it's an honor as Appropriations Chairman over public safety, where the budget of Military Affairs comes through my committee, that the Adjutant General is a former Member of the House of Representatives, Adjutant General Dave Harris. He was unable to be with us today. I just found out that one of our National Guardsmen is receiving a MacArthur Award. I'm not a veteran, Representative Stephens, but I've been informed that the MacArthur Award is one of the highest awards that a serviceman or servicewoman can receive. So,

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in his place I would like, since General Harris is not here, that we recognize Brigadier General Frank Rezac, who is here to represent Adjutant General David Harris. Thank you, Mr. Speaker."

Speaker Hartke: "Representative Fritchey, for what reason do you seek recognition? He declines. Representative Brunsvold."

Brunsvold: "Well, Mr. Speaker, speaking of war and battles, there's gonna be one going on tomorrow night at Lincoln Park. The House-Senate softball game is on for tomorrow night, 5:00, Lincoln Park. And we'd like to invite everyone to come out. There'll be food and beverage. An enjoyable night in the sun, I'm told. So, let's get ready, House Members, we've got a big contest tomorrow night against the Senate in Lincoln Park. Thank you."

Speaker Hartke: "Mr. Clerk, Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 21, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' House Bill 1692; 'referred to the Order of Concurrence' Floor Amendment #1 to House Resolution 638, Floor Amendments 1 and 2 to Senate Bill 1697, Floor Amendment #2 to Senate Bill 1949, Floor Amendments 4 and 5 to Senate Bill 2155; 'to the Order of Concurrence' Motions to Concur with Senate Amendment #2 to House Bill 1081, Senate Amendments 1 and 2 to House Bill 1692, Senate Amendments 2 and 3 to House Bill 3673, Senate Amendments 1 and 2 to House Bill 3713, Senate Amendment #1 to House Bill 4118, Senate Amendments 1 and 2 to House Bill 4228, Senate Amendment #1 to House Bill 4230, Senate Amendment #1 to House Bill 4365, Senate Amendment #1 to House Bill 4912, Senate Amendment #1 to House Bill 5615,

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Senate Amendment #1 to House Bill 5654, Senate Amendment #1 to House Bill 5794, Senate Amendment #1 to House Bill 5961 and Senate Amendment #1 to House Bill 6004; 'to the Order of Nonconcurrency' a Motion to recede with House Amendment #1 to Senate Bill 1646."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 2241?"

Clerk Rossi: "Senate Bill 2241 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Please move that Bill back to the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. Mr. Clerk, what is the status of Senate Bill 1976?"

Clerk Rossi: "Senate Bill 1976 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Please move that Bill back to the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. Representative Fritchey, for what reason do you seek recognition?"

Fritchey: "Thank you, Speaker. A point of personal privilege."

Speaker Hartke: "State your point."

Fritchey: "On behalf of Mothers Against Drunk Drivers, they have asked me to remind everybody that they are having their fund raising event tonight out at Knight's Action Park, the Indy 500 go-cart race. This should be a good time for all the Legislators who are seeking to participate. It's going to be an important way to raise some good money for an important cause. It's not too late to sign up. You can just come out to the park tonight at 5:00. If you have any questions, track down Brad Fralick or he can find you. We hope that everyone who comes out has a good time and raises some money for this important cause. Thank you."

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Speaker Hartke: "Representative Fowler, for what reason do you seek recognition?"

Fowler: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hartke: "State your point."

Fowler: "I'm happy today to have two of my constituents from down home visiting here in the House. One of 'em, Georgia Kalger who is a current member of my Saline County Board. She's accompanied by Phyllis Farrell who is a former member of the Saline County Board and now employed in the State's Attorneys Office there in Saline County. So, I would ask that the House Members give them a very warm welcome. They're sitting up here to my right. Thank you."

Speaker Hartke: "Welcome to the General Assembly. On page 3 on the Calendar, on the Order of Third Reading appears Senate Bill 1975. Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1975, a Bill for an Act concerning day labor. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mendoza. Shhh."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1975, as amended, is an initiative of the Illinois Department of Labor. Senate Bill 1975 toughens the enforcement and penalty provisions of the Day Labor Services Act. The current Act provides a series of protections for temporary employees who use the services of so-called day labor services agencies. These are agencies that hire workers for temporary assignments that are generally of a manual nature. Recent immigrants, in particular, frequently use the services of these agencies and have consequently fallen victim to abuse from those who operate at less than reputable establishments. My community, in particular, along with other minority

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neighborhoods would directly benefit from stronger enforcement of the current Act. Senate Bill 1975 adds some real teeth to the current Act. The current Act does not provide for monetary penalties for violations, nor does it provide an investigation or hearing mechanism. Without this type of mechanism the provisions of the Act allowing for suspension or revocation of licenses for violating agencies are basically meaningless. Senate Bill 1975 addresses both of these shortcomings. There's no known opposition to the Bill and I'd be happy to answer any questions. And would ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Ladies and Gentlemen, please. There's a lot of noise in the chamber today. Shhh, please. The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor indicates she will yield."

Black: "Representative, there was to be an annual nonrefundable fee of \$250 which was embodied in House Bill 4459. Is that fee in a part of Senate Bill 1975?"

Mendoza: "Senate Bill 1975 doesn't add an additional fee. It just keeps the same fee that they currently have to pay for every year to keep their license going."

Black: "What is that fee currently?"

Mendoza: "Two hundred and fifty dollars."

Black: "And who pays the fee and who is it paid to?"

Mendoza: "The agency pays the fee to the Department of Labor."

Black: "All right, so it's the agency that would contract..."

Mendoza: "Exactly."

Black: "... with day laborers and then the Department of Labor, I would assume, uses that money to enforce the provisions of the Act?"

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Mendoza: "Exactly right."

Black: "All right."

Mendoza: "That's exactly right."

Black: "Is this a Department of Labor initiative?"

Mendoza: "Yes, it is, Sir."

Black: "All right."

Mendoza: "Yes, Representative."

Black: "So, just so that we're all on the same page, there is no increase in the current fee. That fee is already paid and the purpose of the fee remains the same as in current law."

Mendoza: "Thank you very much. That's absolutely correct."

Black: "All right. Are there any changes in Senate Bill 1975... That's... that... strike that. What specific changes are you making in Senate Bill 1975 that are not in the current law?"

Mendoza: "Okay. Senate Bill 1975 adds teeth to the current Act. By that, I mean, it includes an enforcement in hearing mechanism that previously wasn't there. It also provides for civil penalties for violations of the Act. First penalty being a penalty of up to \$500. Second subsequent violation up to \$5000 penalty. And a third violation to be found proven would be subject to revocation or suspension of license. I'd also... provides for contempt proceedings, judicial appeals, the criminal penalty for willful violations and basically, just the teeth that were lacking in the original Bill."

Black: "All right. Representative, there's been a lot of talk lately about revamping immigration laws. Who were... If there is a civil action taken under this Bill, if there is an undocumented worker that the agency is sending out as a day laborer, will any penalty accrue to that undocumented day laborer or will the penalty accrue to the service who

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sent that worker out on the job?"

Mendoza: "Well, I believe, and this again is Federal Law, so I'm not..."

Black: "Okay."

Mendoza: "... schooled on it. But I believe that the current Federal Law on that is that you're not allowed to knowingly hire an undocumented person. So..."

Black: "All right. So, the... What I want to make sure of is that there is no ... nothing in this Bill that will hold the employer liable. It would be the agency and/or the undocumented worker, and not the employer unless the employer willfully and knowingly tried to skirt existing law and hire undocumented workers. Correct?"

Mendoza: "That's correct."

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

Mendoza: "Thank you, Representative."

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

Mendoza: "I just ask for an 'aye' vote. Thank you very much for your support."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1975?' All those in favor 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2155. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2155, a Bill for an Act in relation to civil liabilities. Second Reading of this Senate Bill."

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Amendment #1 was adopted in committee. Floor..."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. I move that we recommit House Amendment 5 to Senate Bill 2155. That's House Amendment 5. The board should be clear. On the Senate Bill 2155, it was inadvertently reported to the floor. I've cleared this Motion with the other side of the aisle. I'd appreciate your support for the Motion."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is carried. Mr. Clerk."

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

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Floor Amendment #4 is a technical Amendment requested by the Department of Natural Resources for off-road riding facilities."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 2155?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 6 on Second Reading appears Senate Bill 2017. Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2017, a Bill for an Act concerning tobacco. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Amendment #2 was also adopted in committee. No Floor Amendments have been approved for

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consideration. No Motions filed."

Speaker Hartke: "Third Reading. On page 9 on the Calendar, on Concurrence Motions appears House Bill 1033. Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's no more than appropriate for today that we act on this Concurrence Motion. This is a Bill that originally started out allowing for license plates and an income tax checkoff and I'm really... when we got into the research, I realized what really happens here and what was done with... Senate Amendment #1 gutted the Bill. Senate Amendment #2 simply allows for a Gulf War Memorial to be placed out at Oak Ridge Cemetery. And that's all it is, is permissive. Allows it to take place. We no longer have the license plate issue. We no longer have the income tax checkoff issue. I think especially in view of the National Guard's involvement in that activity, it is more than proper that we act on this today. I would ask for the concurrence of all the Members of the House."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to Senate Bill 1033?' This is... House Bill 1033. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And the House does concur with House Bill 1033, Senate Amendments 1 and 2. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang on Senate Bill 39. Senate Bill 39."

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Mr. Lang."

Lang: "Thank you, Mr. Speaker. I move that the House refuse to recede in House Amendment to Senate Bill 39 and ask that a Conference Committee be appointed."

Speaker Hartke: "Mr. Lang, your Motion's out of order. Take the Bill out of the record. On page 13 on the Calendar, on Concurrence Motions appears House Bill 610, 5610. 5610, Mr. Burke."

Burke: "Thank you, Mr. Speaker. I'd ask that the House concur in Senate Amendment #1. I guess we have to do these individually. Senate Amendment #1 changes language and talks about persons operating the Segway, which is that revolutionary two-wheel device, permitting that this device be used, granting no extra privilege to one that is on that device... aside from a pedestrian. So, they get no more extra privilege than a pedestrian would have. And I'd be happy to answer any questions."

Speaker Hartke: "Mr. Burke, your Motion is to concur on both Senate Amendments 1 and 2, so please explain Amendment 2 as well."

Burke: "Thank you. I thought you had to do them individually."

Speaker Hartke: "No, Sir."

Burke: "So, on Senate Amendment #2, this Amendment would become the Bill. It's identical to Senate Amendment #1 except for two modifications. First, the Amendment simplifies the definition of a Segway by eliminating references to its weight, horsepower, type of pavement it may operate on, and the maximum weight its... of its operator. Second, a new section is added to restrict the device's speed on a sidewalk to no greater than 8 miles per hour. I'd be..."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. Ladies

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and Gentlemen, could we please have a little order. Shhh. Shhh. Thank you. Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. To the Motion to Concur. Ladies and Gentlemen, I voted against this Bill as it left the House. And the Segway may very well become something that is used and useful in the future and if it does I'm sure we'll have an opportunity to reexamine its place in the traffic pattern of any city in the State of Illinois. However, when you vote for this, even though there is, I believe, a city option involved, what you're saying to people who traditionally have ridden bicycles which is not just a passing fad anymore. But there are serious bicyclists, including the mayor of the City of Chicago, in-line skaters, all sorts of opportunities to be on city sidewalks other than what it is designed for and that is the pedestrian traffic. Now, if all of the sudden cities adopt an ordinance that says a device like the Segway, as long as it doesn't go more than 8 miles an hour, can be on city sidewalks then it only stands to reason that others will want that kind of treatment. If you saw the Segway when it was on display here, it's a very interesting device and it may very well become a revolutionary tool in personal transportation. But I would submit to you, in all due respect to the inventors of Segway, that at this point the marketing far outweighs the actual usefulness of this product. That remains to be seen, but the marketing has been absolutely top rate. Now, if you're going to get runover on a sidewalk by an article that weighs... by an object that weighs in excess of a hundred pounds or more, traveling at a speed of 8 miles an hour, you're going to know that something in fact hit you, other than perhaps a

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fellow pedestrian. I just think you send a very strange message if you get caught up in the marketing techniques of the Segway device and tell cities that this is okay, this is all right. If you wanna do this, they certainly should have access to sidewalks. Well, then you're going to be... city councils across the state will be deluged by messenger services, pleasure-bike riders, sport-bicycle riders, skateboarders, in-line skates, motorized carts. Where does it end? I don't know that we need to embody this in state statute. If and when this device becomes an actual used and useful project... product and sells hundreds if not thousands of units, I think cities are perfectly capable of acting on their own to decide what they want on sidewalks that are designed primarily for pedestrian use. And so with all due respect to the Sponsor, who certainly demonstrated the agility and the usefulness of the product that I think spurred this, you're going to send a very strange message to cities and people throughout the state, that if you have the marketing clout you can change State Law or you can change state opinion which then may encourage cities and municipalities to change long established patterns of usage for sidewalks. I don't think the time is right to send that message. And again, I have great respect for the Sponsor and the product that I think precipitated or brought this Bill about may very well turn out to be a revolutionary too... a very revolutionary tool in personal transportation, but until that day comes, I'm not ready to encourage any city to allow any object that can travel up to 8 miles an hour and weigh in excess of a hundred pounds to share the sidewalk with my 90-year-old mother-in-law who uses a walker to get around. I think when you start mixing that kind of traffic you're simply

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asking for accidents and you're certainly increasing the potential for liability. I think at this time in the history of these products a 'no' vote would be the wise and sensible course of action."

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

Mendoza: "Thank you, Mr. Speaker. I rise in strong support of this... or move for concurrence here. But, I only wanna emphasize one point and that's how we've been hearing a lot about how fast this Segway can go, about it can go 8 miles an hour or up to 15 or 20, but no one has really emphasized how slow it can go. And that is, I think, the most important aspect of the Segway. In terms of allowing bicycles, or wheelchairs, or motorized wheelchairs access to sidewalks, each one of those is actually more dangerous than the Segway going at a slow speed. And that's the only point of clarification I wanted to make in that this Segway either standing absolutely still or going half-a-mile an hour, or one mile an hour is probably safer than any of the prior things that we've already mentioned and that our current law does allow for. So, I do stand in strong support and ask for an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes Representative Ryan. He declines. Representative Burke to close."

Burke: "Thank you, Speaker. With respect to some of the previous comments and certainly with respect to one individual who in my research I discovered that he indeed had voted against the horseless carriage many, many years ago, I'm not surprised at his opposition to this new technology today. But with respect to some of his comments, specifically, as he opened suggesting that indeed this is a

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city option. Simply, this statute says to all municipal governments throughout our state that they can indeed consider this device and consider it as practical or impractical for their respective communities. It's a new day, Ladies and Gentlemen. We're gonna find new devices invented very quickly these days. We have to get with the program, this is 2002. There are technologies available to us and we as a government must accept them and discover whether or not they are practical for our environments and our communities. This Concurrence Motion simply talks about some very technical aspects, the speed that the device can go. I think many of you who are up to date in the news understand that the device is under experiment use in both Tampa, Florida and Atlanta, Georgia. In Tampa, being used by the postal service, in Atlanta, being used by the police department. Those communities have discovered that there is a practical use for this device and I'm simply saying with the introduction of the Segway that Illinois should consider this. The cities throughout our city (sic-state) should make that determination and we in the Legislature should not inhibit the advancement of technology in our communities and our state. Thank you very much, Mr. Speaker. I'd ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 5610?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Cross. Have all voted who wish? Mr. Clerk, take the record. On his question, there are 98 Members voting 'yes', 12 Members voting 'no'. And the House does concur with Senate Amendments #1 and 2

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to House Bill 5610. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Concurrence Motions appears Senate Bill or House Bill 5965. Representative Mitchell. Your Motion is..."

Mitchell, J.: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendments #1 and 2 to Hash... House Bill 5965."

Speaker Hartke: "All those in favor signify by saying 'aye' in the Gentleman's Motion; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur in Senate Amendments #1 and 2 to House Bill 56... 5965. On page 16 on the Calendar, on Resolutions appears House Resolution 771. Representative Howard."

Howard: "Thank you, Mr. Speaker. Amendment #1 makes two corrections in the document. It changes two years to four years and it also changes the name of the person who is responsible for the company."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Lang. He declines. Is there any discussion on Floor Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Resolution 771?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. On Resolution 771, Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. House Resolution 771 is encouraging RCN, a cable company, to meet its obligation to the Chicago Access Network. In fact, RCN is delinquent in payments of \$645 thousand to the cable company and we are merely saying that this is a very important... CAN TV is very important to the people of Chicago and that we use that mechanism to get information out to people regarding public policy and many other issues and we are loath to

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think that because RCN is not assuming proper responsibility that the... that CAN TV is going to be... is gonna suffer. I ask that my colleagues support this with a 'yes' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor indicates she will yield."

Black: "Representative, is there a reason... well... I shouldn't say reason. I would just make an assumption that the Chicago... the CAN network, are they pursuing this in a court of law? This... It would appear to be a civil action."

Howard: "It is my understanding that that is something that is on the table. They would like us to encourage that RCN fulfill its responsibility. But they are pursuing a number of different avenues to try to get this money that would... without which the operation of CAN TV is going to be very significantly impacted."

Black: "All right. So, in effect, the Chicago Access Network would hope that this would bring the RCN to the table because it obviously has no force of law. Correct?"

Howard: "They would... You're saying that... I'm sorry. I mis... I'm sorry. I misunderstood the question."

Speaker Hartke: "Shhh."

Black: "The Resolution has no force of law. So, I'm assuming that the Chicago Asset... the Chicago Access Corporation, CAN TV, is just hoping that this Resolution will perhaps bring RCN to the table? Is that the...?"

Howard: "That is correct."

Black: "Okay. All right. Thank you."

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Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 771?' 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. The Chair recognizes Representative Currie. Representative Currie on a Motion."

Currie: "Thank you, Speaker. I move that we suspend posting requirements so the following House Resolutions can be heard in committees tomorrow: House Resolution 884, Committee on Labor; 889, J-I (sic-Judiciary I); 892, Higher Ed; 914, Higher Ed, and 910 J-I (sic-Judiciary I). I know of no opposition to the Motion. I'd appreciate your support."

Speaker Hartke: "Is there leave? Leave is granted. Representative Brunsvold, for what reason do you seek recognition?"

Brunsvold: "Announcement, Mr. Speaker. The softball team will be having practice soon as committees are over this afternoon. It'll take about a half an hour. We'll meet at Sacred Heart diamond, Washington and Amos, where we normally practice. So, practice tonight for the softball team. Bye, bye."

Speaker Hartke: "Mr. Clerk, for an announcement."

Clerk Rossi: "Attention, Members. A committee schedule is being passed out for committees that will meet this afternoon. The Executive Committee will meet immediately upon adjournment in Room 118. The following committees will meet at 4 p.m. or immediately after Session: the Executive Committee in Room 118, the Health Care Availability & Access Committee in Room 114, the Human Services Committee in Room 122-B, the Transportation Committee in Room D-1."

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At 4:30 the Judiciary II-Criminal Law Committee will meet in Room D-1."

Speaker Hartke: "Allowing perfunctory time for the Clerk, Representative Currie move... now moves that the House stand adjourned until the hour of 12 noon, May 22. 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."

Clerk Rossi "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 924, offered by Representative Mulligan; House Resolution 925, offered by Representative Dart; House Resolution 927, offered by Representative Mendoza; House Resolution 928, offered by Representative Jim Watson; House Resolution 929, offered by Representative Soto; House Resolution 933, offered by Representative O'Connor; and House Resolution 936, offered by Representative O'Connor. These Resolutions are assigned to the Rules Committee."

Clerk Rossi: "House Perfunctory Session will come to order. Senate Bills-Second Reading to be held on the Order of Senate Bills-Second Reading. Senate Bill 1542, a Bill for an Act concerning enterprise zones. Senate Bill 1573, a Bill for an Act concerning agriculture. Senate Bill 1577, a Bill for an Act in relation to criminal law. Senate Bill 1609, a Bill for an Act concerning health facilities. Senate Bill 1635, a Bill for an Act concerning municipalities. Senate Bill 1641, a Bill for an Act in relation to criminal law. Senate Bill 1650, a Bill for an Act in relation to taxes. Senate Bill 1689, a Bill for an Act concerning the regulation of professions. Senate Bill 1697, a Bill for an Act in relation to trust. Senate Bill 1701, a Bill for an Act concerning naprapaths. Senate Bill

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1704, a Bill for an Act in relation to criminal law. Senate Bill 1710, a Bill for an Act concerning leave time for state employees. Senate Bill 1721, a Bill for an Act concerning liens. Senate Bill 1732, a Bill for an Act concerning elections. Senate Bill 1760, a Bill for an Act concerning taxes. Senate Bill 1809, a Bill for an Act in relation to taxes. Senate Bill 1814, a Bill for an Act concerning local government. Senate Bill 1839, a Bill for an Act concerning insurance. Senate Bill 1849, a Bill for an Act concerning health care service contracts. Senate Bill 1927, a Bill for an Act in relation to civil procedure. Senate Bill 1936, a Bill for an Act in relation to firearms. Senate Bill 1949, a Bill for an Act concerning guardianship. Senate Bill 1983, a Bill for an Act concerning education. Senate Bill 2018, a Bill for an Act concerning higher education. Senate Bill 2023, a Bill for an Act in relation to criminal law. Senate Bill 2030, a Bill for an Act in relation to criminal law. Senate Bill 2069, a Bill for an Act in relation to educational institutions. Senate Bill 2098, a Bill for an Act concerning citizens' assistance. Senate Bill 2132, a Bill for an Act in relation to vehicles. Senate Bill 2188, a Bill for an Act concerning the Office of Banks and Real Estate. Senate Bill 2189, a Bill for an Act in relation to children. Senate Bill 2201, a Bill for an Act in relation to public aid. Senate Bill 2205, a Bill for an Act in relation to conservation. Senate Bill 2210, a Bill for an Act regarding taxes. Senate Bill 2212, a Bill for an Act in relation to taxes. Senate Bill 2214, a Bill for an Act in relation to certain land. Senate Bill 2216, a Bill for an Act concerning finance. Senate Bill 2225, a Bill for an Act in relation to public aid. Senate Bill 2226, a Bill

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for an Act in relation to public health. Senate Bill 2232, a Bill for an Act in relation to wildlife population control. Senate Bill 2312, a Bill for an Act concerning taxes. Second Reading of these Senate Bills to be held on the Order of Senate Bills-Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."