

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

73rd Legislative Day

November 14, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Sister Glenda Bourgeois of the St. James Catholic Church in Decatur. Sister Bourgeois is the guest of Representative Julie Curry. The guests in the gallery may wish to rise and join with us in the invocation and the Pledge of Allegiance."

Sister Bourgeois: "We pray. Good and gracious God, You are the source of all life and goodness. Your presence and actions sustain us in all of our undertakings and endeavors. During this Thanksgiving season, we acknowledge the rich blessings which are ours as a nation. Our resources and opportunities are abundant and ours is the freedom of self-government, the ability to direct the affairs of state for the common good, the good of all people. Help us to keep in mind, gracious God, that Your concern for each person is shown through the services rendered by those in public office. Enlighten and strengthen our State Representatives to serve the cause of peace and not of war, a respect for life and not of terrorism, of reconciliation and not of alienation, of love and not of hate, of the advancement of all, especially the voiceless and not just those whose position in life gives them the advantage. We pray today in gratitude for all the good that is accomplished by the women and men in this Assembly who serve the citizens of the State of Illinois. Continue to bless them, their families and their constituents and keep them mindful of the great privilege belonging to those who are called to serve. We make our prayer in the name of the One in whom each of us puts our faith and from whom each of us draw our breath of life. Amen."

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

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Representative Julie Curry."

Curry - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Kenner is excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Randy Hultgren is absent today."

Speaker Madigan: "Mr. Poe. Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Hultgren is an excused absence."

Speaker Madigan: "Let the record reflect the excused absences. Mr. Clerk, take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Introduction of Resolutions. House Resolution 522, offered by Representative McKeon; House Resolution 525, offered by Representative Reitz; House Joint Resolution 52, offered by Representative Bassi are assigned to the Rules Committee."

Speaker Madigan: "Mr. Clerk, read Resolution 479."

Clerk Rossi: "House Resolution 479 offered by Representative Julie Curry."

HOUSE RESOLUTION 479

WHEREAS, The members of the Illinois House of Representatives wish to express their sincere condolences to the family and friends of the Reverend Martin B. Mangan, who passed away on

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September 14, 2001; and

WHEREAS, Rev. Mangan was born on December 12, 1929 in Springfield, Illinois to Martin B. and Marie M. Mangan; he attended Mundelein Seminary and was ordained on May 1, 1957; and

WHEREAS, During his career, Rev. Mangan served as an assistant to St. Joseph Church in Granite City from 1957 to 1958 and was a student of canon law at Gregorian University in Rome from 1958 to 1961; he served as Vice-Chancellor, Chancery, in Springfield from 1961 to 1968 and as Pastor of St. Joseph Church in Granite City from 1968 to 1972; he was Co-Administrator at St. Mary's Church in Taylorville from 1972 to 1977 and Administrator of St. Mary's Church in Mt. Sterling from 1977 to 1979; he served as Pastor of Holy Family Church in Mt. Sterling from 1979 to 1981, St. Paul's Church in Highland and St. James Church in St. Jacob from 1981 to 1986, Forty Martyrs Church in Tuscola from 1986 to 1991, and St. James Church in Decatur from 1991 to 1997; in addition, he served as Dean at Decatur Deanery from 1991 to 1996 and had been serving as Priest-Moderator at St. James Church from 1997 to 2001; and

WHEREAS, Rev. Mangan was an outspoken proponent of social justice issues, including workers' rights, human rights, race relations, gender equality, war and peace, and the disparity between rich and poor; he served as a central figure for the past 10 years at St. James Catholic Parish and School and was an icon for organized labor in Decatur; and

WHEREAS, Rev. Mangan was recently honored by the Decatur Trades & Labor Assembly, AFL-CIO; the Father Martin Mangan Humanitarian Award will in the future be presented to individuals who best exemplify Rev. Mangan's commitment to social justice issues and workers' rights; and

WHEREAS, The passing of the Reverend Martin Mangan will be

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deeply felt by all who knew and loved him, especially his sisters, Mary Patricia Sullivan and Elizabeth Ann Finzer; his many nieces and nephews; and the many parishioners at St. James Catholic Church, where his presence will be deeply missed; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with all who knew him, the death of the Reverend Martin Mangan of Decatur, Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of the Reverend Martin Mangan with our sincere condolences."

Speaker Madigan: "On the Resolution, the Chair recognizes Representative Julie Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. It gives me great honor to recognize an individual who has had a great impact on my life from the time I was a very young girl. I had the opportunity to meet Father Mangan when I lived in Highland, Illinois, where I grew up. And as I became an adult and moved to Decatur, Illinois, Father Mangan found his way there too and offered me great help as an adult and as a member of the St. James Parish. He is one of the most compassionate men that I've ever met. He loved the people of his parish and of the Decatur community. He stood up for issues that were sometimes not very popular, but there's one thing that I know about him, he was never afraid to speak his mind. And today we honor him. We have to... with us today, in the gallery, school children from St. James Catholic Church in Decatur from the seventh- and eighth-grade class as well as members of Father Mangan's family. So, I'd like to take this opportunity to recognize them today in honor of his life

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and commitment and work. Thank you."

Speaker Madigan: "And on the Resolution, Representative Julie Curry moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk, on page 7 of the Calendar there appears House Resolution 499. Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. I appreciate this opportunity to express this special word of condolence to Joe Mudd, former Member of this chamber and a very good friend to many of us, on the passing of his wife, Judy. Judy Mudd was a very, very special lady. One might say she'd have to be to be married to Joe whom we all know for his enthusiasm, and not for this process, but for life. She, too, shared that enthusiasm for life. She had a wonderful family. She was a very, very spirited woman who cared deeply about Joe, about her family, and about the community. She was with Joe's side all the way through his career and even before when he began as a city councilman in the City of Peoria during a period of time in the 60s when the community was in great turbulence. Joe Mudd is really one of the most extraordinary people I've ever met and am pleased to call a friend as so many of you are. I assure you that Judy Mudd was every bit as extraordinary and wonderful and caring a person. So, I thank you for this opportunity and ask that you all join me in conveying our sympathies both to Joe Mudd and to his family. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Leitch moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. On page 3 of the Calendar, on the Order of Amendatory Veto

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Motions there appears House Bill 279. Mr. Giles. Did you wish to call your Bill? Mr. Giles on House Bill 279."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to... I agree with the Amendatory Veto of the Governor's. The Veto is simply concerning technical language that was changed. And I ask for passage of this legislation."

Speaker Madigan: "The Gentleman moves to accept the Governor's specific recommendations for change. On that question, the Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, if you could help... and this is a very voluminous file. I apologize having trouble getting my hands on the actual veto message. You indicated that there were two technical defects with the Bill that the Governor addressed in his Amendatory Veto. What... If you could, could you go over those two specific issues that he changed by the power of his Amendatory Veto?"

Giles: "Representative Black, to the best of my ability I will try to do so, but also, I will refer to also Representative Burke who worked closely, probably even more so with me. But the first change is the word 'nondiscretionary' to 'nondiscriminatory'. The Governor made that change on a piece of legislation giving the... a caller prearrival instructions. The second, the Governor changed the person responsible for notifying the Department of EMD agencies to the EMS emergency director when a license may need to be suspended or revoked. So, those two changes is that the Governor made and we accept those."

Black: "All right. Now, I thought what you had just gone over

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was the technical language dealing with the precertification definition. Am I wrong?"

Giles: "Representative Black..."

Black: "The Emergency Medical Dispatch Act would require an emergency medical dispatcher, an EMD. And I thought one of the technical problems was and forgive me... I used to have an assistant that would help me with this, but he no longer's able to get on the floor, so you're gonna have to bear with me. I thought that the Governor said, in effect, that there was not currently an EMD designation, so that it would have to be established before the Bill could take effect or am I misreading his language."

Giles: "Well, I think you're correct. I think what happened there was not an EMD agency and so the Governor made recommendation language to change it to EMS medical director because there is one."

Black: "All right, I see it now. Then with the Governor's specific recommendations for change to your legislation, can you enlighten me? My district is primarily a rural district and we may have one dispatcher dispatching fire apparatus, police, ambulance. We don't have some of the advanced dispatch... I mean, EMTs and advanced paramedics systems, we don't always have those. And if I understand this Bill, with the Governor's specific recommendations for change, the person currently dispatching in a very small rural area may suddenly have to... may suddenly not be able to do that unless he or she completes a course of study and becomes an emergency medical dispatcher. Am I reading that correctly or am I putting too much into that?"

Giles: "Representative Black, give me just one moment. We're gonna try to get an answer for you. Representative Burke, could you please... Excuse me, Representative Burke."

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Black: "Perhaps you could call staff down."

Giles: "Representative Black, could you repeat your question?"

Black: "Maybe the legislative staff..."

Giles: "Repeat your question."

Black: "... could come down on the floor."

Giles: "Repeat your question, Representative Black."

Black: "The question, Representative, with the Governor's specific recommendation for change, one of the concerns expressed to me by people in my rural district is we may have an individual who has been dispatching fire apparatus, volunteer fire apparatus, volunteer ambulance, volunteer ... certainly not volunteer police, but a sheriff's car and all of a sudden, this person who has done this job in a relatively small town for ten years or more, would not be able to dispatch an ambulance on a call in a rural area unless they have the designation of an emergency medical dispatcher. The concern expressed by many of my rural constituents is that they weren't even certain how to become an emergency medical dispatcher. And I don't know whether the Governor specifically addressed that concern in his Amendatory Veto message or not."

Burke: "Thank you, Representative Giles. And Representative Black, I believe this discussion had occurred when we... when Representative Giles first introduced the Bill and there was the concern, particularly from downstate Legislators, that there would be some additional expense possibly or some unacceptable mandates for individuals that would be operating as emergency medical dispatchers. I believe... I thought we had addressed those concerns at the first discussion of the matter. There would be no additional requirements placed on any community to meet certain standards. There has been negotiations throughout



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the discussion of this matter that, I believe, were agreeable to all parties. The Governor in his Amendatory Veto has made some technical adjustments and I think the second, when they changed the person responsible for notifying the Department from the EMD agency to the EMS medical director, this is pretty much technical language change as opposed to the guts of the legislation. Our ultimate goal, with respect to this legislation, was to provide a global training system. There is a nationally-recognized board of certification that many of the entities that are providing emergency medical dispatch services already use for their certification. This just establishes a state standard and from what I understand, all those parties that were concerned initially have now had their concerns addressed and they were supportive of this initiative. So, at this point in time, I believe that the Governor's Amendatory Veto is technical in nature and does not affect the basic concern of this legislation."

Black: "All right. I thank you for that answer. I appreciate your patience and your willingness to get into something. Mr. Speaker, if I might, to the Motion before us. I stand in opposition to the Motion to accept the Governor's Amendatory Veto, based on my understanding of the underlying Bill which I have already addressed. In my area, the person answering the phone may have absolutely no knowledge of medical emergencies and I understand why, in the urban areas, you would want someone who could be more helpful by asking the person calling the emergency response center to gather pertinent information and then dispatch that information to the emergency response personnel as to what they were coming into, be it a heart attack or an injury or a trauma. But based on what people in my area

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have told me, they're not sure they can meet that requirement, that they usually have one person who works a number of years and does all of the dispatching whether it's fire, ambulance, police or what have you, and their fears may well be unfounded, as Representative Burke has indicated. But based on their perception and the fact that they send me here to represent them, I stand in opposition to the... accepting the AV, as I stood in opposition to the Bill originally. And I thank you for your patience."

Speaker Madigan: "Mr. Giles, have you closed?"

Giles: "Thank you, Mr. Speaker. Just for the record, the Illinois Department of Public Health, National Academy of Emergency Medical Dispatchers, City of Chicago, Office of Emergency Communication of Fire Operations is in support of the Governor's Amendatory Veto. And I ask for a favorable vote for this support."

Speaker Madigan: "Mr. Giles moves that the House do accept the Governor's specific recommendations for change on House Bill 279. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? Has Mr. Stephens voted? Has Mr. Fritchey voted? Mr. Clerk, take the record. On this question, there are 88 'ayes', 27 'noes'. The House does accept the Governor's specific recommendations for change. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Reitz, House Bill 549."

Reitz: "Oh, thank you, Mr. Speaker. House Bill 549 was reimbursement for the counties, for public defenders' salaries. The Veto Message from the Governor simply changed the effective date to July of 2002. And we need additional funding, we need to make sure this is in the

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budget. So, that was a reasonable veto message. So, I appreciate your support."

Speaker Madigan: "The Gentleman moves that the House accept the Governor's specific recommendations for change. The Chair recognizes Mr. Cross."

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

Speaker Madigan: "Sponsor yields."

Cross: "... for some questions? Representative, there's some concern or a question, on this side of the aisle, concerning the language at least with respect to the underlying Bill and the language that the Governor submitted. What's the current compensation for public defenders right now?"

Reitz: "It depends. Currently, it's up to the counties. Each county sets their own public defender salary. There are limits set in, you know, by law, but it's up to each public... each county to set that public defender's salary."

Cross: "Can you tell me for each... for the counties around the state generally what the... Are we talking about assistant public defenders as well?"

Reitz: "No. This Bill is just public defenders. There..."

Cross: "Just the public defender."

Reitz: "The appointed public defender. Correct."

Cross: "All right. Can you tell us what the salary is in Cook County for the public defender?"

Reitz: "No."

Cross: "Is there anyone that can provide us? There are a good number of people here that represent Cook County public... that represent Cook County. Can you tell us how many... what the salary of the public defender is in Cook County?"

Reitz: "I don't see anyone raising up to answer that question."

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Cross: "All right. I'm sorry, what?"

Reitz: "I don't see anyone raising up to answer that question, so I would say 'no'. Jim, do you know? I've polled my side and they don't know."

Cross: "Do you know what the salary of the public defender is in DuPage County? All right. I guess, if we're gonna debate this, we ought to at least have some facts. Is there anyone that can provide that information to you?"

Reitz: "I'm sure there is. We can get representatives from the public defenders. We can poll the various public defenders. This Bill doesn't help... all it does is help with the reimbursement. It doesn't set the salaries, the counties will still set the salaries and try to... will reimburse just a portion of the salary from the state. So, we won't set... we don't set the salaries in this Bill, so I would hopefully assume that they would stay the same. What the intent of this Bill was, was to try to help... In this age, when most of the work is done by the public defenders is a directive of the state, I just thought it was fitting that, and a number of people did, that it would be fitting to have the state reimburse the counties for this expense."

Cross: "What's the genesis of this... Was the Bill... Did this Bill originate from the public defender's office... the state public defender's office?"

Reitz: "It..."

Cross: "Or I should say the appellate public defender's office?"

Reitz: "No, not the appellate public defenders. From the public defender's association and some public defenders in my area. A lot of this came about really because of some of the studies that are going on even with the death penalty and things of that nature to make sure that we have

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adequate defense for anyone that cannot afford legal counsel."

Cross: "I'm a little puzzled why... I know we rushed to do this Bill last spring, but now we're under... if I read the language correctly in the Amendatory Veto message, that we're now gonna wait another year. Are you satisfied with that, Representative?"

Reitz: "Yes. We had... we would have had to, but this is all subject to appropriation by that and then I would really like to clarify that. I mean, to make sure that for the counties that are going to hopefully benefit by this and we're going to help defray some of the cost that they have for public defenders. This is all subject to appropriation. We did not seek a companion appropriation Bill, so this Bill simply is trying to help and the effective date of 2002 would have been the soonest we could have implemented this anyway."

Cross: "Is the State's Attorneys Association in support of this language now?"

Reitz: "As far as I know, yes."

Cross: "Do you have any..."

Reitz: "Yes."

Cross: "Can you ask anyone whether or not the state's attorney in Cook County... Is he in support of this language now, do you know?"

Reitz: "I don't know him, but I know the State's Attorneys Association is."

Cross: "Oh, they are?"

Reitz: "Correct."

Cross: "All right. Is the criminal defense bar in favor of this Bill?"

Reitz: "The Illinois State Bar Association, the Illinois County

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Officials Association, the Illinois County Board Association are the groups that are in support of this."

Cross: "All right. Is the Bureau of the... Is the Department of Revenue in support of the Bill?"

Reitz: "I don't remember any type of slips that they filed in one way or another."

Cross: "And where's the Governor's Office on the Bill?"

Reitz: "I don't think the Governor's Office... I think the Governor took his opportunity to say what he thought about it and he just delayed the effective date of that, so I assume the Governor's Office is in support of his own veto. But we'll ask him."

Cross: "Just one other... and I know it's tough to answer questions without staff out here. Could you tell us if the county board is... if the County Board Association is supportive of the language?"

Reitz: "The County Board Association is one of the organizations that brought this Bill and asked me to run this Bill. Actually, it kind of evolved from a County Board Association meeting that was held in Collinsville discussing this in their... that's who it's going to help more than anything else is the budgets of the local... all of our counties throughout the state."

Cross: "Representative, thanks a lot."

Reitz: "Thank you."

Speaker Madigan: "The Gentleman moves that the House accept the Governor's specific recommendations for change. Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 90 'ayes', 25 'noes'. The House does accept the Governor's specific recommendations

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for change. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Smith, House Bill 1011."

Smith: "Thank you, Mr. Speaker. This is simply a minor change that the Governor made at the request of myself and Senator Shadid on a piece of legislation that pertains only to the City of Peoria and Peoria County. And I would move for the acceptance of the Governor's Amendatory Veto."

Speaker Madigan: "Mr. Smith, the Clerk advises that this matter has not been favorably ruled upon by the Rules Committee. So, we need to take this before the Rules Committee to get approval of the Rules Committee, so we'll take it out of the record for just now. Mr. Cross."

Cross: "I... That's just an inquiry that we had, Mr. Speaker. Thank you."

Speaker Madigan: "Thank you. On page 2 of the Calendar, on the Order of House Bills-Second Reading there appears House Bill 2691. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 2691, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Speaker Madigan, has been approved for consideration."

Speaker Madigan: "Floor Amendment #1, Representative Barbara Currie. Representative Barbara Currie."

Currie: "...Speaker and Members of the House. This Amendment makes two changes in the pension law with respect only to members of the Chicago Police Department. The first change takes care of people who thought they might have 20 years on the job with the police force in terms of the pension benefits they might accrue at the point of which the city lowered the mandatory retirement age from age 65 to age 63. The Bill provides for enhanced benefits for those with 10

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to 20 years of service so that those people might achieve the expectations they could have had when they joined the force. This provision will affect precisely 269 members of the Chicago Police Department. The second aspect of the Bill deals with widows and widowers of Chicago police officers killed in the line of duty. Today they are entitled to 75% of the salary at the time of the officer's death, but that amount drops to 50% when that individual would have reached the age of 63. This measure provides for a 75% benefit for all 51 widows and widowers of the Chicago public... Police Department whose spouses were killed in the line of duty. This brings them up to parity with Chicago firefighters. There is, as you know, no cost to the state in these pension changes. They're simple, straightforward; they're matters of equity and fair play. I'd be happy to answer any of your questions. And I'd appreciate your support for the adoption of this Amendment."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I... my memory is not what it used to be. I recall... I know you're shocked. I recall some articles in the Chicago media, two newspapers, last spring and I thought we addressed this or was that on the fire department issue and we didn't take up the police department at that time?"

Currie: "You know..."

Black: "I remember several stories and maybe it was on the fire pension rather than police and I thought we had addressed



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this last spring."

Currie: "You know... you know, if we did and I do not remember either, my memory suffers the same as yours. If we did, presumably then the Senate didn't take action. But it may have been the firefighters we dealt with."

Black: "Okay."

Currie: "In any case..."

Black: "All right. And..."

Currie: "... this effort..."

Black: "... the Chicago Police Pension Fund has no fiscal impact on state funds, if I remember correctly, right?"

Currie: "Not only do you remember correctly, but that's precisely what I just said."

Black: "It's a little hard to hear in here even though the chamber is a shadow of what it used to be, but it's still hard to hear. Now, does this put the police and fire on the same playing field now?"

Currie: "The only provision that is relevant at all to Chicago firefighters is the establishment of a death benefit for a widow or widower of an officer killed in the line of duty at 75% of final salary, forever."

Black: "And I... Did I hear you correctly? The City of Chicago has no objection to this."

Currie: "You are right."

Black: "All right. And the only question I have and it's not meant to be dilatory in any way. I would assume that eventually we would want the Chicago Fire Department, an officer killed in the line of duty with the fire department, that widow's annuity should be, I assume, handled the same way that the police department's widow annuity?"

Currie: "Right now, the widow of the or widower of the slain

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firefighter in the line of duty is entitled to a higher benefit than the widow or widower of a police officer. We're trying to bring equity to those two situations."

Black: "Okay. I know I can't imagine why anybody, after September 11th, would have an objection to that. Thank you."

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

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Madigan: "Put this Bill on the Order of Third Reading. Has the Bill been read a third time?"

Clerk Bolin: "House Bill 2691, a Bill for an Act in relation to pensions. Third Reading of this House Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. You've just heard what the entirety of what's in the Bill. I'd appreciate your 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? This is final action. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the... on page 2 of the Calendar, on the Order of House Bills-Second Reading there appears House Bill 2935. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 2935, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McKeon, has been

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approved for consideration."

Speaker Madigan: "Mr. McKeon on the Amendment."

McKeon: "Thank you, Mr. Speaker. Floor Amendment 1 becomes the Bill. What it does is extend the unemployment insurance benefits currently provided by the State of Illinois by 13 weeks for those people who have exhausted their benefit period on or after September 9th of this year and March 10th of 2002. I'll respond to questions as appropriate."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I do not have a strong, philosophical objection to this Amendment in any way, shape or form. I do have one question that, I think, will have a great deal to do with how I support this on Third Reading. Is there a sunset clause in this Amendment?"

McKeon: "It's sunset in the sense that it only applies to people who have exhausted their benefits between the 9th of September of the current year and the 10th of March of 2002."

Black: "2002."

McKeon: "That is correct."

Black: "In other words, this is not an open-ended extension of unemployment benefits for five, ten, fifteen years?"

McKeon: "No. We'd have to come back, if it was the wisdom of this chamber to revisit that, we'd have to come back and do that again."

Black: "I... Excuse me, I have not had a chance to look at the Amendment carefully. Could you tell me where the sunset clause language is in the Amendment? It's twenty-some

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pages long."

McKeon: "Representative, if you look at page 2, Section (b), the end of the first sentence of that Section."

Black: "All right."

McKeon: "Line 25. That brackets the benefit eligibility period which is in essence a sunset."

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

Speaker Madigan: "Further questions? Mr. Hartke."

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

Speaker Madigan: "Sponsor yields."

Hartke: "Representative McKeon, I think this is a very good piece of legislation and something that we should do for those individuals who have lost their jobs and seeking employment. We know that it's very difficult now with the downturn in the economy, but I have some other questions that maybe you'll be able to answer. One is, do you have any idea where our balance is currently in the fund?"

McKeon: "I haven't looked for it. I assume... Could you repeat your question? If I couldn't hear it standing behind you, I'm sure no one else could."

Hartke: "What is the current balance in our fund at the federal level?"

McKeon: "1.7 billion."

Hartke: "\$1.7 billion. We know that we've had a downturn in the economy and of course, there's been a drain on that fund. How much is it draining per month and what can we expect, I guess, after 39 weeks or this extension of 13 weeks where that balance will be if the economy flattens out and does not recover?"

McKeon: "Representative, to answer your question, the current balance of 1.7 was preceded by a total balance of 2.1, I believe, so... at the beginning of the year. So, the

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downturn in the economy has dropped it from 2.1 to 1.7, depending on your assumptions with respect to the number of bene... beneficiaries that would be eligible for this 13th week exception, rather extension. The total cost of the extension could be somewhere between 100 and 150 million."

Hartke: "This legislation will mean an additional drain on that by \$100 million, is that what I heard you say?"

McKeon: "Depending on your assumptions, the assumptions I'm using would be somewhere between 100 and 150 million depending on the total number of eligible participants."

Hartke: "How many eligible participants do we estimate that are in this pool of individuals?"

McKeon: "Beg your pardon?"

Hartke: "What is the number of individuals that are in this pool that will be drawing these additional benefits? Do we have an estimate on that?"

McKeon: "Approximately 90 thousand a year. My understanding, since the Department does not continue to model these issues, it'd be around 45 thousand."

Hartke: "I'm not sure I heard your answer correctly."

McKeon: "Currently, the Department does not model these benefits, so that we know where we're at or where we're going. Generally, there are 90 thousand people eligible for benefits and at this expiration period, we're assuming, based on our assumptions not the Department's, of 45 thousand."

Hartke: "I also know that this system has some automatic safeguards built in it that should our balance drop to a certain point there's a speed bump that is reached at a certain level and I think that that figure is, if our balance drops to like \$750 million in our fund in Washington, D.C., it automatic increase in that

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unemployment insurance rate will take place. Is that correct?"

McKeon: "That is my understanding, yes."

Hartke: "Of course, that may happen anyway if the economy continues to turn down, correct?"

McKeon: "That is the case."

Hartke: "If... Are there provisions in this Act that if the Federal Government should enact some kind of a assistance for states that we could accept that money and it would be placed in our fund balance?"

McKeon: "That is correct."

Hartke: "Sounds like a great piece of legislation to help those 45 thousand families out who are seeking employment and we'll be able to assist them to continue to survive this winter and onto next spring. And hopefully the economy will turn around and we'll get back to normal and those jobs will be made available."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, all of us in the chamber are concerned about unemployed workers and unemployment benefits because this money is necessary for people to live their lives, be able to provide for their family and their children, but my concern is the structure of the legislation. Now, it may sound obvious why you want to expand this, but will you tell the Body what the objective is and what your start date is on this?"

McKeon: "Representative, those eligible for the 13th week extensions the start date would be for those persons that maxed out on their current benefits as of September 9th, 2001. This provides, September 11th notwithstanding, an

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extension of 13 weeks for those people that are maxing out with the downturn in the economy that was going on prior to that incident."

Parke: "So, what you're saying is that if someone became unemployed after September 11th, this would not apply to them. Is that correct?"

McKeon: "That is correct."

Parke: "So, this is not something done to try and help the people affected by the terrorist attack, this is for those people who were unemployed previous to that."

McKeon: "That is correct and given the experience that the state has had in years past and the unemployment rate as it has increased since the first of the year, that is consistent with past actions of this Body."

Parke: "Didn't Congress just pass something on this? Maybe you can refresh us all. What did Congress do? Can you... Are you aware of what Congress did on the unemployment extension?"

McKeon: "My understanding and I may be wrong, Mr. Parke, is that they have not yet taken action."

Parke: "So, we don't know. The Congress hasn't formally act on it and the President hasn't had it on his desk to decide whether or not he's gonna sign it. Is that true?"

McKeon: "That's my understanding. If they do act, as Representative Hartke inquired previously, whatever action they would take would merely replenish the trust fund balance."

Parke: "Is there any guarantee that if Congress passes... And isn't it right now that there's a pool of money being debated that this unemployment pool will go to the various states? Is that part of it also?"

McKeon: "I can't answer that question, Mr. Parke."

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Parke: "Well, you can't answer the question, yet you want us to pass some legislation that could be easily affected by what Congress is gonna do. Don't you think we should wait a little longer and find out what Congress is gonna do? All right. Is there any guarantee, Representative, that if we pay out this money and isn't it more than a hundred million dollars, isn't it more than a hundred million dollars if we enact your Bill as it's produced here?"

McKeon: "Representative Parke, you asked two questions. The latter question; is there a guarantee, yes. The first question, these benefits are needed now. We don't need to wait, in the State of Illinois, to see what the Congress is going to do at some point in the future. These are for people whose benefits have already expired or will continue to expire through March of next year. We have a responsibility to those men and women and their families to act now on the state of the economy in the State of Illinois and not wait for some possible action by the United States Congress."

Parke: "Well, you know, on the face of it, I don't think anybody in this chamber will disagree with that statement that people who have needs now need those needs addressed and I would agree with that statement. But I am concerned about what Congress is gonna do. What happens if they decide to allocate \$50 million to the State of Illinois under this plan and said, but you can't put it in your fund, that you can't reimburse the fund for paying it out? What do we do then if they put stipulations in the Federal Law that limits what we can do here in Illinois? No, we don't want to wait 'cause people have needs, but the system is built in a way that said you get 26 weeks or 24 weeks. Now, you want to extend it. We don't know what Congress is gonna



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do? We don't... Do you have a figure... Have you asked Economic and Fiscal Commission or Employment Security on how much money is gonna come out of the Unemployment Fund of Illinois to do this?"

McKeon: "Again, Representative Parke, I think you asked a series of questions. People that have exten... have exhausted their benefits are already sitting out there with no income to assist them and their families."

Parke: "Representative, I've already gone over that."

McKeon: "These, Representative Parke, these are peop..."

Parke: "I asked you a question. My question to you, Sir, is, do you know the amount that will come out of the Unemployment Fund of the State of Illinois if we do this?"

McKeon: "Representative Parke, that was your third question. I'll tell you based on our assumptions, because the Department does not continuously model these activities, is that it would be approximately one hundred to a hundred and fifty million dollars on a trust fund which has a current balance of 1.7. Would you like me to answer your preceding questions that you have?"

Parke: "That's an estimate the House Republican staff has given you?"

McKeon: "That's an esti..."

Parke: "I mean the House Democratic staff has given you."

McKeon: "That is correct."

Parke: "So, that's not based on Employment Security because their policy is they can't do that at this point in time. Is that correct?"

McKeon: "It's not that they can't, Representative Parke, it's just that they won't."

Parke: "They won't. All right. Representative, one last question. What happens to the Unemployment Fund of the

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State of Illinois if we cannot meet the obligations that the Unemployment Insurance Fund has to the unemployed taxpayers and citizens who need the fund later on? What happens when we exhaust the fund? Can you tell the Body?"

McKeon: "Representative Parke, I don't agree with your assumption that we're going to exhaust the fund."

Parke: "I didn't ask if we were, I just asked you a question. What happens if we run out of money in the Unemployment Insurance Fund? Do you know that?"

McKeon: "Long before running out, the automatic trigger point will kick in so that the rates currently paid will supplement that fund above \$750 million."

Parke: "Okay. To the Bill. Ladies and Gentlemen, the Sponsor is well intended. I think, he's... he and Speaker Madigan, as well as the majority of the Body here, feels that they're trying to solve a problem of people who have needs for additional funding and all of us are sympathetic to that. But as he had said on the floor, we don't know how much money this is, we don't know what the Federal Government is gonna do and they're debating it right now, it could be even as we speak now that this legislation is being debated. They're gonna come back with something. I don't want us doing something at this time that could be affected by what Congress is trying to do. I don't know if you all remember what happened about 20 years ago in this state when we ran out of money in the Unemployment Fund is that you have to borrow money from the federal fund. We paid \$25 thousand a day in interest to the Federal Government until we were able to charge back to the businesses of this state, the businesses... the small businesses that provide 80% of the employment in this state, now we're gonna tell them, if in fact this were ever to come about, that you

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have to charge them more, that's the ultimate. We want to make sure that whatever we do make sure that there are benefits available for the working men and women in the future. I shall vote 'present' on this because this Bill is not in the form that I think is necessary. I think we should wait and even though it might be painful to some people, I think we should do this right. I don't have a problem with the concept of the Sponsor of this legislation. I just don't think that this is the approach to take at this time."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Larry, I've been listening to the debate and Mr. Hartke asked a lot of the questions that I wanted to ask, but after hearing the other Representative ask some questions, I want to follow up on the application rules. Are you changing anything at all on applying for unemployment or is it just extending the period from 26 to 39 weeks?"

McKeon: "Those persons whose benefits have expired during the dates indicated will automatically be extended for 13 weeks."

Franks: "Okay. So, there's no reapplication?"

McKeon: "No."

Franks: "Okay. I can tell ya from personal experience. I was meeting with the unemployment agency in my county, in McHenry County, which is considered an affluent county. Prior to September 11th, our unemployment rate had doubled, almost doubled, from 2.6% to almost 5% in McHenry County before September 11th. So, what you're trying to do would help those people who had lost their jobs before September 11th. Am I correct?"

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McKeon: "That's correct."

Franks: "Okay. Is there any tax increase at all with this Bill?"

McKeon: "No, there is not."

Franks: "Okay. We had heard questions about the Federal Government trying to do something as well. We don't know whether they're gonna do anything. We've heard they wanna do prescription drug health as well, but that doesn't happen. My point is and my question to you is, if the Federal Government does do something, is it more likely than not then we will be reimbursed and be able to put that money into the trust fund to help build the \$1.7 billion surplus that we have."

McKeon: "Yes."

Franks: "Well, then to the Bill. I think this is an excellent Bill and one that's very necessary at this time. And I urge my colleagues to vote for it."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative McKeon, now currently the pro... What is the projection of the money in the fund, at the current rate of unemployment, how much do you think of the 156, what is it they say, billion in our staff report is, what's the current projection of how much will be spent?"

McKeon: "The Department refuses to model that, so we don't have numbers from the Department as to what their projections are."

Mulligan: "I'm sorry. Did you say the Department refuses to make an estimate?"

McKeon: "They're under a moratorium and they refuse to make those projections."

Mulligan: "Isn't it possible for staff to take the number of the

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people that are currently applying for benefits, project it out if that rate continues at that space (sic-space)? I mean, with computers and things like that, I'd think you should be able to project out what that number was and how long that hundred and fifty-six billion (sic-1.7 billion) billion, that's currently there, would hold."

McKeon: "Only the Department has that information. I can tell you, as I have indicated twice before, that based on past experience that there are... the Democratic staff believes that it would be somewhere between 100 and 150 million off the top... taken off of the \$1.7 million current trust fund balance."

Mulligan: "Did you say a hundred and fifty billion or million?"

McKeon: "I couldn't hear your question."

Mulligan: "Did you say a hundred and fifty million or billion, m or b?"

McKeon: "Mil... million, million. Million."

Mulligan: "And is there 156 billion sitting in the fund?"

McKeon: "1.7 billion."

Mulligan: "So, isn't that a large amount of reserve? That would be a large remount... amount of reserves if that's the difference be..."

McKeon: "No, it's... In my opinion, we have been building a rainy day fund, so to speak, in the Employment Trust Fund. At the beginning of the year it was 2., I believe, 2.1 billion; it is now 1.7 billion. Our best estimate, staff estimate, not a Department estimate, one hundred to a hundred and fifty million. This is the very thing, the very essence, of what we've been trying to do to build an adequate reserve to deal with a downturn in the economy. And I personally believe, speaking for myself, that it's an appropriate use of the reserve that we've accumulated."

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Mulligan: "Isn't there currently in the law a trigger that allows the director to extend benefits for a longer period of time if unemployment rates go over a certain point? Is... Doesn't the law currently allow the director to extend longer terms of benefits?"

McKeon: "The last time that was reached, I'm advised, was in 1983 and the answer to your question is 'yes'."

Mulligan: "But that doesn't... This is a different director and these are different times. Don't you think the law currently addresses that?"

McKeon: "Representative, I think we're in a situation where we, as a General Assembly, need to respond to the needs of working men and women and their families whose benefits are expiring today, whose benefits have been expiring since September 9th of this year and will continue to expire. This is a short-term action on the part of the Illinois General Assembly. Congress may or may not do something in the future. We have families, men and women and their children, who need this help now, not two months from now, and not six months from now."

Mulligan: "Representative, I'm not arguing about the need. I'm arguing what's currently in the law and how to craft the law so that it's the most flexible. I think, first of all, is there anything in your legislation that says if the Federal Government extends money or extends some type of benefit that we would then not be liable to pay that and we could pull back? We did that with money and the understanding for when we put extra money into the immigrant line services in the budget that if the Federal Government reinstated services for immigrants that the State of Illinois would not have to fill in that much money for them. Is there anything in your Bill that would allow

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us to be flexible on the chance that the Federal Government comes to the aid in this area? Could not it be crafted that way?"

McKeon: "Representative, there's so much noise in the House that I could not comprehend your question. If we could... Mr. Speaker."

Mulligan: "That's unfortunate..."

McKeon: "Mr. Speaker."

Mulligan: "... since the substantive debate takes place in committees that not all of us are on. We should be able to at least get our questions answered on the House Floor. And you and I are friends and I'm not questioning this. Unfortunately, it's a problem when you can't debate and you're not in the committee to ask questions that, I think, are reasonable."

McKeon: "Mr. Speaker, I have not been able to hear Representative Mulligan on the two times that she's tried to ask a question. Could you assist with the noise in the gallery?"

Mulligan: "My..."

Speaker Madigan: "Could everyone give their attention to Representative Mulligan."

Mulligan: "They don't have to give me attention, just Larry could hear me so he could answer would be fine."

McKeon: "I'll come over there."

Mulligan: "My question to you, is there anything in your Bill that would allow for flexibility if the Federal Government were to come through for us, such as we have done when we allocated extra money in immigrant line services when the Federal Government pulled back?"

McKeon: "There's plenty of flexibility in our Bill if we do receive funds from Congress that are not restricted to replenish the fund. To answer your question, you're asking

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me to speculate on what Congress might do in the future and they could write anything they want into their enabling legislation to the states that I've no way of predicting an answer to your question."

Mulligan: "In your Bill, are you limiting it only through people who are unemployed from September through March and after that we would have to pass additional legislation?"

McKeon: "Representative, let me say one more time. It's applied to those persons who have exhausted their current benefits between September 9th of this year and March 10th of 2002. Those persons who have exhausted their current benefits."

Mulligan: "All right. So, then anybody after that point, that's become unemployed in-between that time, we would have to then go back and pass additional legislation unless the Department uses the built-in trigger and nothing changes the Department's built-in trigger if they care to exercise it now."

McKeon: "First of all, they can't use the trigger unless the employment level rises to the federal threshold. If I understand you correct... your initial question, we would have to come back in January or February and extend this period, if we chose to do so. Basically, we're limiting it to the duration of that time period, September 9th through March 10th of 2002, for those persons who within those dates have exhausted their benefits. To go beyond that, would require us to come back in January or February and take subsequent action."

Mulligan: "If the Department... If this legislation isn't passed, can the Department do this by rule?"

McKeon: "No."

Mulligan: "So, they can only do it with the built-in trigger, on their own, which we have no control over or you can do



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this, which is a limited basis, but is there anything... say the Federal Government, in Oct... very shortly, passes something so that we don't have to use this money out of our budget. Then would we pull back from what you asked? I mean, how would we do that?"

McKeon: "Representative, the Federal Law would preempt State Law. If the Federal Government does pass some unrestricted increases in benefits, we could use that to replenish the fund, where appropriate, for the benefits that we paid out based on this action."

Mulligan: "All right. So, if you put this Amendment on this Bill, are you gonna call it for a vote today or are you gonna wait 'til you get us the figures?"

McKeon: "I'll leave that to the discretion of the Speaker."

Mulligan: "I'm sorry."

McKeon: "I'll leave that to the discretion of the Speaker."

Mulligan: "Was there not a fiscal note filed on this Bill so that we get the numbers that we asked for?"

McKeon: "I believe a fiscal note's been filed."

Mulligan: "So, do you have... But you told me you don't have the amounts."

McKeon: "If you were to hold on for one moment, please. The fiscal note that was just filed with the Clerk by the Illinois Department of Employment Security based on their assumptions that it would increase the benefit payments by an estimated 877 thousand weeks, total number of weeks were approximately 246 million."

Mulligan: "All right, that's 246 million in benefits, not the increase in taxes to employers?"

McKeon: "That's correct."

Mulligan: "All right. So, and there is currently 1.5 or \$1.7 billion in the fund?"

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McKeon: "Just shy under 1.6 billion according to IDES."

Mulligan: "All right. So, then I would think that you would be able to project out under the current number of people unemployed, if that remains at a certain percentage or an increase in percentage, you should be able to come up with a number by the end of... using these benefits, extra benefits, how much it would be that would come out of that fund and whether we would exhaust it. Thank you. I've asked enough questions. I mean, I understand what you're trying to do. It would be nice to know a little bit more about the total money in the fund."

Speaker Hartke: "Representative Hartke in the Chair. Further discussion? The Chair recognizes the Gentleman from Coles, Representative Righter."

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

Speaker Hartke: "Sponsor indicates he will yield."

Righter: "Representative McKeon, first, I want to apologize in advance if I ask you some questions that you maybe you've already answered because I've had trouble hearing. I know you've had that same trouble. First, I wanna ask about the potential for federal money to come, as it has in the past, to extend unemployment benefits in the state. Does the legislation that's before us now require that if federal money comes to the state that that money will reimburse our Unemployment Insurance Fund?"

McKeon: "Representative, that would be determined on how Congress drafts their Bill, which they've not passed a Bill yet, and Amendments could be attached to the Bill which would either allow that or they could prohibit the states from doing that."

Righter: "I didn't catch the last part of your answer, Representative."

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McKeon: "I said, the Congress could prohibit us from doing that. I don't believe it's likely, but until they pass their Bill we can't answer that question."

Righter: "Can you... Do you know, Representative McKeon, whether or not... in the past, when the Congress has passed an economic stimulus package like what is pending now in the Congress, whether or not they have prohibited the states from replenishing their own fund?"

McKeon: "In the past, it has been used to replenish the fund."

Righter: "It ha... Okay. I asked if it had been prohibited. So, you're saying it's not been prohibited in the past. They have allowed them to use it to replenish their fund."

McKeon: "That has been the history... that we've had in the past."

Righter: "Representative McKeon, it's my understanding... I'm not an expert in this area of the law. It's my understanding that there is a trigger or... and I know this was discussed a little bit earlier. There's a trigger in Illinois that once the employment rate reaches a certain level that there's an automatic extension of unemployment insurance benefits. Is that right?"

McKeon: "I understand that's the case. We're far from that."

Righter: "Can you tell me at what percentage unemployment do we have... will we reach when that happens?"

McKeon: "I'm asking staff to verify that for you. Representative, staff tell me it's an insured rate of 6%. The actual rate that we would commonly hear in the media and so forth, would be somewhat higher than that."

Righter: "Representative, I've got and I think you have a copy of it, too, the Illinois Department of Employment Security's fiscal note. Okay. Earlier, in the debate on this Bill, I thought that you used a number of approximately a hundred

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to a hundred and fifty million was what you thought would be the payout from the fund. IDES has indicated it's gonna be 246 million. Do you, and I'm assuming that your number was based on some computations done by your staff."

McKeon: "Right. Right."

Righter: "...Do you still stick with that a hundred, a hundred and fifty million dollar number or do you agree with IDES's estimate?"

McKeon: "Probably somewhere in-between. IDES's estimate, I think, is a highly conservative estimate which is what they're expected to do. Based on our past experience and what staff has looked at over the years, it looks like somewhere between a hundred and a hundred fifty. So, I think the actual amount would probably be somewhere between those two ranges."

Righter: "Representative, in the second paragraph of the fiscal note there's a discussion about the aggregate tax increase that'll be imposed upon employers if your legislation were to become law. The figure used there is it would be a \$287 million tax increase on businesses in Illinois and employers in Illinois. Did you have a figure before this came out of what you thought the tax increase would be or did you not think there would be one?"

McKeon: "We did... There would be no increase in the tax rate, Representative. This indicates that the aggregate amount between that 2002 and 2006 period, based on their assumptions, the Department's assumptions, would increase by that amount."

Righter: "But either way, Representative, it's fair to say that if your legislation passes, that employers are gonna pay an additional \$287 million whether the rates go up or not, they're gonna be out an extra \$287 million. Is that fair

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to say?"

McKeon: "That's fair to say with also the understanding, Representative, that if we do get federal funds... federal assistance from Congress and the President, that it could be at a much lower rate or zero. And also, Representative, we're assuming that IDES's assumptions are correct. They make a set of assumptions just like you or I would and we could sit here all day long and debate those assumptions and probably never reach agreement."

Righter: "All right. Thank you, Representative McKeon. Thank you, Mr. Speaker."

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

Leitch: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hartke: "Sponsor indicates he will yield."

Leitch: "At this time when everyone's seeking fiscal stimulus, especially going into the last quarter of the year, I think there's a lot of merit in this. My question is, as I'm trying to read through this and understand it, there are references to the director of DES (sic-IDES) being able to determine that there is normal or not normal unemployment. What is the definition of 'normal employment'? I don't see any definition in here in how... makes a big difference what the director thinks is 'normal employment'."

McKeon: "I don't believe that's in the Bill, Representative. I don't think that's defined in the Bill. I'll continue to look for it, but I don't believe it's there."

Leitch: "I didn't see it either. And so for the extended benefits is that something that is already a determination made by the director on whether to extend the Bill or extend the... declare an on time for extended benefits or how is that determination made?"

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McKeon: "Representative, the determination is being made by the action of this Body. In other words, we're making a determination through those persons who have exhausted their current benefits between those dates, September 9 of this year and March 10 of next year."

Leitch: "Mr. Speaker, I can't hear the answer to this question."

Speaker Hartke: "Shhh."

McKeon: "The Bill is determining that. It's an action by this Body, not by the director. If we pass this Bill and the Senate concurs therein, then we have made a decision on behalf of the people of the State of Illinois based on our assessment of the economic conditions, that we're..."

Leitch: "Then we are stating in this case that there is a condition of very low unemployment."

McKeon: "Right."

Leitch: "Or very high unemployment, I should say."

McKeon: "High unemployment, based on the experience in this state. And then, Representative, in some..."

Leitch: "So, is it..."

McKeon: "You know, in some service sectors, we..."

Leitch: "And I agree with that. I mean..."

McKeon: "... we have employment rates as high as 30%."

Leitch: "... all you have to do is look out the window and see that we have very high unemployment. I guess my question is, how this mechanism works if I understand the provision, for allowing extended benefits. Is this something that the director of DES (sic-IDES) could do anyway, if they were to make a determination?"

McKeon: "No, only when the trigger is reached. Only... There's a trigger level... The director doesn't have discretion in that matter."

Leitch: "What.... I guess I'm wondering what is the trigger? At

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what level of unemployment is the trigger?"

McKeon: "As I said earlier, 6% insured unemployment, those persons insured, so the actual unemployment rate statewide would be somewhat higher than that. That's the... 6% of those persons who are insured under this legislation."

Leitch: "So, you're saying that higher than a 6% unemployment rate causes the director to trigger this..."

McKeon: "It could be as high as 8%."

Leitch: "... under normal circumstances."

McKeon: "Representative, what you have to keep in mind is that not every employee is covered by unemployment insurance."

Leitch: "Right."

McKeon: "So, when the actual statewide unemployment rate is 7-8%, the insured pool of people reaches that level of 6% which would trigger it."

Leitch: "And then you're saying that when it hits that 6% level, that that is the definition of high unemployment."

McKeon: "For the insured pool."

Leitch: "For the insur... Thank you very much."

Speaker Hartke: "Representative McKeon to close on the Amendment."

McKeon: "I ask for your favorable support."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2935?' All those in favor will signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a pension impact note and a state debt impact note have been requested on the Bill and those notes have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Representative Bost. "

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Bost: "Thank you, Mr. Speaker. For a point of personal privilege. Just need to remind the Members tomorrow that from 8 to noon, in the south wing of the second floor, Southern Illinois University School of Medicine will be having its Health Fair and there's a whole group of health screening tests that can be taken. And we just want to encourage everybody to go in and have their health checked."

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

Durkin: "Thank you, Mr. Speaker. I'd like to make a... acknowledge in the audience today we have a group who've driven up from Chicago, Illinois, the students and deans from John Marshall Law School have joined us today. Also, we do have some alumni in this chamber, most notably, George Scully, myself, and the new chairman of the State Republican Party, Leader Daniels. Thank you very much for attending. I know they have a reception tonight and I encourage all to stop by. Thank you."

Speaker Hartke: "Welcome to your State Capitol. On page 3 of the Calendar, under Total Veto Motions appears House Bill 198. Representative Forby."

Forby: "Thank you, Mr. Speaker. House Bill 198, I ran it back through the House before. Last time it went through the House 116 votes, went through the Senate 57-0 votes. House Bill 198 will cause students to receive an additional information for special hazards existing on highway construction while taking driver's education. This Bill was also prepared for students for driving situation that requires extra safety and driving precaution that must be observed through emergency situations. Right now, this is not an issue that covers Illinois Statutes. I believe this



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legislation's important to reduce the numbers of men and women that are getting injured and killed on construction work zones. I ask for an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker. Good to see you in the Chair. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Thank you, Mr. Speaker. How are things in Teutopolis?"

Speaker Hartke: "They were fine when I left."

Black: "Good. Good. I don't want to say anything, Mr. Speaker, but many people have told me they're always fine when you leave. But that's another story. Representative, on the original Bill, I assume that when you introduced this last year you looked at the Rules of the Road book. Is it your contention, in light of the Governor's Veto, that there is not at the present time a specific course of instruction or a specific outline of the drivers' safety rules and regulations one is to follow in highway construction zones? The Governor's Veto would tend to indicate that he feels it's already adequately covered."

Forby: "No, there is no statute that covers in a working zone. There's a statute that covers under the railroad construction company, but nothing under the work zone for construction people."

Black: "Has it... Is it your experience that these kinds of accidents are increasing, decreasing, staying steady? I assume you were motivated to bring this Bill to us originally because you felt... you must have obviously felt that they were increasing. Would that be a fair statement?"

Forby: "Yes. I've been a contractor for the last 30 years. I've

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been around construction work and I've seen a lot of energy (sic-injury) happen on a construction. You know, now, in the State of Illinois, we have between four and five thousand people every year that get injured and killed. So, you know, I think a good place to start on this is with our young people in education and make sure they understand that."

Black: "Were you... If I heard you correctly, were you a road contractor?"

Forby: "Yes, I've been a contractor for the last 30 years before I become a Legislator."

Black: "Did you build the road that runs in front of Hartke Enterprises?"

Forby: "No, I never."

Black: "I was gonna say, it didn't hold up very well. I just wanted to talk to you about it, but... So, it's in your considered opinion, you don't think that the concerns you've expressed in your Bill are adequately addressed in the Rules of the Road. That is your opinion in asking us to overturn the Veto."

Forby: "Yes."

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

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

Hoffman: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Override Motion. First of all, let me just tell ya, this year alone already 32 people have been killed in work zones in the State of Illinois. It's increasing yearly. We're seeing some terrible, terrible tragedies where workers leave in the morning, go to their construction site, and don't come home at night to their loved ones. All this does and where I think the Governor

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was in error is it makes sure that we're going to tell young people, when they go through the education, how important it is to be careful when you go through work zones. This is supported by every... this passed unanimously out of the House, supported by every labor union that I know of. It's also supported by the Illinois State Police, IDOT, and the Association of General Contractors. I just think the Governor was in error when he indicated that he thought this was covered. It's not covered and we're going to say to our young people and our education system that we're going to provide safety and education about safety in work zones. I ask for an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Mr. Speaker, thank you. Representative, the only... I support this. The only question I've got is that when we go back home would this be an unfunded mandate on our schools?"

Forby: "No, this is not. There'll be no added cost."

Rutherford: "I apologize?"

Forby: "There will be no added cost to this."

Rutherford: "There will be no added cost. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Lang: "Thank you. I'm a little confused, Representative, maybe you can help me out. I thought you had a good Bill in the first place. I don't understand the Governor's Veto message. Do you know what he was trying to relay to us in terms of why he vetoed this?"

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Forby: "Well, one of the things they teach in education is that when you go through a construction zone, you just... the fine will be a lot higher and that's what they're teaching the kids. But we need to teach 'em a lot more about the construction zone."

Lang: "And so he made the point, I think, that there's already something in the statutes relative to this issue?"

Forby: "Not on construction zone, just for railroads."

Lang: "Just for railroads. And so, he's incorrect when he says that this is already covered in the Vehicle Code?"

Forby: "Well, what they do cover is, is just exactly what I said. What they teach the students, if they go through a construction zone, they could get fined more than they could out on the road."

Lang: "Now, the purpose of this is public safety, is it not? Is that why you proposed this in the first place?"

Forby: "Yes, there is. There's between four and five thousand people every year that get injuries or killed on construction zones."

Lang: "And as I understand it, last spring, as we were debating this, there were several accidents on roadways in Illinois where laborers and other construction workers that were at work sites were being hit by vehicles and some were killed as we were debating the Bill. Is that right?"

Forby: "That is correct."

Lang: "In fact, because of the dangerous part of that work, we debated special pension benefits for workers along our state highways and others. Did we not?"

Forby: "Yes."

Lang: "And so, what you're trying to do here simply is create a situation where our students who are learning how to drive understand the dangers, not only to them, but to the

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laborers and other construction workers along the side of our state roads so that they will be safe as well as those who are driving. Is that right?"

Forby: "That is correct."

Lang: "Now, have you had any conversation at all with the Governor regarding this Bill? And why does he not understand this?"

Forby: "No, I haven't."

Lang: "Well, I think it's an important piece of legislation. Mr. Speaker, to the Motion."

Speaker Hartke: "To the Bill."

Lang: "Thank you."

Speaker Hartke: "Motion."

Lang: "I think Mr. Forby's right on target here. Let me remind the Body, that in the last year, we've had many construction workers along our state highways and county roads that have been struck and killed or injured by motor vehicles. The notion that we would train new drivers in the knowledge about work zones and what their responsibilities are would make it a safer highway system in Illinois not only for the drivers, but the people who maintain the roads. Accordingly, I strongly support Mr. Forby and request that all of you give him a resounding 'yes' vote on the Override Motion."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

O'Brien: "Representative Forby, in your legislation, are you leaving it up to the school and the instructor as to how they're going to instruct students on construction zones and that kind of thing or is there any mandate in this Bill

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about how they're supposed to do it?"

Forby: "Yes, it'll be up to the schools."

O'Brien: "Okay. And have you had any indication from either families or from schools in your district whether or not any of them are already offering instruction about this?"

Forby: "No, I haven't."

O'Brien: "Thank you. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Motion."

O'Brien: "To the Motion. In my legislative office, right after we adjourned, I was approached by a young man and his father who came to my office and he was 17 years old and he'd lost his driver's license for the mandatory, I believe, two-year period of time because he was speeding in a construction zone. And didn't know and hadn't been taught about the mandatory fines and that because he was under 21 how long his license could be taken away. And while I explained to them that I thought that it was probably a very good thing that that had happened to him, they said that they felt that one of the problems was that it wasn't taught in drivers' education. And while they knew, of course, that it was an offense to speed, that they didn't recognize the brevity (sic-gravity) of the situation and for somebody who... I personally lost four close friends who were killed in a construction zone accident this year in Illinois because a driver was going 78 miles an hour in a construction zone and plowed into the vehicle in front of him. I think that all of us need to recognize how serious this offense is and just how dangerous it is for anyone to be traveling at a high speed through a construction zone. It's dangerous for the construction worker, it's dangerous for the drivers and the passengers in the speeding vehicle and for those surrounding them.

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And I think that young people, especially, need to be taught how important this is so they carry the value of that throughout their life. And if it's not being taught in our schools already, as it is not in some schools in Kankakee County, then we need to tell schools how important we believe it to be. And I know from personal experience, having to attend four funerals of four very close friends, that it is very important. And I don't think we want to burden a youngster with being the cause of an accident like that and if we can stop one accident from happening, then I think that this legislation is important. Representative Forby, my hat's off to you for sponsoring this and I hope that the Governor certainly understands that we mean him no disrespect, but we should certainly all vote to override his Veto. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Saline, Representative Fowler."

Fowler: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

Fowler: "I stand very much in support of Representative Forby's Bill here. As many of you know, I've stated here many times, I spent 28 years with the Illinois State Police. I've seen what can happen in these construction zones. I've handled accidents where people have been killed and injured. And I think IDOT realizes the importance of this, too, because now as you go into these construction zones, IDOT has gone to great expense to put up these signs. They usually end up with a message like, 'please, drive slowly and protect my mommy or my daddy because they work here.' I think that's an indication from IDOT that we need to push further education on what can happen in these construction zones when we don't go into them with concern for the life

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and property of others. And I'm very much in support of the Representative's Bill."

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

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

Speaker Hartke: "Sponsor indicates he will yield."

Brosnahan: "Representative Forby, can you please tell us who is in support of this Bill... this Amendment?"

Forby: "The labor and AFS... AFL-CIO and I don't know of anybody that's against this Bill."

Brosnahan: "Okay. Representative Forby, I rise in support of your Motion. I think this is very necessary and of utmost importance. I think we hear every year about the unnecessary and tragic deaths of highway workers. Everyone talks about what a shame it is when we see... what can we do and I think that's what you're trying to accomplish with this piece of legislation. It simply provides that driver's education course instruction must include instruction on special hazards and safety precautions that must be observed at highway construction and maintenance zones and at emergency situations. Again, I think, the bottom line is what everyone's trying to do in this chamber, with all the support of this legislation are trying to do, is to save lives. And I think that's something you're trying to accomplish. Again, I commend you for that. And I would ask everyone to support your Motion. Thank you."

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

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

Speaker Hartke: "Sponsor indicates that he will yield."

Mitchell, J.: "Thank you. Representative Forby, my understanding



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of the Governor's Veto of this legislation is that he just feels like it's duplicative, that, in general, school districts are already talking to kids in drivers' ed on this very issue. Is that the gist of his objection?"

Forby: "I think that is his general suggestion, but I don't believe that's the right information on a working zone and for construction people."

Mitchell, J.: "Right and basically, what your legislation says is that kids need to know how important the safety in construction zones are. Ladies and Gentlemen of the House, to the Bill."

Speaker Hartke: "To the Bill."

Mitchell, J.: "On Interstate 88..."

Speaker Hartke: "Motion."

Mitchell, J.: "... in the last two months, we've had two fatalities and two very serious injuries. Some folks from downstate were up in my area, which I still consider upstate although you folks in the collar counties don't believe that, we had people that were not particularly speeding, but rather gawking and looking around and not paying attention. As a result, we had an IDOT engineer and a cohort both killed when they were hit by a minivan and this is in an area that's almost completion (sic-complete). We just about done with the highway work up there when this happened. A few weeks... about a week later, we had some strong winds, if you remember, and two gentlemen from the Rushville and Beardstown area were up by Sterling working on the interstate, trying to cover a new piece of concrete with plastic, when the wind caught the plastic, wrapped it around the two gentlemen and actually blew them in front of a truck that was going at a speed that was not exceptionally fast, but fast enough that he could not avoid

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hitting both of them. Now, they both survived, but the other two didn't. So, I think this legislation is very, very important. I don't care if it is duplicative. I think it can be said time and time again for all of us, no matter what age, we need to let everyone know how dangerous the construction areas are. I support this legislation and I appreciate the Representative for bringing it forward. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Randolph, Representative Reitz."

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

Speaker Hartke: "The Sponsor indicates that he will yield."

Reitz: "Representative, have you... has the Governor's Office... have they spoken with you on this Bill at all and told you why they vetoed this?"

Forby: "No, they haven't."

Reitz: "Did... Well, on that, do you know... do you have any reasons why? Do you have any idea why they would have..."

Forby: "No, I don't."

Reitz: "Okay. Well, I appreciate and I'm joined by Representative, a good friend, Representative McCarthy here in telling you what a good we... a good idea we think this Bill is. We have... we've had hearings earlier this year that Representative O'Brien's subcommittee chaired and a Bill came forth of that Representative Hoffman has sponsored to deal with this, to try to slow people down, increase the fines in construction zones. But the best place to start is the people who are getting their license, to trying to learn how to drive. And I think we have been remiss, as a state and a part of our education, for driver's education, to make sure that people are going to realize how important this is and how people are in danger

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and it's their workplace. I also think IDOT, in some of the testimony that we heard, are running good commercials with this. I think this goes a long way with that. I would think that IDOT would definitely support this proposal. So, appreciate the Bill. I think it's a good idea. And I appreciate everyone's support."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. I'd like to yield my time to Representative Brosnahan."

Speaker Hartke: "The Chair recognizes Representative Brosnahan. Chair recognizes Representative John Jones, the Gentleman from Jefferson County."

Jones, J.: "Thank you, Mr. Speaker. Previous question, please."

Speaker Hartke: "John, we gotta... just a couple more speakers. Would you withdraw the request? Would you please withdraw the request? Thank you. Representative Scully, the Gentleman from Cook is recognized."

Scully: "Thank you, Mr. Speaker and I also want to thank Representative Jones for receding on his Motion. Would the Sponsor yield to questions?"

Speaker Hartke: "Sponsor will yield to questions."

Scully: "Representative, first of all, I want to thank you for coming forward with this legislation to address the issue of safety in these construction zones and certainly, making this type of instruction part of the driver's education program is a very important step. During your analysis of this problem and this proposal, are there any additional steps that we can look to in the future to try to make construction zones safer?"

Forby: "Well, I think now that you see any... If you watch on TV and other place else, even Governor Ryan is running ads

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now, be careful in construction zones. I think with that and the education of our teenagers and our kids and I think that's where we're gonna see a difference down the road."

Scully: "Representative, the issue of making this a mandatory component of drivers' education programs certainly helps those new drivers who are going through drivers' education. But I'm wondering about the possibility of expanding some of the questions and the renewal process for driver's licenses to make sure that some of us older drivers, who did not receive that education 40 years ago, are also receiving proper instruction."

Forby: "I don't know. I think maybe you're a little old to go back to school and give you an education, but I think we could look into that."

Scully: "Thank you, Mr. Representative. I would stand in strong support of your legislation. I ask that all the other Members of this House support your proposal. And I look forward to working with you on additional ways that we can make construction zones safer not only for the workers in those zones, but for the drivers passing through them. Thank you."

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

Black: "Mr. Speaker, I've already spoken in debate, but I have an inquiry of the Chair."

Speaker Hartke: "That's what I thought."

Black: "An in..."

Speaker Hartke: "State your inquiry."

Black: "Yes. Is this the Gentleman's first Motion to Override a Veto? I haven't seen this much stalling since Teutopolis played Danville back in 1936."

Speaker Hartke: "Did we win?"

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Black: "I can't remember. I think it ended in a 0-0 tie, but it took a long time. Could we move on?"

Speaker Hartke: "Let me refer that question to Representative Forby."

Black: "Well, the pioneers got to the West Coast quicker than this."

Speaker Hartke: "How long did that take?"

Black: "It took a long time, about as long as it takes sometimes for notes to find their way through the mail process in these heightened days of security."

Speaker Hartke: "Apparently, we're gonna be here a while then."

Black: "Oh, well."

Speaker Hartke: "Representative Forby, would you like to answer Representative Black's question?"

Forby: "Yes. I think this will be the last one. I do appreciate... I've been a contractor the last 30 years and I've lucked out. I have not had anybody hurt on the road, but I have had people throw a stop sign down where the car has run over the stop sign. So, I've been one of the lucky contractors..."

Speaker Hartke: "Representative Forby, that wasn't the question. The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hartke: "We do have one speaker left. Representative Cross."

Cross: "I'm reading the rules that you prepared and a Motion for the previous question may be made at any time. A Motion for the previous question is not debatable. It requires the affirmative vote of 56 Members elected. I... So, House Rule 59(a). It... It appears that you're maybe just... and Representative Black alluded to this, maybe you're stalling. But I think... I've made the Motion and it's

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nondebatable, but can we move forward on it, Repr. .. Mr. Speaker?"

Speaker Hartke: "We do have just one more."

Cross: "Just one more."

Speaker Hartke: "Just one more and then I'll recognize you to make that Motion."

Cross: "All right. Thanks."

Speaker Hartke: "Okay. The Chair recognizes Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Would the Sponsor yield for a question, please?"

Forby: "No."

Speaker Hartke: "The Sponsor will yield for questions."

McGuire: "Okay. Representative Forby, as I understand this Bill and I think I understand it fairly well with all the testimony that's been going on in debate back and forth, we're talking about it traffic in construction zones."

Forby: "Yes."

McGuire: "As you know, I'm from the northern part of the state, up in the Joliet area and I would think that there's probably more highway construction in the Joliet-Will County area than almost anywhere in the state. So, therefore, I think that what you're proposing here is an excellent idea. And I think coming from an area where it would be of utmost importance, I certainly commend you on your Bill. Incidentally, on the way down here yesterday, I had a young gentleman pass me on the right in a construction zone and I just don't understand. I know sometimes they've got the State Police out there in construction zones and sometimes I've seen the State Police vehicle parked there, maybe no one in it, but it does help. But I think your topic is just so important. The people

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that are out there working on these roads, as you and I know as we pass by, they have to rely that we're gonna be careful because they're doing their job, they got their back to us, they're bent over, they're in a ditch, whatever the heck it might be and they're really in some great peril while they're out there fixing the road. So, I think you have an excellent Bill here and I would like to ask you if you would consider putting me on as a cosponsor and you don't have to answer right away, I'd like you to think about it a while. My names is McGuire, it's M-c, capital G-u-i-r-e and I would certainly appreciate it if you could put me on there as a cosponsor because highway safety is something very important to all of us. It's important to me, I'm on the highway a lot. I'm sure it's important to you and all our brothers and sisters on this House Floor. And I think it's very important to take care of those highway workers whether they're state employees or contract employees or volunteers. Some of those people I see out there are young women with the flag, they're not really doing construction work, heavy work, but they're out there on the job with the flag and they're in great peril. They're the ones that are trying to flag us out of the way, tell us to slow down or be careful or whatever it might be. I think it's very important to make sure that these people are properly protected and if they're not, I think there should be heavy fines and penalties for those who do endanger the lives of the workers on those highway construction jobs. I'd like to ask you if you have any questions of me before I sit down as to... It's M-c with a capital G-u-i-r-e and I would love to be a cosponsor on your Bill. Do you have any questions of me that you might like to..."

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Forby: "Yes."

McGuire: "We don't get to talk this much, Mr. Forby, because we're from different parts of the state. I'm from up in the Chicagoland area and you're from down in southern Illinois, so we don't get to talk that much particularly on the House Floor. So, I really do enjoy the opportunity to discuss things with you and as I say, if you have any questions that you'd like to ask of me, why..."

Forby: "Yes, how fast was you driving through that construction zone?"

McGuire: "How fast? I go 55, whatever the sign says. 45, 55, flashing red light, whatever it might be. Oh, I thought you said my age. Oh, I'm sorry. I just said my age. 45, yes."

Forby: "Thank you. I'd like to have you a cosponsor on my Bill."

McGuire: "Okay. You're sure you want to do that without thinking about it a little because, you know, sometimes... I certainly would appreciate it. Mr. Speaker, I want to thank you very much for the time and I've enjoyed it."

Speaker Hartke: "You're welcome. Representative Cross. Representative Forby to close."

Forby: "... an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 198 pass, the Veto of the Governor notwithstanding?' This Motion requires 71 votes. This is final action. All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion... This Motion, having received... On this Motion, there are 112 Members voting 'yes', 3 Members voting 'no', 0 voting 'present'. And this Motion, having received a Three-fifths Majority, prevails and House Bill 198 is



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declared passed. The Chair recognizes Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "Please state your point."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to draw your attention to the gallery where seated are four journalism students along with their instructor, Miss Cynthia Dahl. These folks are students of the Northwestern Journalism Technical School that's located in Sterling, Illinois. All of us on the House Floor and in the Senate really need for these folks to report facts properly and get their stories straight and Shaw Newspaper Industries really felt like they needed journalism students that can come out of training that will guarantee that we can do the job and do it right. They're accompanied with a senior reporter of the Sauk Valley Newspapers, Mr. Clark Kelly. I'd like for you all to welcome 'em to the House of Representatives."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 2935?"

Clerk Rossi: "House Bill 2935 has been read a second time, previously and was held on the Order of Second Reading, pending the filing of some fiscal notes. Those notes have now been filed."

Speaker Hartke: "Third Reading. House Bill 2935. Mr. Clerk, read the Bill."

Clerk Rossi: "... Bill 2935, a Bill for an Act in relation to unemployment insurance. Third Reading of this House Bill."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. As I indicated earlier, the Amendment, which was adopted earlier, becomes the Bill."

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This was debated extensively. I'm not going to reexplain the Bill, but if there are any remaining questions on the floor, I'll gladly attempt to respond to them."

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

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, I don't know if you have the answer to this, but maybe you can ask the Speaker of the House. What happened to the Agreed Bill process on unemployment insurance and workers' comp?"

McKeon: "Well, Representative, I suggest you refer that question to the Speaker."

Parke: "Could you ask the Speaker if he can re... if he could come out and answer that question because I'm not doing this rhetorically, but we've always, in the Labor Committee, have agreed that we would have an Agreed Bill process on workers' comp and unemployment issues and that we've always operated... well, not always, but for at least the last eight, ten years we've operated under that premise. And I would like to know why this is not part of the Agreed Bill process?"

McKeon: "Well, Representative Parke, this is a special circumstance that I felt, as chair of the committee, that we would not go through that process."

Parke: "So, you're telling us that in the opinion of whoever happens to be the chair at the given time that the Agreed Bill process is no longer in place?"

McKeon: "In this case, that was the opinion of the chair."

Parke: "So, it's just an arbitrary thing then, because the chair can do that at any time. Is that correct?"

McKeon: "No, it's not an arbitrary thing. I considered it, I

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made a decision and this is the result of my decision."

Parke: "Thank you. To the Bill. Ladies and Gentlemen..."

Speaker Hartke: "To the Bill."

Parke: "... we've operated in this chamber under the Bill... Agreed Bill process. This is not his responsibility to arbitrarily say because I happen to think this issue is more important than other issues in unemployment and workers' comp that I, under my own ability, simply ignore something that's been an ongoing process. I guess, now, what we can say is that the Agreed Bill process is no longer in place and that's very sad because we've always tried to work on a compromise rather than just trying to shove this down somebody's throat and so, I'm disappointed to hear that. But being that the Bill is something that is... has long-term effects, it does help solve problems for some people that really have needs, we'll recognize that. I think the concept here is valid; that there are people who have needs, but the Federal Government is also working on this legislation. At any given time, they could pass this legislation, they could make it so that it affects the State of Illinois. If we do this now, we may not be able to get reimbursed under whatever the agreement is in Congress; they're working on it. The President is going to make sure that his input's on it. I think it's our responsibility to wait. I also want to point out that we... the Sponsor has readily admitted that he doesn't know what this is gonna cost. We have no concept... how long, if we continue to do this, six months or eight months, before the workers' comp... I mean, excuse me, before the Unemployment Insurance Fund could run out of money. We don't know how long it is. When it runs out of money, even though the question was asked earlier in... when it was an

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Amendment, is there a tax increase in associate? Well, of course there's not a tax increase, but ultimately there could be a tax increase and ultimately if that fund goes under or not under, but if it goes in arrears, we have to then turn to the business community 'cause they are the only ones that pay into this fund. Only the business community of this state pays into the Unemployment Insurance Fund and they then will have to put more money in. At a time when we are in a recession and we now may ultimately, because nobody knows how long, if we extend these benefits, how long it will take before that fund could be in arrears. I understand the feeling of the Sponsor and those other Members that are cosponsors that they want to move quickly to help a need. I say this is something that should be deliberative. This is something that we should talk about under the Agreed Bill process. And I, for one, will vote 'present' on this because it's not something that I think we need to do immediately."

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

Davis, S.: "Yes. Thank you, Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Davis, S.: "You know, Ladies and Gentlemen, we shouldn't even be debating this Bill. This should be an easy vote for everybody in this chamber. You know, we don't have any problem in this state when it comes to coming up with money for the corporations in this state. We didn't have any problem coming up with \$40 million to bring Boeing to the State of Illinois. We don't have any problem coming up with hundreds of millions of dollars for football stadiums, for rich football owners in the State of Illinois. This should be undebatable. When the working people in the

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State of Illinois need our help, we should be there. These are mothers and fathers and sons and daughters. This is the working class in the State of Illinois and we should take care of 'em. We spend way too much time in this chamber taking care of the business community. Let's quit cryin' about the business community in the State of Illinois, let's put our money on the line for the working families in this state. Everybody in this chamber should vote 'yes' on this Bill and we should quit debating it. Let's cut to the chase, people."

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

McKeon: "Thank you, Mr. Speaker and thank you, Members of the Assembly. Mr. Speaker, I would like to clarify for the previous speaker on the other side of the aisle. The Agreed Bill process has not been abandoned. This is an exigent circumstance which we, as an Assembly, have to act and under those circumstances and those circumstances only, we've departed from the Agreed Bill process. Also, it was stated that I have no idea what this Bill was cost. We indicated what our low estimate was and IDES's high estimate was. This is why we've built this surplus; this is why the surplus exists. And I urge you to vote 'aye' for the working men and women and families in the State of Illinois."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2935?' 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2935, there were 78 Members voting 'yes', 32 Members voting 'no', and 4 Members voting

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'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 438, offered by Representative Monique Davis; House Resolution 439, offered by Representative Novak; House Resolution 440, offered by Representative Julie Curry; House Resolution 441, offered by Representative Monique Davis; House Resolution 442, offered by Representative Black; House Resolution 443, offered by Representative Black; House Resolution 444, offered by Representative Black; House Resolution 446, offered by Representative Stroger; House Resolution 447, offered by Representative Monique Davis; House Resolution 448, offered by Representative Lou Jones; House Resolution 449, offered by Representative Julie Curry; House Resolution 451, offered by Representative Granberg; House Resolution 452, offered by Representative Capparelli; House Resolution 453, offered by Representative Lou Jones; House Resolution 454, offered by Representative Black; House Resolution 455, offered by Representative O'Connor; House Resolution 458, offered by Representative Capparelli; House Resolution 459, offered by Representative Granberg; House Resolution 461, offered by Representative Capparelli; House Resolution 462, offered by Representative Poe; House Resolution 463, offered by Representative Bill Mitchell; House Resolution 464, offered by Representative Flowers; House Resolution 465, offered by Representative Wojcik; House Resolution 466, offered by Representative Black; House Resolution 467, offered by Representative Stephens; House Resolution 468, offered by Representative O'Connor; House Resolution 469, offered by Representative Julie Curry; House Resolution 470, offered by Representative Lou

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Jones; House Resolution 472, offered by Representative Currie; House Resolution 473, offered by Representative Currie; House Resolution 474, offered by Representative Joe Lyons; House Resolution 475, offered by Representative Novak; House Resolution 477, offered by Representative Novak; House Resolution 478, offered by Representative Dart; House Resolution 480, offered by Representative Osterman; House Resolution 481, offered by Representative Hoffman; House Resolution 482, offered by Representative Brady; House Resolution 483, offered by Representative Granberg; House Resolution 485, offered by Representative Black; House Resolution 486, offered by Representative McGuire; House Resolution 487, offered by Representative Hannig; House Resolution 488, offered by Representative Feigenholtz; House Resolution 489, offered by Representative Granberg; House Resolution 490, offered by Representative Granberg; House Resolution 491, offered by Representative Granberg; House Resolution 492, offered by Representative Hartke; House Resolution 493, offered by Representative Morrow; House Resolution 494, offered by Representative O'Connor; House Resolution 496, offered by Representative Dart; House Resolution 500, offered by Representative Burke; House Resolution 501, offered by Representative Brosnahan; House Resolution 502, offered by Representative Granberg; House Resolution 504, offered by Representative Lou Jones; House Resolution 505, offered by Representative Myers; House Resolution 506, offered by Representative Granberg; House Resolution 507, offered by Representative Brunsvold; House Resolution 508, offered by Representative O'Connor; House Resolution 509, offered by Representative Daniels; House Resolution 510, offered by Representative Novak; House Resolution 511, offered by

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Representative Novak; House Resolution 512, offered by Representative Zickus; House Resolution 513, offered by Representative Daniels."

Speaker Hartke: "You've 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. Representative Lang now moves the House stand adjourned 'til the hour of 11 a.m. on Thursday, November 15, allowing perfunctory time for the Clerk. 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."