

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

66th Legislative Day

5/28/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask you to turn off your cell phones, your computers, your pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Lee Crawford: "Before we pray we would like to... for you to keep our assistant doorkeeper, Paul Wirsing, in your prayers, who had bypass surgery. So, if you can be mindful of him as we pray. Most gracious and most sovereign King, Father we so humbly at this hour come before You with inviting hearts. We invite You to be our guide. We yield now to Your authority. Father, realize that we can do nothing without You. Our need for You at this moment is great, that's why we take our focus off of everything else at this moment and we lift our eyes unto the hills from which comes our help. For we know that our help, our strength, and our victory, it comes from You. This we pray and ask in Your Son's name, Amen."

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

Verschoore - 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. Mr. Bost."

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

Speaker Madigan: "Representative Currie. Currie."

Currie: "Thank you, Speaker. Please let the record show we have no excused absences to report today."

Speaker Madigan: "The Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Boland, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #5 to Senate Bill 428. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 324 and Motion to Concur with Senate Amendment #1 to House Bill 983. Representative McGuire, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 339, a Motion to Concur with Senate Amendment #1 to House Bill 771. Representative Brosnahan, Chairperson from the Committee on Consumer Protection, to which the following measure/s

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was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment 1 to House Bill 44 and Motion to Concur with Senate Amendment 2 to House Bill 2188. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 357 and Motion to Concur with Senate Amendment #1 to House Bill 761. Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment 2 to House Bill 536. Representative Howard, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' for Senate Bill 1649; recommends 'be adopted' House Resolution 348, House Joint Resolution 32, Motion to Concur with Senate Amendment #1 to House Bill 429 and Motion to Concur with Senate Amendment #1 to House Bill 703; recommends 'be adopted' as amended House Joint Resolution 34. Representative Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s

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was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 943. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Bill Motion to Concur with Senate Amendments 1 and 2 to House Bill 1475 and Motion to Concur with Senate Amendments 1 and 2 to House Bill 2317. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 51 and Motion to Concur with Senate Amendment #1 to House Bill 816. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #2 to House Bill 696 and Motion to Concur with Senate Amendments 1 and 2 to House Bill 3398; Representative Steve Davis, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003,

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reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 873 and Motion to Concur with Senate Amendment #1 to House Bill 3321. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 355 and Motion to Concur with Senate Amendment #1 to House Bill 556. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #3 to Senate Bill 417, Motion to Concur with Senate Amendment #2 to House Bill 784 and Motion to Concur with Senate Amendment #1 to House Bill 865. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House... to Senate Bill 1154, Motion to Concur with Senate Amendment #1 to House Bill 558, Motion to Concur with Senate Amendment #1 to House Bill 561, Motion to Concur with Senate Amendment #2 to House Bill 563, Motion to Concur with Senate Amendment #1 to House Bill 564, Motion to Concur with Senate Amendment #1 to House Bill 567, Motion to

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Concur with Senate Amendment #3 to House Bill 571, Motion to Concur with Senate Amendment #1 to House Bill 572, Motion to Concur with Senate Amendment #1 to House Bill 579, Motion to Concur with Senate Amendment #1 to House Bill 1237 and Motion to Concur with Senate Amendments 1 and 2 to House Bill 3091. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 359, Senate Joint Resolution 33, Floor Amendments 1, 2 and 3 to Senate Bill 878, Motion to Concur with Senate Amendment #1 to House Bill 1235 and Motion to Concur with Senate Amendment #1 to House Bill 3405. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' for Senate Bill 31, Senate Bill 35, Senate Bill 706 and Senate Bill 1949; 'do pass as amended Short Debate' for Senate Bill 823, Senate Bill 852, Senate Bill 1650, Senate Bill 1742 and Senate Bill 1848. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Wednesday, May 28, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' for Senate Bill 1865; recommends 'be adopted' House Resolution 305, House

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Resolution 345, Floor Amendment #1 to Senate Bill 2003, Motion to Concur with Senate Amendment #1 to House Bill 715, Motion to Concur with Senate Amendment #1 to House Bill 954, Motion to Concur with Senate Amendment #1 to House Bill 1032 and Motion to Concur with Senate Amendment #1 to House Bill 2848. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 1031. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendments 1 and 2 on House Bill 691, Motion to Concur with Senate Amendment 1 on House Bill 2553 and House Resolution 267. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' House Resolution 324 and Motion to Concur with Senate Amendment #1 to House Bill 983."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 1994? 1994."

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Clerk Rossi: "Senate Bill 1994 has been read a second time, previously. Committee Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration. The fiscal note that was requested on the Bill has been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Joyce, you are the Sponsor of Senate Bill 10. Do you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Mr. Flider, you're the Sponsor of Senate Bill 96. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 96, a Bill for an Act in relation to transportation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Flider, has been approved for consideration."

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

Flider: "Thank you, Mr. Speaker. The intent of Senate Bill 96 is to create the offense of aggravated DUI for individuals who cause the death of another individual in a vehicle accident where intoxication was the approximate cause of the accident. And the need for this legislation is that the Illinois Supreme Court had invalidated certain provisions which previously had been utilized by state's attorneys. House Amendment #2 is a... an Amendment that was suggested by the Cook County State's Attorney and it's a clarification Amendment and what it does is it changes the sentence for the offense of aggravated DUI from 3 to 13

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years and from 6 to 16 years of imprisonment with regard to an offender. And the purpose is to make the sentence equal to the sentence for reckless homicide and thus avoid a proportionality problem. This... the... And I would encourage your approval of Amendment #2."

Speaker Madigan: "The Gentleman moves the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Flider, has been approved for consideration."

Speaker Madigan: "Mr. Flider."

Flider: "Thank you, Mr. Speaker. House Amendment #3 is simply a textual... a technical Amendment in that it fixes a problem with truth-in-sentencing by altering all of the sections that are required to be subject to the offense of truth-in-sentencing. I'd encourage your adoption."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Molaro, did you wish to move 153? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 153, a Bill for an Act in relation to local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have

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been filed. Floor Amendment #2, offered by Representative Colvin, has been approved for consideration."

Speaker Madigan: "Mr. Molaro."

Molaro: "Thank you. I see Representative Colvin is in the chamber at his chair. He put on this Amendment without telling me upfront, but I forgave him and I allowed him to proceed with his Amendment. But, however, I'm gonna let him explain his Amendment if that... if the Chair will allow that. Representative Colvin, are you ready, Sir? Why don't you put your light on, Sir and may be the..."

Colvin: "The Amendment to Senate Bill #2 essentially does two things. One, it provides that community colleges be treated as municipalities, so they would be subject to the provisions of the Public Building Commissions Act. In addition, it deals with bond... excuse me, I'm sorry. It deals with bid limit increases. In other words, it would allow for city colleges to, excuse me, those who are subject to the Public Building Commission to raise their bidding limit increases from \$5 thousand to 25 thousand."

Speaker Madigan: "Mr. Colvin moves for the adoption of the Amendment. And on that question, the Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields. Sponsor of the Amendment yield."

Parke: "Now, your first Amendment changes the way community colleges are viewed, in what way?"

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Colvin: "No, what it does is it allows that the provisions under the Public Building Commissions Act to cover community colleges, as well. In other words, so community colleges are asked to be treated as municipalities the same way court houses and those other entities that are covered under the Public Building Commissions Act."

Parke: "Can you give us an example of why this is necessary? What is wrong and needs to be corrected with this Amendment?"

Colvin: "I don't think there's anything that's wrong, in fact I should say that this Amendment becomes the Bill, so what I just explained becomes the entirety of the Bill."

Parke: "Mr. Speaker, I cannot hear the Gentleman's comments."

Speaker Madigan: "Ladies and Gentlemen, if we could give our attention to Mr. Colvin and Mr. Parke. Mr. Colvin."

Colvin: "What I was saying was, the Amendment becomes the Bill, so the two provisions I laid out becomes the on... the essence of the entire Bill. But for city colleges what it would eventually do would help to extend bonding authority those... to those entities, as well, and any other effects of the Public Building Commissions Act would be subject to community colleges. This was an initiative of the Chicago City colleges which will give them another way perhaps somewhere in the future to raise additional funds, but it would only be done through... you'd have to ask permission of the voters, number one and number two, the bond limit increases from 5 thousand to 25 thousand. Excuse me,

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Representative Parke, it would be done through a referendum for that bonding authority."

Parke: "Well, do you have any estimate of what this will cost and who will pay for this shifting of status?"

Colvin: "There is no... there is nothing to be paid, all they are simply asking is to be treated under the provisions of... all they're asking is to be treated under provisions of the Public Building Commissions Act. So, in other words, that Act would just be extending to city colleges."

Parke: "Well, now you've mentioned city colleges and you've mentioned community colleges. Does this only apply to Chicago city colleges and Chicago community colleges?"

Colvin: "No, Sir."

Parke: "It applies evenly throughout the State of Illinois?"

Colvin: "Yes."

Parke: "To all community colleges?"

Colvin: "Yes."

Parke: "Now, I do not see that the community colleges have weighed in on this Amendment. Do you know how they stand on it?"

Colvin: "They're in support of the Bill."

Parke: "Do you know if there is anybody in opposition to your legislation?"

Colvin: "No one has come to my knowledge... no one has come forward in opposition."

Parke: "Well, it says here that it provides in the definition of municipal corporation does include a community college district, a school district, and a Board of Education of a

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school district, now includes only in those counties of three million or more. So, you're saying it wa... they originally applied to the City of Chicago colleges only and now we wanna expand it to all community colleges?"

Colvin: "I believe that's the intent."

Parke: "Well, it... now, it also says that it changes the contracts through competitive bidding from 5 thousand to 25 thousand."

Colvin: "That's..."

Parke: "Is that in there?"

Colvin: "That's correct. And that's what I was referring to when I said the bond limit increases. Excuse me, bidding limit increases."

Parke: "Right. So it's not... so it's not competitively bid, the board can just out of hand say that we can give this to... from 5 thousand to 25 thousand that they don't have to competitively bid it. Is that your understanding?"

Colvin: "Anything below the \$25 thousand threshold and the purpose which is not new, given that it has been a very long time and I'm not gonna say how long, but it's been a long time since that... that issue has been revisited. So, for a lot of smaller contracts, dealing with construction, we're talking about construction and improvements to physical structures, which routinely surpass that amount would give them a little more flexibility and probably cut down on a lot of that administrative paperwork, as well."

Parke: "Do you know if that threshold has been raised in other areas from 5 thousand to 25 thousand, other areas of

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competitively bidding on other kinds of contracts throughout the state?"

Colvin: "Can you repeat that? I couldn't..."

Parke: "Yeah, you said that it's..."

Colvin: "I think I... I think I understood what you said."

Parke: "You said that it's done. Well, where else is it done? Where is it now..."

Colvin: "What I said, that it has been done. The Water Reclamation District as recently dated as last year right here in this chamber and there have been other entities of government that have asked for the same authority to raise the bond limit, excuse me, bidding thresholds to deal with cost of inflation and adjustments and so forth of that nature."

Parke: "Well, what was the... I noticed that it passed 13-6. So there was controversy on this... on this Amendment, it was not... it did not have smooth sailing. Do you know what the objections were in committee on this?"

Colvin: "The objections and I'm not trying to mislead you or what have you, but I couldn't honestly tell you. There were questions along the same line that you raised. I believe the objections came from Members of the committee on your side of the aisle, but I couldn't tell you in verse what they were."

Parke: "Okay. Well, Ladies and Gentlemen, to the Bill. There obviously is some concern about Floor Amendment 2 and so therefore I'm not sure that this is the way we wanna do it and I would ask the Members to consider this Amendment and

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whether or not it makes the Bill better or worse. You did say that... they did say the community college system is in support of this and that it applies to all of the community colleges throughout the state. Thank you, Representative."

Colvin: "Representative, again I just would like to remind you that this was brought forth at that request... at their request."

Speaker Madigan: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I'd like to know if this Bill has the approval of Joliet Junior College? Is this the Bill that deals with the bookstore issue that they had up there? And is this the one that both Representative McGuire and I have been approached by the community college to be aware of?"

Colvin: "Can you repeat that? I didn't hear the first part, you said something about a bookstore."

Kosel: "I'm looking at what... what the effect of this Amendment would have on the selling of books within community colleges..."

Colvin: "I'm not..."

Kosel: "...and their status of doing that now and if this would specifically effect Joliet Junior College in Joliet, Illinois."

Colvin: "I don't think this Bill has an impact on the issue and I vaguely remember the issue of the bookstore, but I don't think this Bill and what they're trying to accomplish here impacts that issue. I don't know if we're talking about apples and oranges here."

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Kosel: "Thank you."

Speaker Madigan: "Question is on the Amendment. Those in favor of the Amendment say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note has been requested on the Bill as amended and that note has not been filed."

Speaker Madigan: "So leave the Bill on the Order of Second Reading. Senate Bill 157, Mr. Hassert. Gentleman indicates he does not wish to call the Bill. Mr. Osterman, do you wish to call 173? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 173 has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Mr. Osterman."

Osterman: "Request the favorable vote on Amendment #1 and #2 dealing with the automated traffic light signals."

Speaker Madigan: "Mr. Osterman, the Clerk advises that Amendments #1 and 2 were adopted in the committee. Now, are there any further Amendments?"

Clerk Rossi: "No further Floor Amendments have been approved for consideration."

Speaker Madigan: "So, Mr. Osterman, shall we put the Bill on Third Reading. Mr. Clerk, put the on the Order of Third Reading. Representative Nekritz, you do not wish to call

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275? Leave it on Second Reading? Thank you. Mr. Giles. Mr. Giles, you're the Sponsor of Senate Bill 206, which is concerned with schools. Did you wish to call the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 206, a Bill for an Act regarding schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Daniels, you're the Sponsor of Senate Bill 871, concerned with state finance. Move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 871, a Bill for an Act to amend the State Finance Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Colvin, you are the Sponsor of Senate Bill 945. Mr. Colvin, you are the Sponsor of Senate Bill 945, concerned with criminal procedure. Do you wish to move the Bill? Gentleman indicates he does not wish to move the Bill. Mr. Osterman, Senate Bill 947. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 947 has been a second time, previously. Amendments 1, 2, and 4 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

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Speaker Madigan: "Put the Bill on the Order of Third Reading.

Mr. Osterman, did you wish to call the Bill today? Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 947, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before you today Senate Bill 947 which requires criminal background checks for nonlicensed dealers at gun shows. This Bill is subsequently different from a previous Bill before you, Senate Bill... or House Bill 2356. This Bill would require the State Police to set up a system to check background checks for potential purchasers of guns at a gun show. It shall establish the process for the checks State... will be conducted by State Police. State Police will also develop forms to be filled out by purchasers of firearms and those forms will be kept by the owners of the firearms or owners of the... seller of the firearm. It also requires State Police shall conduct background checks consistent with State and Federal Law under the time frame established by State and Federal Law and give approval or denial to the seller. It will require that the seller of the firearm complete a form that shall be given to the purchaser of the... seller of the firearm shall have the buyer complete a form, they shall request from State Police through a dial-up system that a background check is done on the seller... the purchaser of the firearm. And they shall, before they sell the firearm, receive approval or denial from the State Police. They'll

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also require that they shall keep those forms for 10 years. Also requires that gun show promoters shall provide forms to those individuals that are selling firearms and post the laws there. It also makes clear that the sellers and the purchasers shall comply with all current State and Federal Law. What this Bill does is allow for criminal background checks for individuals that are selling firearms at gun shows, which currently is not done. Currently there are individuals selling guns sitting next to the federal licensed dealers and those dealers are required to conduct background checks, the nonlicensed dealer is not required to. What this Bill does not do, it does not require that someone selling a firearm at a gun show transfer that gun to a federal licensed dealer to conduct a background check, which was what was done previously. What this does not do is provide a sales tax on the sale of firearms. This Bill has been amended several times. Listening to the concerns raised by Members of this Body in trying to address lawabiding citizens that are selling or are purchasing firearms at gun shows. What this Bill also addresses what a scope of the gun show is and that is to be an event where there are three or more vendors or an event where there are 25 or more guns that are being sold. Ladies and Gentlemen of the House, what this Bill will do is allow for State Police to conduct criminal background checks at gun shows on nonlicensed dealers. The need for that is that there are people besides lawabiding citizens that frequent these events and are circumventing the law and the national

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background check to purchase firearms and what we wanna try to do is to insure any person with firearm at a gun show goes through an instant background check. And I would ask for an 'aye' vote and I'm willing to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. And the Chair recognizes Mr. Phelps."

Phelps: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Phelps: "Representative, your Bill requires compliance with Section 922 (t) of the Gun Control Act of 1968. Correct?"

Osterman: "That's correct."

Phelps: "Section 922 (t) (a) states that before the completion of a transfer the licensee contacts the National Instant Criminal Background Check System. So, your Bill still requires the use of federal licensee to conduct background checks, doesn't it?"

Osterman: "Actually, Representative, the intent of that section is simple and I'd like... I'm glad you brought that up, 'cause I want to convey that to the Body. Currently, federal licen... in the State of Illinois there are holding periods for long guns, which is 24 hours and which is 72 hours for a handgun. State Police is required to conduct background checks in those time frames to release those guns. However, under Federal Statute which you referenced and what is in the Bill, State Police can extend that to three working days to complete the background check. What we wanna have is uniformity in the Federal Law and the State Law so that someone that is selling a firearm knows

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that they have to be in compliance. What we also want, Representative Phelps, is State Police to have that ability, that in those very rare situations that they need up to three days to complete a firearm check, a criminal background check, they're able to do that. And I wanna add, Representative Phelps, that over the last two years when there's been over 300 thousand checks done through the National Background Check System that six times, Ladies and Gentlemen, six times has it taken the State of Illinois, State Police three days to do that. That is why that provision is in there, to be uniform. That is why we wanna have that in there, Representative."

Phelps: "So, Representative, in all due respect, your Bill still requires the federal licensee to conduct these background checks."

Osterman: "That's not the intent, Representative. Under the Bill it would require that the State Police... someone who is a nonlicensed dealer, they would request the check to be completed by State Police. So, that is the intent and that's the way I read the Bill, Representative."

Phelps: "I still don't understand..."

Osterman: "The provision... the intent of the provision in there speaks only to the issue of the three days. So, that is what the intent of having that measure in there is, Representative."

Phelps: "Okay. But I still don't understand how you get around the language of 922 (t), which your Bill requires people to

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follow. The Federal Law clearly requires a federal gun dealer to make that inquiry where you describe."

Osterman: "Again, Representative, I'll read this to you. 'However, if the prov... approval or denial is not provided in accordance with the Brady Handgun Violence Act or Section 24 of the Illinois Criminal Code the transfer may proceed.' That language speaks to the three day business day waiting period. And that is the intent of what we're trying to get at by putting that measure in there, Representative."

Phelps: "Okay, so we agree that there's a... for handguns there's a 72-hour waiting period, we agree that for rifles and shotguns there is a 24-hour waiting period."

Osterman: "Yes."

Phelps: "Well here's the problem I have with that. Your Bill by requiring compliance with the Federal Law of 922 (t) you do and I do agree three business days. So actually, you're going to extend the waiting period on these sales because you said three business days. So, let's take for example, if I buy a firearm on a... fill out the paperwork on a Wednesday, Thursday is the first business day, Friday is the second business day and then Saturday, Sunday and in case of a holiday, Monday, you're talking another waiting period of five or six days."

Osterman: "Representative, I'd like to be very clear. The current system right now is an automated system with live bodies that are there. The background checks that are done are done instantaneously. If you were to leave here

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today, go to a gun show and buy a gun from a licensed dealer, he is gonna pick up the phone, make a phone call to State Police and through an automated system that check will be done right then, right there. Eighty percent of the time I would say most of these are done within minutes, if they take longer they take within an hour or two. And as I said earlier in my remarks, six times, Representative, six times in the last two years, 300 thousand checks that were done, six times did it take that long. So, it's not the intent of the Sponsor, me, or State Police to drag this on. We wanna make sure that a lawabiding citizen and the person selling the gun, if you wanna sell some guns that you inherited or were given to you, you could go to a gun show, sell those, but first you'd be required to conduct a background check. Those checks would be done instantaneously. It would happen right then and there over the phone. The only time that they would drag on would be if State Police needed information to clarify who the seller is and if he is legally bound by State and Federal Law to buy the gun. But we agree, Representative Osterman, we agree that it do... it could extend the waiting period? If there was someone who... if there was someone with a similar name to you on a similar block that had a criminal background and you went to buy a gun and they checked your FOID card and the other person who had a criminal background came up, that might take an extended period of time. But, Representative, six times in three hundred thousand checks is minuscule, I think and they only do that

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when they have to provide and make sure that they are not selling a gun or releasing a gun to be sold to someone who is a criminal. So, they try to do this in a very quick time frame, I think that they... they work hard to get that done. And that was... is what the intent. So, that's the only time that I would see this being extended. It's not something to drag on so that we cannot... that lawabiding citizens cannot purchase firearms."

Phelps: "Representative, your Bill requires that the State Police to develop a form that is used in these transactions, is that correct?"

Osterman: "That's correct."

Phelps: "So, why should someone who loses that form or if the gun show promoter runs out of them, then why should they face spending between one and seven years facing jail time for their failing to fill out this piece of paper?"

Osterman: "I'm glad you answered or asked me that question, too, Representative. Under State Law right now a nonlicensed dealer, the average person who wants to sell a firearm is required to keep a copy of the receipt. That receipt can be on the back of this Bill, it could be on a matchbook cover, it could be on anything that's there. State Police is gonna draft a basic form with some basic information that's gonna be kept by the seller of the gun. The importance of that is this, when State Police conducts the background check they will grant an approval number, a denial number, or a transaction number while they complete that transaction. That is important, Representative, so

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that you know as a seller of the gun that you got an approval number that was granted by State Police that said that the se... the person buying the gun from you, that that individual was found by State Police to legally to able to pur... to buy that gun, so that you don't get in trouble down the road if someone previously had a criminal background and you got a clearance from the State Police. So, that's why it's important, that approval number will be on the form."

Phelps: "I guess I just would... I guess I'd just feel better if we had some language in there that, ya know, describes what you said but your Bill says though, in all fairness, that if you lose the form you still could face up one to seven years in jail..."

Osterman: "Representative..."

Phelps: "...just by losing the form."

Osterman: "...right... right... right now though, if you are a seller of a firearm, you sell me a gun or someone else, Representative Brun... former Representative Brunsvold, you sell him a gun. You're required to keep a copy of that receipt. Now if you go home and your dog eats it or you lose it or you move and something happened to it, you're still bound by current State Law to produce that receipt. It doesn't say, ya know, there's no provision in the law now saying your dog ate it or ya know you moved and something happened to the form. All we're trying to say is we want a uniform form and the form is needed so an approval or denial number could be put onto that form. So,

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that's the intent and let me go one other step if may, Representative. I would think that if you, a seller of a gun or someone who is someone who is not a licensed dealer but may trade in guns or things like that, on the form there might be language including what the law is, which I would think could be helpful to you so that you know what the statute is. So, I would think that this would be something that you would want so that you knew that you were in compliance of the law and you knew to keep the form."

Phelps: "Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Phelps: "Members of the House, I strongly rise in opposition of this Bill. Number one, there's no good reason to increase the waiting period from 24 hours to... to could... perhaps be six days for the private sale of a rifle or for a shotgun. Number two, there's no good reason for the waiting period of a handgun from 72 hours to a possible six days, on the private sale of a handgun. Number three, the Bill according to Federal Law cited, still requires the use of a dealer to conduct the part of the sale. And lastly, if lawabiding citizens complies with all these regulations they still could face one to seven years in jail for losing a form. And Mr. Speaker, if this Bill receives a Majority Vote I seek verification."

Speaker Novak: "Representative Novak in the Chair. Further discussion? The Gentleman from Randolph, Mr. Reitz."

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

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Speaker Novak: "Sponsor yields."

Reitz: "Representative, does this Bill... does this affect everything and does it preempt Home Rule, basically I guess is the question I'm getting to?"

Osterman: "I'm not a lawyer or the Clerk, but my understanding was that it did not preempt Home Rule."

Reitz: "So it doesn't, so I guess for the record if a Home Rule community decides that they do not like this legislation and they pass an ordinance that says that they don't have to comply with this then that... that community would not be... this law would not be applicable to that community if it does not preempt Home Rule?"

Osterman: "I don't know what Home Rule would wanna do that, but..."

Reitz: "But if they, I mean, just in case they do."

Osterman: "I'm not sure, Representative, we'd have to direct that to the Clerk."

Reitz: "Well, in your... I guess in your estimation then of the Bill does it... if a community such as Carbondale or Kankakee or whatever Home Rule communities, if they would not like their gun shows that they have within their communities to be... this law to be applicable to them, is it in your estimation, does this law apply to them if they pass a Resolution that says that they can have their own gun shows and they don't have to register these?"

Osterman: "Possibly they could, Representative, but I'll again... I'll defer to the Clerk on that."

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Reitz: "Well, I guess then could... Mr. Speaker, ruling from the Chair, could you check with the Parliamentarian and see if this is..."

Speaker Novak: "What is your inquiry, Mr. Reitz?"

Reitz: "Whether this preempts Home Rule and the requisite number of votes for this piece of legislation?"

Speaker Novak: "We will confer with the Parliamentarian and get back to you as soon as possible."

Reitz: "Can you not do that on your own? They deserted you. Oh, here he comes."

Speaker Novak: "The Parliamentarian is on the podium."

Reitz: "I'm kinda like 0 for three or four this year, but I have faith in the Parliamentarian. To the Bill. I guess... Well, I do have one more question of the Sponsor if he would yield. Does this affect all firearms, Representative? I mean, not only... this is not only handguns, this is all firearms, shotguns, sporting.. guns that are normally used for sporting events."

Osterman: "Semiautomatic weapons that are legally covered, yes, it would include all firearms."

Reitz: "Okay, well, I... To the Bill. I appreciate the effort that Representative Osterman has made... Osterman has made to try and work this out and make this more, I guess more easy for the people that are going to go to gun shows and try to do what he wants to... the purpose that he has for this Bill. But I still think it gets back to the bottom line that we have, if we enforce our current laws that are on the books we could take care of the gun problems that we have here."

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The City of Chicago already has laws that prohibit... carrying guns that prohibit the use of guns in an illegal manner. If we take care of the people that have guns and use those for an illegal purpose I think that would take care of all our problems. And I'd appreciate a 'no' vote. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Lake, Mr. Washington."

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

Speaker Novak: "Sponsor yields."

Washington: "Representative, I just have a question and I think in this particular case we have more in common than we differ as to the intent and the motive of dealing with guns of any kind, in the city in particular. But I... I guess I'm kinda lost because there's a part of me that understands those that use guns for recreational activity and I do believe that the constitutional right to carry arms is one that I don't wanna see ever change unless there's a real valid reason. So, trying to balance out the needs of the so-called urban area versus the needs of other people, can you... can you... can you give me a little distinct difference why that not... why we are not able to reach a little more harmony when we're dealing with the gun issue?"

Osterman: "Representative Washington, I have done my best to reach out and provide harmony as best I can. I've talked to the staunchest sportsmen in this Body. I've asked for input from a lot of different people. I don't see that this Bill affects the constitutional rights of anyone in

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purchasing a firearm or selling a firearm. Okay? I'm not trying to infringe upon that. All I'm trying to do is at gun shows in Illinois and specifically gun shows and not personal sales, we wanna conduct criminal background checks. Gun shows are advertised on the Internet, they're advertised in newspapers, lawabiding citizens, families, people have told me about their families that come to these things, go to those. However, there's not a uniform code for doing background checks so criminals can go and try to circumvent the law to get a gun at a gun show. All we wanna do and my main focus of this Representative, is to provide criminal background checks for individuals buying guns at gun shows. I don't think that any Member of this Body should have a problem with conducting criminal background checks. Since the criminal background check system has gone into effect tens of thousands of criminals have been prevented from purchasing firearms. I see that as a goal that is common with me from the City of Chicago and should be common with every person in this Body. I don't know that one person's gonna get up and say we... ya know, we think that criminal background checks are a bad thing and we don't want... ya know, we wanna prevent someone from doing a background check. So, I think that this is something that people from both sides of the aisle, from both parts of the sta... all parts of the State of Illinois can agree on one thing, and that's that we want criminal background checks to be conducted. Gun shows in the past have been shown to be high volume and we wanna try it just

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for that. So, I think this is a positive step in the right direction."

Washington: "Representative, I hope this is not a... not a kind of a crazy question. Can you give me an explanation of your understanding as to the other point of view, because I thought I heard... I thought I heard that you say in this legislation and I thought I heard my colleagues, Representative Phelps, mention that there would be an expanded time of wait. And I can't... and I was trying to rationalize what he was saying versus how you responded and trying to come to grip, what's wrong with an extra day to try to prevent the preventable and at the same time allowing those who use firearms for recreational purposes continue to do so. Can you give me your spin on what you understood that to be?"

Osterman: "It's... it's twofold. One is that, the person selling the guns, we wanna make sure that they are aware of what the Federal law is as well as what the State Law is. Also, we wanna give the State Police the ability, that rare, rare, rare ability that if there's a problem with doing the background check and ensuring that the person buying the gun is not a criminal or is not prevented under State or Federal Law from buying a gun, we wanna give them the ability to take that extra time. In the last two years though, and I wanna stress this, twic... or six times in the last two years after 300 thousand checks were done did it go to the three-day waiting period. So, it's not my intent, it's not State Police and I've had many

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conversations that they're gonna string along buyers of firearms, this is done instantaneously over the phone. The only time that it takes extended amount of time, if they have to clarify an issue on who the individual seller is or they have to check records. There might be times when a warrant was out and the individual with a warrant was against... went in and legally got that warrant taken off. That might be a case where it shows up on the system, but there needs to be a clarification. That's one example, there are other examples, but this just gives only in those rare instances a time that they can look to extend the... the background check."

Washington: "Recently, in the Chicago papers, about two weeks ago, I think a former cop or ex-cop, I think they found maybe like 400 guns in his possession. Do you think that if this legislation had been in effect would that have been a different outcome with that officer's... former officer's accessibility to have that many guns in one place?"

Osterman: "In all honesty, Representative, I can't say yes or no, I mean, that depends on a couple things, that depends on when he bought those guns, that depends on where he bought those guns, and how he attained those guns. But in a... in a situation where... there was another situation where a young girl, Ashley Pool, on Easter Sunday, was shot and the individual who sold her those guns, some of those guns he bought from a gun dealer. There's other guns that are unaccounted for and how he bought those guns. Through the court process we'll find out. He may have sought to get

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those guns at a gun show, but I don't know. But the goal, Representative, is to make sure that in the future, that if this Bill becomes a law, in the future that criminals will not look to circumvent the law by going to a gun show to get a gun. And all we wanna do is make sure the background check is done."

Washington: "To the Bill, Mr. Speaker. Thank you, Sponsor."

Speaker Novak: "To the Bill."

Washington: "Mr. Speaker, I really wanna grasp the concept of this Bill, because... and the different sides of it, because it comes up quite often and I'm really open-minded to get a good education for those who use weapons for recreational purposes. But I really haven't heard an argument made on the other side of the issue that really kinda defeats the request that there's an expanded time in terms of checks and balances for those who are selling guns. And if there is anybody who can give a little more clarity here I would love to hear it. Thank you."

Speaker Novak: "Mr. Uhe, for a statement."

Parliamentarian Uhe: "Representative Reitz, on behalf of the Speaker, in response to your inquiry, Senate Bill 947 does not preempt Home Rule powers and will require 60 votes."

Speaker Novak: "Are you satisfied, Mr. Uhe? I mean, I'm sorry, Mr. Reitz? Okay. Further discussion? The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker. To the Bill. I wanna commend the Sponsor on this Bill. He has worked very hard to answer all of the questions and inquiries done to... asked of

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him of this Bill. He's complied with, jumped through every hoop, talked and worked with every Member of this chamber who had some questions and concerns, lobbyists as well. The Gentleman has repeatedly said it's only six times that there has been a delay in the process at a gun show, six times out of three hundred (sic-thousand) and some times. I think he has worked very hard to produce a... an Agreed Bill that we all here should be for to make sure that no criminal is buying guns. I mean he has worked very hard and for the questions to continue to come up repeatedly and you know the things that he has put forward, reducing fees, everything that you complained about, he made an effort, all the Amendments, he made an effort to go to it and bring this Bill and make it a piece of work that everyone in this room should be able to vote an 'aye' on it. So, it's really annoying to sit here and watch the game play out and people don't fully understand what's going on or they understand or they just need to get on record saying something. I a... I urge everyone to vote 'aye' on this Bill. It's a simple measure. It does not extend the waiting period, he said six times out of a period... six times out of three hundred and some incidents. So, I urge you all to vote 'aye' on the Bill. Vote 'aye'."

Speaker Novak: "Thank you. Mr. Osterman to close."

Osterman: "Ladies and Gentlemen of the House, this Bill has been a work in progress since the opening days of Session and I have worked with Members of this Body to address a lot of issues, costs of selling the firearms, costs of

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possible transfers. In this Bill, as it is before us today, there is a two dollar fee that would be included. Two dollars is what is charged to a licensed dealer right now to conduct a background check, two dollars would be required of a nonlicensed dealer. That's two dollars. I do not find that to be a... an overwhelming burden on someone. And we wanna do this why, to make sure that the individuals that are purchasing firearms are not criminals or not prevented for whatever reason under State and Federal Law from purchasing firearms. Many times in this Body there have been people that got up and spoke about enforcing the present laws, well, Ladies and Gentlemen, throughout the State of Illinois law enforcement, state's attorneys are prosecuting the laws to the fullest of their ability. Our jails are burgeoning with more and more criminals that are bring arrested. In the City of Chicago, the Federal Government is working with county and city.. local officials to go after criminals that are transferring guns, selling guns illegally with the harshest of penalties. So, work is being done in that effort. This is a measure that does a basic thing, it requires criminal background checks at gun shows. Ladies and Gentlemen, I would be happy to get two outcomes if this Bill gets signed by the Governor. The first outcome, is two years from now to have someone who's an opponent of this Bill today come to me and say, Representative, over the last two years there has been 20 thousand checks from nonlicensed dealers at gun shows and of those 20 thousand checks there has not

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been one criminal, one person that should not have been able to buy a gun that has gone through that the police have stopped. I would accept that outcome, as would every Member of this Body. But a more likely outcome is this, if this Bill is signed into law and goes into effect, the more likely outcome is we are gonna find that, yes, in fact, gun shows in Illinois, there are people that should not be buying guns. There are people that should not under State and Federal Law... possessing guns. And that is what we're trying to get at we're trying to prevent those individuals from purchasing firearms. That is something that I think that every Member of this Body should be able to accept, something that we should all be vigilant and strive for, keeping guns out of criminals' hands. And I would ask for an 'aye' vote."

Speaker Novak: "Thank you. The question is, 'Shall Senate Bill 947 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ms. Kurtz. Mr. Clerk, take the record. There has been a... there has been a request for a verification by Mr. Phelps. Will all Members please be in their chairs. All Members please be in their chairs. Mr. Clerk, Poll the Affirmatives."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Aguilar; Bailey; Berrios; Bradley; Brosnahan; Burke; Capparelli; Chapa LaVia; Collins; Colvin; Coulson; Currie; Monique Davis; Will Davis; Delgado; Dunkin;

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Feigenholtz; Flowers; Fritchey; Froehlich; Giles; Graham; Hamos; Hoffman; Howard; Jakobsson; Jefferson; Lou Jones; Joyce; Kelly; Krause; Lang; Lindner; Eileen Lyons; Joseph Lyons; Mathias; May; McAuliffe; McCarthy; McGuire; McKeon; Mendoza; Miller; Millner; Molaro; Morrow; Mulligan; Munson; Nekritz; Osterman; Pihos; Rita; Ryg; Scully; Slone; Soto; Turner; Washington; Yarbrough; Younge, and Mr. Speaker."

Speaker Novak: "Mr. Phelps, there's a request for verification to be verified. Representative Graham."

Phelps: "Representative Aguilar."

Speaker Novak: "Representative Aguilar. Is Representative Aguilar in the chambers? He's in the back."

Phelps: "Representative Acevedo."

Speaker Novak: "Mr. Acevedo. Mr. Acevedo in the chambers? Remove Mr. Acevedo."

Phelps: "Representative Giles, ah, he's there. Okay."

Speaker Novak: "Representative Giles is by his..."

Phelps: "Representative Saviano."

Speaker Novak: "Representative Saviano."

Phelps: "Oh, I'm sorry. Representative Rita."

Speaker Novak: "Representative Rita is by his chair."

Phelps: "Representative Bailey. She's in her chair. Representative Slone."

Speaker Novak: "Representative... Excuse me, Mr. Phelps, excuse me. Representative Acevedo is in the chambers. Put... return him to the roll."

Phelps: "Representative Slone."

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Speaker Novak: "Representative Slone. Is Representative Slone in the chambers? Remove Representative Slone."

Phelps: "Representative Froehlich."

Speaker Novak: "Representative Froehlich. Is Representative Froehlich in the chambers? Remove Representative Froehlich."

Phelps: "Representative Chapa LaVia."

Speaker Novak: "She is in her chair, Sir."

Phelps: "I see her, sorry. Representative Joyce."

Speaker Novak: Representative Kevin Joyce is in front of the chamber."

Phelps: "Representative Dunkin's here I believe. Representative Lou Jones, she's here. There's Lou."

Speaker Novak: "Any further questions?"

Phelps: "Guess that's it. No, thank you, Mr. Speaker."

Speaker Novak: "Mr. Clerk, take the record. On this question, there are 60 voting... Representative Kurtz."

Kurtz: "Mr. Speaker, I wanna change my vote from 'no' to 'yes'."

Speaker Novak: "Your... House Rules do not allow you changing your vote from 'no' to 'yes'. Mr. Clerk, take the record. On this question, there are 60 voting 'yes', 51 voting 'no', 4 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 947 is hereby declared passed. We're going to Senate Bills - Second Reading. Senate Bill 153. Mr. Clerk, read the Bill, please. Mr. Parke, excuse me. Mr. Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. Inquiry of the Chair."

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Speaker Novak: "State your inquiry."

Parke: "The Lady still has the opportunity to ask to have her vote recorded as a 'yes', doesn't she not?"

Speaker Novak: "You're correct. And the record..."

Parke: "So, would you recognize her, please."

Speaker Novak: "And the record will reflect that. Thank you. Senate Bill 153. Mr. Clerk, read the Bill please."

Clerk Bolin: "Senate Bill 153, the Bill is read a second time, previously today and held pending the filing of notes. The note requests have been withdrawn."

Speaker Novak: "Third Reading. Senate Bill 1352. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1352, a Bill for an Act concerning condominiums. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1476. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1476, a Bill for an Act in relation to public employee benefits. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1498. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1498, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

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Speaker Novak: "Third Reading. Senate Bill 1589. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1589, a Bill for an Act concerning public health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1601. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1601, a Bill for an Act in relation to finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1606. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1606, a Bill for an Act in relation to gaming. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1620. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1620, a Bill for an Act in relation to health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 1634. Mr. Clerk, read the Bill, please."

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Clerk Bolin: "Senate Bill 1634, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 18... excuse me, 1725. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1725, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold that on Second Reading. Okay. Mr. Clerk, what is the status of Senate Bill 1606?"

Clerk Bolin: "Senate Bill 1606 is on the Order of Senate Bills-Third Reading."

Speaker Novak: "Place that Bill back on Second Reading. What is the status of Senate Bill 1634?"

Clerk Bolin: "Senate Bill 1634 is on the Order of Senate Bills-Third Reading."

Speaker Novak: "Place that Bill back on the Order of Second Reading. On page 13 of the Calendar, there's Senate Bill 320. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 320, a Bill for an Act in relation to the Metropolitan Water Reclamation District. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 417. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 417, the Bill's been read a second time, previously. Amendments 1 and 2 have been adopted to

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the Bill. Floor Amendment #3, offered by Representative Molaro, has been approved for consideration."

Speaker Novak: "Mr. Molaro."

Molaro: "Yes, thank you. All the Amendment does is add the Village of Markham. They're working on a TIF district, their work isn't done. And it just extends the time for the TIF for an additional ten years. That's what the Amendment does."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Molaro moves that the House shall adopt Floor Amendment #3. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And Floor Amendment #3 is adopted. Third Reading. Senate Bill 594. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 594, a Bill for an Act concerning municipalities. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Molaro, has been approved for consideration."

Speaker Novak: "Mr. Molaro."

Molaro: "Thank you. All Floor Amendment #2... well, Amendment #1 gutted the Bill. Floor Amendment #2 puts the original language back in. So, we're back to the original Bill with no changes."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Mr. Molaro moves... 'Shall Floor Amendment #2 be adopted to Senate Bill 594?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And Floor

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Amendment #2 is adopted. Third Reading. Senate Bill 177.
Mr. Clerk, read the Bill, please. 17... Oh, excuse me, I'm
sorry. 777. Please read the Bill."

Clerk Bolin: "Senate Bill 777, the Bill's been read a second
time, previously. Amendment #1 was adopted in committee.
No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 843. Mr. Clerk,
read the Bill, please."

Clerk Bolin: "Senate Bill 843, a Bill for an Act in relation to
municipal government. Second Reading of this Senate Bill.
Floor Amendment #4, offered by Representative Osterman, has
been approved for consideration."

Speaker Novak: "Mr. Osterman. Mr. Osterman in the chambers?
Mr. Clerk, take it out of the record. On page 10 of the
Calendar, Senate Bill 1336, the Gentleman from Cook, Mr.
Acevedo. Mr. Acevedo. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1336, a Bill for an Act concerning
public construction. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Senate Bill 1336... A contractor shall not be
required to post a cash bond or letter of credit in
addition to or in place of a surety bond costing more than
\$5 thousand. Be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, the
question is, 'Shall Senate Bill 1336 pass?' All those in
favor vote 'aye'; all those opposed vote 'no'. The voting
is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Froehlich. Mr. Milner. Ms. O'Brien. Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 1 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1336 is hereby declared passed. The Gentleman from Cook, Mr. Saviano. Senate Bill 1351. Out of the record. The Gentleman from Lake, Mr. Washington. Senate Bill 1417. Mr. Washington, do you wish to call your Bill, Sir? Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1417, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Washington."

Washington: "Thank you, Mr. Speaker. Mr. Speaker, this Bill 1417, this is a recommendation from the American Cancer Society and the current laws require that insurance for persons 50 years and older to pay a sigmoidoscopy, or fecal occult blood testing once every three years. For persons at high risk coverage applies to those 30 and older. The State Law does not currently have detailed guidelines for mandated screening coverage based on ACS recommendation. The Bill is similar to House Bill 2112 by my colleague, Mr. Parke and Ms. Mulligan, which in 2001 passed the House by a vote of 115 to 1, but was later amended and held in the Senate Insurance & Licensed Activity Committee. The American Cancer Society estimates that six thousand and eight hundred Illinoisans will be diagnosed with colon cancer this year and that two thousand and six hundred

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would die from a result of the disease. And this could be anyone in any... in either of our families in this room. As many of 90 percent of colon cancer deaths could be prevented if screening examinations were appropriately utilized for both men and women over the age of 50, which I think that's the majority of people in this room. While many insurers, including... I won't be 50 until June 8. While many insurers, including Medicare, cover colon cancer and screening tests, the most accurate colon cancer test is not universally included as a screening tool and in part because of a perceived higher cost. So, this is just another tool in the arsenal against our fight of cancer. Cancer has touched my family personally seven to eight times in the last four years, which is a high risk of cancer and I'm sure we all can identify. And I ask my colleagues for support of Senate Bill 1417."

Speaker Novak: "Thank you. Is there any discussion? The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I rise in support of this Bill. I've had it passed out of the House two years in row. The American Cancer Society did ask that I carry this Bill, but we let Representative Washington carry it, although I was supposed to be a major Sponsor. I'm also carrying House Bill 475, which is for clinical trials, which is cheaper than this Bill but which the Speaker will not let out of Rules. I'd be more than willing to give away House Bill 475 since it's so important for someone else to carry that Bill so that it gets done. The

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political process in this Bill, I would not stand against it because I think it's very important for it to be passed, but the political process that's gone on around these two Bills from the American Cancer Society smells."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Yes, Sir, he yields."

Black: "Representative, what is in Floor Amendment #2 that changed the Illinois State Medical Society's position on the Bill? I've read the Bill and I don't understand why Floor Amendment #2 that becomes the Bill and it looks almost similar language that was in the underlying Bill to me, but then the State Medical Society is now neutral. What change was made in Floor Amendment #2?"

Washington: "Representative Black, I would love to answer you, but I'm not able to at this time, so, I don't know. I don't know."

Black: "Representative, Floor Amendment #2 is your Amendment, you Sponsored it."

Washington: "Yes, Sir. I did. I don't know what changed their mind, may be a sense of right or may be Ms. Mulligan got a chance to say something to 'em. I don't know."

Black: "Mr. Speaker, I respect the Gentleman's honesty and integrity, it's refreshing to hear somebody get up and say you don't know, but I would ask the Gentleman until he can get staff together... Something has changed the underlying

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Bill in Floor Amendment #2 that eliminated a great deal, not all, but eliminated a great deal of the opposition. I would like to know what changed the underlying Bill with Floor Amendment #2 and I don't think it's too much to ask that we kinda get an idea of what that is before we vote on it."

Speaker Novak: "Mr. Black, I'm going to recognize Mr. Mautino and I understand he may be able to answer your question."

Black: "Okay. That'd be fine. Thank you."

Speaker Novak: "Mr. Mautino."

Mautino: "Thank you, Representative Novak. And Mr. Black to your question. In the original Bill there was some discrepancy on who would decide when the... when the tests or which tests would be applicable. And so, what Amendment #2 does is says the physician has to recommend which tests would be covered and that's the actual difference. Before there was a protocol and it would be patient decision and then the concern that was brought about and then the opposition was taken away when the groups got together and said the physician just has to say this is the test that you need. And so that's what the Amendment does in my understanding of what that... most of the objections were taken away."

Black: "All right. So, now... now that I see a copy of..."

Mautino: "It changed the word to actually 'physician recommended'."

Black: "So, the Amendment follows established medical procedures and protocol, rather than I walk in the office

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and say, ya know, I'm a little concerned, I think I ought to have a colorectal test or exam, the test for colorectal cancer. This means I have to go the doctor, the doctor follows established medical procedure and protocol and then and only then, would it become a mandated insurance coverage."

Mautino: "That's exactly what it does."

Black: "Okay. Fine. Thank you very much. Thank you, Mr. Speaker, I appreciate that illumination. Ladies and Gentlemen, to the Bill. I normally..."

Speaker Novak: "To the Bill."

Black: "...vote against... I normally vote against any mandate for the simple reason that unlike most of you on this floor I am medically uninsurable on the open market and I know that every mandate you put on further eliminates coverage, because insurance is a shared risk and the more risk you demand than insurers take the fewer people they'll cover. And as you mandate more things, the premiums go up and more people like my brother who operates and struggles to maintain a profitable small business, it becomes more and more expensive for him to try and subsidize employee chil... or employee insurance coverage. So, I normally vote against insurance mandates and I've also found from my own personal experience that the more things that are mandated the harder it is to be covered. And I know that I cannot be covered as a private individual by any medical insurance company. I will vote for this because I am a survivor of colon cancer, at the ripe old age of 21. I am probably the

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only person here who has artificial plumbing. It's been said that we're all certain kinds of people on this floor and if you know my surgery I'm the only one on this floor who doesn't have one of those, it was surgically removed a long time ago. So, I have an ileostomy that handles my solid bodily waste. I don't like it, I've learned to live with it. It beats the alternative. It was either have that hole in your side that takes care of your body waste elimination or die and at the age of 21 I wasn't quite yet prepared to die. So, I know from personal experience how devastating colon cancer can be and how it can sneak up on you. I was 21 and in the peak of health, so I thought. So, I've survived a number of years after colorectal cancer and rather radical surgery at the time to survive it. And even though I'm going against what I have usually discovered adds to the cost, this is one personal experience I wouldn't wish on anybody, so I intend to vote 'aye'."

Speaker Novak: "Is there any further discussion? The Lady from Cook, Representative Davis. Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I stand to support the Gentleman in this Motion. I'm proud to be a cosponsor. This is one of those diseases that is totally curable and totally correctable. If people have those examinations and any indication is found, with early treatment it will save the insurance companies beaucoups of dollars. Without treatment the insurance companies will be paying lots of money over a long period of time and still possibly lose

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that patient. This is one of those pieces of legislation in which we can proudly, proudly say to the State of Illinois and its citizens that we really are doing our very best by you. I urge an 'aye' vote."

Speaker Novak: "Is there any further discussion? Mr. Washington to close."

Washington: "Thank... thank you, Mr. Chairman and thank my colleagues for their time. I also wanted to make known for the record that the Illinois State Medical Society also is a proponent of this legislation and not neutral. And I ask and urge my colleagues to support me in any way that they can for us to defeat this thing called cancer. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. The question is, 'Shall Senate Bill 1417 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Bost. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1417 is hereby declared passed. The Gentleman from McDonough, Mr. Myers. Excuse me. The Gentleman from White, Mr. Phelps. Senate Bill 1527. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1527, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Wi... Mr. Phelps."

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Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1527 is a Hunting Heritage Protection Act and more or less what it says is that the Governor shall submit a report to the General Assembly by October 1 of each year that describes the acreage administrated by the department that has been closed to recreational hunting and also the acreage administrated by the department that was open to recreational hunting to compensate for acreage closed due to hunting. I just... have any questions, I'd be glad to answer 'em. And urge an 'aye' vote."

Speaker Novak: "Is there any discussion? The Gentleman from Cook, Mr. Fritchey."

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

Speaker Novak: "Sponsor will yield."

Fritchey: "Representative, I've gotten a number of phone calls and e-mails from constituents in my district that were concerned about this Bill. I know Representative O'Brien had a Floor Amendment which came on this Bill yesterday. With that Floor Amendment are you aware, are the Humane pac and the various other animal rights groups, are they okay with this now?"

Phelps: "Representative, in all due respect, I was not a fond believer of that Bill... of that piece of Amendment and it seems like all the players involved, as Representative Feigenholtz can attest to, that all the players involved is okay with that, with that language."

Fritchey: "Well, thank you, I appreciate that."

Phelps: "Okay."

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Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall Senate Bill 1517(sic-1527) pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes', 6 voting 'no', 2 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1527 is hereby declared passed. The Lady from Cook, Majority Leader Currie, on Senate Bill 1586. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1586, a Bill for an Act concerning open meetings. Third Reading of this Senate Bill."

Currie: "Thank you, Speaker and Members of the House. This measure would require local units of government to keep tape recordings, audio or video, of their closed sessions, keep those recordings for a period of 18 months, so that in the event that there is a serious challenge on the question whether the meeting was legitimately closed, a court in camera could examine the evidence and decide whether there were an issue of improper closure to that meeting. I'm sure you've all heard a lot about this Bill. I would have to suggest to you that the hype is overdone. This is a straightforward, simple requirement that happens in many other states. In the State of Oregon, I'm told, in fact, the requirement is that a member of the media sit in on a closed session just to make sure that no one's breaking the law. I believe as you do that our local officials are

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doing a good job, a serious job of making sure that they follow the law, dot the 'i's and cross the 't's. But I do think that sometimes people squirm over into improper arenas and some of them perhaps may not be as alert as they should be to the requirements of the Open Meetings Act. I think this is a simple provision, not an onerous one. And I'd have to tell you that Senator Chris Radogno has volunteered to buy a tape recorder for any unit of government that feels it can't afford to buy one should this Bill become law. I'd be happy to answer your questions and I hope you will support this effort to bring a little sunshine into the operations of local government and to make sure that we have an opportunity to require the accountability and know that the people's business is being done in a proper way, the kind of accountability that we demand throughout our government."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from DuPage, Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. I rise in support of the Bill. I think it's a reasonable action for our local governments to take. I know that many of 'em don't like it, but I think it's in the best interest of the public and they'll be well-served by the passage of this Bill."

Speaker Novak: "Further discussion? The Lady from McHenry, Representative Kurtz."

Kurtz: "Mr. Speaker, Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

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Kurtz: "I have a question. My concern is where will these tapes be stored?"

Currie: "I'm sorry. I'm sorry, Speaker, I couldn't hear the question."

Kurtz: "Where will the tapes be stored?"

Currie: "Well, I would assume that the local unit of government would store this tape safely, just the way they store employee records of disciplinary action or issues involving land acquisition when those issues have not yet become public. There are many documents, many items within the control of local government that are sensitive and that local government would want to make sure do not become available to the casual passerby. And I would certainly suggest to local governments that they keep the little cassette under that same lock and key that they keep valuable, confidential information today."

Kurtz: "Thank you. My big concern was that it was going to be shipped off to the county and sit in the... a judge's anteroom and somebody could lift the tape and it could be used in political campaigns or to light some media scandal or something like that. But you've answered or allayed my fears. Thank you very much."

Currie: "Thank you."

Speaker Novak: "Further discussion? The Gentleman from Macon, Mr. Mitchell. Bill Mitchell."

Mitchell, B.: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill."

Speaker Novak: "To the Bill."

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Mitchell, B.: "Members of the House, I rise to support this legislation and commend the Majority Leader. My background before I came to the Illinois House was on the city council in the City of Decatur. I spent nine years there. In the last few weeks I've been hearing from a lot of my local officials who've been expressed some concerns. After explaining the verbatim Bill I told them I don't think they have anything to worry about. I think this Bill really helps local officials, it safeguards them. And I wanna commend again, the Majority Leader for sponsoring this. This is just a good legislation, it's a good Bill. And I urge an 'aye' vote."

Speaker Novak: "Further discussion? The Gentleman from Macon, Mr. Flider."

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

Speaker Novak: "The Sponsor yields."

Flider: "Representative Currie, one of the concerns I have and I speak about this because of my involvement in local government as a trustee and as a mayor is that sometimes during closed proceedings we have a need to talk about personnel matters, disciplinary matters, matters that are extremely personal to the person involved and certainly while a body of government may have supervisory responsibilities it cannot avoid having certain kinds of discussions with regard to personnel matters. And I was wondering in your opinion, what kinds of safeguards there are under this Bill to ensure that those kinds of

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discussions would not be made public for the safety of the person involved?"

Currie: "Well, first of all, Representative, I would imagine that if there are discussions... if there are decisions, disciplinary actions, for example, that are taken against an employee, that written record today would be available to the public body and would be kept from public view. And I would say that the same discussion on this audio tape would also be kept from public view. This material would only be available to a judge in chambers if there were a serious enough allegation that a meeting had been improperly closed that the judge felt checking the evidence was worthwhile. Note that under this Bill, a disgruntled employee for example, feeling as if he or she had not been promoted for improper reasons or had been fired improperly, they would not have access to the material on this tape recording in order to bring that separate charge. The only way that this material becomes open is through a judge and only on the question, was that meeting properly or improperly available for closure. So, I think the concern about whether the tape recorder comes into inappropriate hands is one that local governments face day in and day out. Sensitive materials about the possibility of land acquisition, where you don't want the owner to know that you're looking before you establish a price, sensitive information about employee substance abuse, for example, that material is in your files and you certainly don't want that material to become available to any Tom, Dick or Harry

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who happens by the village hall. So, I think that the protections first of all, that complaints only deal with the issue whether the meeting should be closed and the kind of materials that local governments currently have within their possession that they know they must keep under lock and key, the same would apply to this tape recording."

Flider: "Thank you, Representative. If I might ask one other question. It relates to how... why one might believe that something might have occurred or a discussion that should not have occurred in the closed session had occurred. How would one come to that conclusion to actually go to the length to have a judge examine the tape?"

Currie: "I think the idea would be, first of all, were a public body to take an action in open session that perhaps there had been no public discussion about in an open meeting that someone might suspect that the determination had been reached behind closed doors, even if it were not a subject that would entitle the local government to close the session from public view. Second, there might be scuttlebutt, maybe somebody tells somebody who tells somebody that something improper went on at a public meeting. Maybe that somebody was not there or it was somebody who decides not to come forward with that allegation. Again, a judge would have to see some significant reason even to look at the tape, even to begin to listen to it under this Bill and as I say, sometimes the trigger might be a decision that seems to be groundless in terms of public discussion... open discussion within the

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public body or information that comes either from a member of that public body or someone who has inside knowledge."

Flider: "Thank you, Representative."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Speaker. To the Bill."

Speaker Novak: "To the Bill."

Krause: "I rise in opposition to this legislation. I am well aware of the importance of legislation and that in any executive or closed session that a local municipality or any local government may have that it be restrictive as to what is discussed in there. As someone who has served as a mayor of a local community, I am sensitive that any meetings that are held enclosed be in strict compliance with the statute. But I am also aware, having been in those closed sessions of the discussions that occur, the exchanges that are made and that no one in that discussion should feel that as a result of what is being said that lawsuits will entail. And from the mayors who have written to me and my own opinion that there is a danger that coming out of here will be the litigation that, in fact, we had hoped would not occur. In the current law that we have as far as enforcement of violations of the current Act, I believe that both a state's attorney of a county, as well as the State Attorney General have ample laws to protect abuses to the current law. I am also aware that many of our governments on the local level are dependent upon volunteers. They are not paid. They become part of a

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government because of their belief in government and their willingness to serve. We are however, losing people on the local level from serving as volunteers and this legislation, I believe, has the adverse affect on those who we want to step forward. Many of them are not paid for their services, they are indeed volunteers. I have no doubt of the intention that we are seeking in this legislation. I feel that the laws that are current would cover abuses and I feel though as having been someone who has been in those executive sessions that this law does not further what we are trying to do, but instead, I think, would have an adverse affect. Based on that, I shall vote 'no'."

Speaker Novak: "Further discussion? The Gentleman from Lake, Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. As a former mayor, I think I also have firsthand knowledge of the workings of executive sessions. And basically, my fear with this Bill, is that if you really wanted to get around it, I mean if you were intentionally trying to avoid the Open Meetings Act and everyone in that room would be a coconspirator obviously to do that, then you just wouldn't turn on that tape recorder until after you discussed those items which would violate the law or at the end of the meeting you would do the same. So, I think it would be very, very easy to get around the law. It... this is not a quick fix and my fear is and not just the municipalities, but especially on school boards where there are volunteers such as Representative Krause

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mentioned. If there was an incident of sexual abuse or sexual misconduct in the school, would you take the chance as a school board member, the chance that you may get sued because you brought this to the attention of the board in a closed meeting and felt maybe I don't have enough evidence to warrant this, but we need to discuss it, we need to follow through on it? Would you wanna do that if you think you're gonna get sued. After some judge and I respect judges, but all they have to do is say, well, maybe this should be made public. Are you willing to take that chance that we're gonna stifle legitimate discussion? I am not willing to take that chance. But even beyond that, this is an initiative of the Illinois Press Association. You have seen many, many editorials supporting the Bill. That's their job, that's the press association. What I resent is, when the press association threatens this Body as the Daily Herald did when they threatened our former Member, Kay Wojcik, and they threatened Senator Wendell Jones for voting their conscience in voting for this Bill. And the way they did it, they did it subtly. It wasn't a threat as much to them as it was to us, because they had already voted. So, what did they say? They said, 'well, ya know, we've always endorsed you but don't take that for granted anymore.' Now, they have a legitimate right to speak on the Bill. They have a legitimate right to pursue the Bill. But they don't have a right to threaten us. And so therefore, I feel I am going to vote 'present' on this Bill and the reason I am going to vote 'present' on this Bill,

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and I urge everyone in this chamber to vote 'present', because I have a conflict on interest. You see, I wanna get the editorial endorsement of the Daily Herald, but if I get that endorsement by voting 'yes', it's because of their threat and, of course, I don't wanna lose that endorsement so I'm gonna vote... if I vote 'no' I may lose that endorsement. So, I feel I have a conflict of interest and I'm gonna vote 'present' and I urge everyone in this chamber to say we are the ones that make the laws in this chamber, not the press association."

Speaker Novak: "Further discussion? The Gentleman from Winnebago, Mr. Sacia."

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

Speaker Novak: "Sponsor yields."

Sacia: "Ladies and Gentlemen, there isn't a person in this learned Body that doesn't recognize that the Sponsor of this Bill is considered the pinnacle of bringing forth excellent legislation. However, with this particular piece of legislation and with this piece of paper that was brought around to each of us today, encouraging us to support this Bill, isn't it interesting that this pamphlet has 21 individual organizations speaking in favor of the Bill, each and every one of them a member of our great American news media. They seem to be the only people supporting it and unlike the last speaker, I am not encumbered by my local newspaper endorsing me. They slam me in the primary, they slam me the general and I beat all my opponents both times. This legislation... Ladies and

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Gentlemen, my local newspaper has taken me to task over the past three weeks over this. I have responded to their editorials by stating, and I think it's an absolute fact, that what they wanna create is their own big brother system. Having served on a public body for many years, both as a school board member and a county board member, I would implore each and every one of you while this matter is in debate on this House Floor to call your mayors, to call your school board members, to call your county board officials, ask them where they stand on this. An individual as so eloquently put out by several of the other speakers so far today regarding this issue, when a person goes into closed session dealing with a highly sensitive issue you must have the comfort level of believing that what you are saying will never become public. I can recall several 'for instances' when we discussed teachers who acted inappropriately with young people and that would've been devastating if the comfort level of those school board members ever became public. And Ladies and Gentlemen, if it's a recorded message, someday, somehow it's going to become public and it's going to drastically, drastically embarrass someone. This is not good legislation. The only people, the only people, Ladies and Gentlemen, that want this legislation is the press association. We have an obligation to stand up to them. Yes, it is our greatest freedom in this country, the freedom of the press, and I endorse it wholeheartedly and support it. But why aren't school board officials speaking out in favor of it? Why

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aren't organized mayors, why aren't county board chairpersons, why aren't any public bodies? They're all contacting you individually and asking you to oppose this legislation because it is detrimental to our great way of a free way of life. And I would strongly encourage a 'no' vote. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Having been endorsed by a few newspapers, although one said I had a violent temper, I don't know where they come up with that idea. Would the Speaker... would the Speaker... or I'm sorry. Would the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Black: "Representative, on page 2 of the Bill, line 110 and line 116, there appear... on line 110 appears 'the court may conduct', on line 116 it says, 'under this Act is valid it may for the purposes of discovery redact from the minutes.' It is my understanding that the press association over spring break told some of the Senators that that needed to be changed for the very reasons that many people have pointed out and that those words 'may' should in fact be amended to say 'shall'. It's further my understanding that this Amendment was drafted but has not been filed. Did the press association approach you on evidently why they decided not to file the Amendment?"

Currie: "I have not heard anything about this Amendment. I don't... I don't believe that I did, but I can't imagine that

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a court would make available information that is subject to the attorney-client privilege. As far as I know, judges tend to be lawyers and they tend to understand better than I do, a lay person, the meaning of the attorney-client privilege. And I would be happy to look at that issue down the road, Representative, but I was not aware of that issue."

Black: "All right. Representative, staff informs me that this was an absolute agreement made by the press association to various Senators in the Senate that these two 'mays' should be changed to 'shall'. Given that... given that fact, or what I am told is fact, I'm not privy to that discussion. Mr..."

Currie: "Could... could I just ask a question of you? Are you talking on page 2? I don't have the longer number. Line 19 on the... on page 2?"

Black: "Yes, and on also then would be page... line 27."

Currie: "There was some discussion of that. I don't know why... I don't know why we would want to say that the court 'shall', even if the court believes for example, that the petition is a frivolous petition. I mean, if someone comes along with a wacky charge about a meeting that was closed, I would want the court to be able to dismiss it without having to go and listen to the tape recording in camera. Now, that issue was discussed by the press association with me and my view was that was not an Amendment that would've protected public bodies under this Act. So, that was my response and they seemed to think that that was probably

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accurate. The second issue you raised is not one that was posed to me. The first issue, whether the court 'must' listen to the tape recording or whether the court has discretion to toss out the suit, seems to me we're better off with 'may' than 'shall'."

Black: "All right. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Black: "It was not my suggestion, nor anyone that I personally know that the word 'may' be changed to 'shall', it was the suggestion of the Illinois Press Association, who has now for whatever the reason, subsequently decided that they will leave it that way. I tend to favor this Bill, but I want you to focus... most of you don't have the Bill with ya, you'll have to follow your analysis. On line 19 on page 2, it says, 'the court may conduct such in camera examination of the verbatim record.' We all have read stories about judges. One judge threw the county board chairman in the jail because he was gonna paint his courtroom a color he didn't like. This says he 'may' examine it. It's supposed to say he 'shall' examine it because that means he must do it in private. If you leave the word 'may' he can examine the tape in a public courtroom and it becomes a matter of public discussion or a candidate for a public search of what was on the tape. That is not the Illinois Press Association's discussion with me as to what they wanted in this Bill. That is a major, major change in how they have reported this Bill to be. The second 'may' and I advise

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those of you who are attorneys, I'm not. Attorneys' have told me that on line 27, 'a complaint or suit brought for noncompliance under this Act is valid, it 'may' for the purposes of discovery redact from the minutes of the meeting closed to the public...' ta da, ta da. If that word remains 'may', what that means is the attorney-client privilege is not protected by that court. That that word 'may' cannot be in this Bill if the attorney who is the attorney to the board who may be being sued, without the word 'shall' the attorney-client privilege may not exist. And I don't want that left open to any judge. That is sacrosanct. And I've been told this by many members of the Bar and I was told this by a member who serves as an unpaid elected member of a board in my district who is a retired judge, a Democrat by the way, but he's one heck of a nice fellow and I have the greatest respect for him. This retired judge said, that can't be, it must be 'shall'. If you leave it at 'may' you will destroy... you can allow the court to destroy the attorney-client privilege by opening the process to discovery in an open court of law. I don't think that's the Illinois Press Association's intent either. I would simply submit to you this Bill was agreed to in the Senate to be amended, it has not been amended. And I've had people who I trust explicitly, who have law degrees that tell me these two 'mays' make this Bill very, very dangerous and it's for that reason I'll vote 'no'."

Speaker Novak: "Thank you. Further discussion? The Lady from Lake, Representative Ryg."

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Ryg: "Thank you, Mr. Speaker. To the Bill."

Speaker Novak: "To the Bill."

Ryg: "I'm a former village clerk trustee and county official and I fully support government business being conducted openly and in full view of the public. In those positions I've benefited from training from experts in the field, including former Attorney General Jim Ryan, who offered information on the Open Meetings and Freedom of Information Act. And these Bills are very critical to the conduct of open business. I've always spoken out against violations of these laws and have been frustrated by those who blatantly ignore or abuse them. However, I am unable to support Senate Bill 1586 as an effective measure to prevent these kinds of actions. As has been stated, the exemptions to the Open Meetings Act are legitimate and discussion allowed in closed session under current law should be held without the concern that what is being said is being recorded word for word. The press association has cited examples that are clear violations of the Act, that there has been little or no enforcement of the existing law and adding additional requirements will not change the fact that these violations will probably continue. The other common practice to circumvent the law is to meet two-on-two or whatever number is less than a majority of the quorum. Such discussions do promote miscommunications. And as chair of the Illinois Municipal Clerks Legislative Committee, I offered this testimony when similar legislation was proposed ten years ago in 1993. Clearly,

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not much has changed in those ten years. I would propose that work be done with the press association to address their concerns through increased awareness and enforcement of the Open Meetings Act as written. I respectfully request that you join me in voting against Senate Bill 1586 and redirect the attention to where it belongs and that's in stopping the violations, not burdening those who... in the majority who are in compliance with the law. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Scully."

Scully: "Thank you, Mr. Speaker. To the Bill."

Speaker Novak: "To the Bill."

Scully: "Ladies and Gentlemen of the House, I rise in support of this Bill, but most specifically I wanna respond to the questions raised by a prior speaker about the use of the wo... the permissive word 'may' as opposed to the declarative word 'shall'. In the specific context of this sentence it is very appropriate that the statute provide that the court 'may' conduct such in camera examination as the court deems appropriate. There's also a possibility that the court is going to find that no in camera review is appropriate because there might be other basis for simply disposing of the lawsuit on a Motion to Dismiss. The statute as written is... the Bill as written is very proper. I commend the Sponsor for bringing this to our attention and for carefully reviewing and explaining to me the analysis and the grammar for the Bill as written. Thank you very much,

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Leader Currie. And I ask for your support for this Bill.
Thank you."

Speaker Novak: "Thank you. Is there any further discussion?
Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. I think we've had a full and fair and frank discussion about this effort to let the sun shine in on the activities of local governments. Concerns that people will not be able to express themselves freely are overblown. In fact, I heard from a trustee of a local village in northern Illinois who said that his colleagues didn't agree, but he thought that this change would be a healthy change. He said, that often in the closed meetings people decide to veer off and talk about things that are not appropriate in a closed meeting and he thought that to pass this law would put them on notice and see to it that when they're doing the chit chat and when they're doing the other kinds of conversation, they either do it in public or they do it in private. They do it behind their closed doors, not as part of a public meeting. Second, we've heard a great deal about the wonderful volunteers who help us at the local governmental level and I am delighted to have them. But I have to suggest that if we trust the volunteers to spend hundreds of thousands of dollars in their local school systems or park boards properly, if we trust them to be accountable to the way they spend our public dollar, we can trust them to respond to the requirements of the State Opens(sic-Open) Meetings Act. Finally, Speaker and Members of the House,

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just for the record, it isn't just the press association that supports this Bill, this Bill also has support from the Independent Voters of Illinois and from our State Attorney General, Lisa Madigan. I believed her... her predecessor, Attorney General, Jim Ryan, supported the same measure when it came up in this House and passed overwhelmingly two years ago. I look forward to your 'yes' votes on Senate Bill 1586."

Speaker Novak: "The question is, 'Shall Senate Bill 1586 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Coulson. Mr. Brauer. Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 20 voting 'no', 24 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1586, is hereby declared passed. The Gentleman from Cook, Mr. Brosnahan, on Senate Bill 1621. Mr. Clerk, read the Bill. Mr. Brosnahan."

Clerk Bolin: "Senate Bill 16..."

Brosnahan: "Mr. Speaker, if you could move that... I'm sorry, Mr. Sp..."

Speaker Novak: "Mr. Brosnahan."

Brosnahan: "Mr. Speaker, if you'd move that Bill back to second for purpose of an Amendment."

Speaker Novak: "We're on the Order of Third Readings right now. We'll have to get back to you later, Mr. Brosnahan. Take that Bill out of the record. Majority Leader Currie,

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Senate Bill 1592. Representative Currie, Senate Bill... Out of the record. Senate Bill 1740, Mr. Rita from Co... the Gentleman from Cook. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1740, a Bill for an Act concerning civil procedure. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Rita."

Rita: "Thank you, Mr. Speaker. Senate Bill 1740 is a quick-take for the Village of Crestwood which is... falls within my district. It's for an economic development within a TIF district. I would entertain any questions."

Speaker Novak: "Is there any discussion? The Gentleman from Villian... from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. My speak light was on right after the last vote. You evidently had your arm on it or something, but that's all right I'll... I'll ask for recognition on that issue at a later time. Will the Gentleman yield on the Bill before us?"

Speaker Novak: Sponsor will yield."

Black: "Thank you. Representative, is there a list of the quick-take items on the electronic laptops or is it just... is it just a quick-take for one entity or two or three?"

Rita: "It's for one."

Black: "All right. So this is in the... for the Village of Crestwood, right?"

Rita: "Correct."

Black: "Didn't I read in one of the Chicago papers that's where a riverboat might go?"

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Rita: "There've been talk of that, this doesn't pertain to that though."

Black: "Oh. What... for what purpose does the village want quick-take to take the land?"

Rita: "Right now, there's 11 parcels of land within this TIF district for a Super Wal-Mart or Super Menards and a Wal-Mart and one of the parcels everybody... ten of the eleven are all in agreement except for the one which..."

Black: "Representative, all... all... as you well, know, all villages and towns in the State of Illinois, incorporated municipalities, have the right of eminent domain and they can go in and start the process to take these parcels of land, but you get due process and it takes a period of time, I understand that. But if the land is to be used strictly for a future retail development, what... what... why do we need quick-take? Quick-take is... I very seldom vote for quick-take, I think it's very onerous, I will take your land today, I will settle up with you sometime in the future. If it's simply for a retail project they are... generally they're not very time critical. Why wouldn't you just let eminent domain take its course on these parcels?"

Rita: "They... they... they've been going through this process and this was a request by the mayor and the people from that area to go on with this economic development which would bring about 2,000 jobs to this area."

Black: "Would... is there any intent on the part of the village officials once they have gained title to the land to

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transfer land to another entity or to retain ownership of the land and sell it to a developer?"

Rita: "I think they're gonna go into a joint venture with the developer in this."

Black: "All right."

Rita: "From how it was explained to me."

Black: "So, as far as you know, it's not the village's intent to sell the land and then transfer the land to another entity?"

Rita: "As far as my concern, no."

Black: "All right. Okay. Thank you very much, Representative, I appreciate the answer to your question. Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Black: "Quick-take is a provision that I think we need to be more careful of than we have in the past. My district some years ago saw more than 20 thousand acres taken under the eminent domain process, it wasn't even quick-take, it was eminent domain, for the purpose of building a reservoir. Landowners were removed from their land. Some of those farms had been in the family for more than a hundred years. To this day that's left a bad taste in the hearts and minds of many families because their family land was taken, there was compensation. Not everybody agrees it was just. But it took a period of time. But what really sticks in the craw of many of these families who were removed from their family land, the purpose for which their land was taken was never built. So, we took 20 thousand acres off the tax

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rolls in a county for the purposes of building a reservoir. To this day there is no reservoir and to this day the state and/or the county has titled the land so it's tax exempt. Now, if you... if you expedite that process and you take ownership of the land by quick-take procedure, which means you're going to gain title to the land, the government entity will gain ownership or title to the land in a manner of days and then we'll settle up with the property owner six weeks, six months, a year or two years later. I think you ought to have a very specific purpose for quick-take and it ought to be easily explained as to why you want quick-take, why you cannot go through the normal process of eminent domain. And since I see nothing in this Bill that indicates there is an emergency and that there are property owners in fact opposed to this, I stand opposition to the quick-take provision embodied in Senate Bill 1740."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. McCarthy."

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

Speaker Novak: "Sponsor'll yield."

McCarthy: "Representative Rita, in response to our friend from Vermilion you had said that this was not for a riverboat or casino. My question is who did you get those assurances from?"

Rita: "From the village."

McCarthy: "From the village, would that be the village board or the mayor...?"

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Rita: "From the... from the... the representative from the village that I've been dealing with through this issue where this Bill came from."

McCarthy: "Okay. Now is this direc..."

Rita: "And he assured me that it... they assured it was for a Super Menards and a Wal-Mart."

McCarthy: "Okay. Now, of course you're a south suburban Legislator like myself, and I'm sure you're aware of the stories about a Wal-Mart going in the property in Country Club Hills along Cicero between Cicero and Pulaski at 167th Street. Are you aware of that..."

Rita: "No."

McCarthy: "...information? Okay, well that's been in our local papers and I just got off the phone with Mayor Dwight Welch from Country Club Hills who informed me that they have signed agreements with Wal-Mart and they hope to start the construction as early as this summer. So, the likelihood of Wal-Mart Corporation putting a store at 167th and Cicero and then another one at approximately 135th and Cicero would be, ya know, somewhat doubtful, but it still could happen. The other Menards that you're talking about would replace a Menards that's about three blocks away. Correct?"

Rita: "Correct."

McCarthy: "Okay, so as far as the job creation it would probably be minimal because they'd be closing one store and then opening another store that may be larger, but as far as any real job creation..."

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Rita: "It's gonna be... they're gonna make it a Super Menards."

McCarthy: "A Super Menards. Did anyone give you information as how many more employees are at a Super Menards as opposed to a regular Menards?"

Rita: "They said it would be about 2,000 for this whole project, 2,000 more jobs."

McCarthy: "And how many are in the current Menards?"

Rita: "That I don't know."

McCarthy: "Okay. So, ya know one of the issues about quick-take legislation and I did confide in you that I've been against most quick-take legislation for my seven years here, is that there should be some public good or public use of the land, I mean other than, it sounds like one private property owner now going over to another private property owner, being Menards or Wal-Mart. So, what is the... what is the public use?"

Rita: "What it... what it is... what they're intervening is just to come in to move this process this along. I don't know what the public intent... it's just that they were going into a joint..."

McCarthy: "Well, see a lot of our quick-takes are like private..."

Rita: "Yes and I..."

McCarthy: "...private land that's..."

Rita: "And I understand everybody's concern when they mention quick-take, that people are gonna come in and take their property. But they've been working... trying to work this

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out through this and to keep this development going this was the resort that they led to."

McCarthy: "Okay. In response to the Representative from Vermilion, you had said that ten out of the eleven land owners have been very agreeable? Has... you said in response to Representative Black, you said that ten out of eleven have been very agreeable. Is that true?"

Rita: "Yes."

McCarthy: "Okay. Have they signed contracts for the sale of their property?"

Rita: "Yes, they're all in agreement of selling."

McCarthy: "Okay, so... but you..."

Rita: "The only..."

McCarthy: "...created the area..."

Rita: "Go on."

McCarthy: "Okay, you created the area of this quick-take including the ten properties that you say there's already an agreement for sale for those ten properties. It would seem like if you're only having proper... ya know, problems with one, why would you not make the quick-take just for that one property?"

Rita: "The way the property is outlined they just outlined it within that whole TIF district there to do the quick-take."

McCarthy: "Yeah, but if I was one of the landowners..."

Rita: "I don't... I don't know..."

McCarthy: "...who had agreed... I mean right now it's private property. They're selling their private property to this developer, correct?"

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Rita: "Yes."

McCarthy: "Okay."

Rita: "They could've done that, but they just included it 'cause originally it'd started in the Senate and they had... it was defined as the whole Village of Crestwood which they defined it just down to this TIF district within this specific area from 135th and Cicero to Keaton, from Route 83 to Cicero, within that block."

McCarthy: "Okay. Now, can you tell us that those ten properties, are there signed contracts with a sale price for those land owners?"

Rita: "As far as I'm con... what I was told everything... it was agreed upon. There's eleven parcels, all ten are in agreement with the price, they came forth with the eleventh one which he won't settle that he's looking for like \$9 million on a piece of property that was appraised at 1.7 million and they offered him 3.4 million for that piece of property and he's stating that he wants 9 million."

McCarthy: "Okay, but the question..."

Rita: "Eight to nine million."

McCarthy: "The question verbatim, as in the verbatim records Bill..."

Rita: "But..."

McCarthy: "...was, do you know that there are actual contracts..."

Rita: "As far as I can say..."

McCarthy: "...signed...?"

Rita: "...yes, that everything is with them ten properties is ready to go."

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McCarthy: "So, if those contracts..."

Rita: "It's just the one piece... once piece of parcel is the only thing holding this up."

McCarthy: "And if those ten contracts are not signed would you say because of this answer being somewhat misleading, you would ask the Senate Sponsor not to concur with this Amendment if we can't prove before he does it that there are ten contracts out there? These are property owners that have negotiated the best price and I see this quick-take, all of a sudden they lose a lot of their ability to sell because, ya know, if they have those ten contracts already signed..."

Rita: "As far as I'm concerned everybody's in... there is the contracts, whether they're signed or not I didn't get to that point, but I can get back to answer that for you."

McCarthy: "Now, basic agreements and actually signed contracts, of course, are..."

Rita: "Yeah."

McCarthy: "...are two different things. Now, there is land across the street from this quick-take property, correct?"

Rita: "Correct."

McCarthy: "And that's owned by Metropolitan Water Reclamation?"

Rita: "Correct."

McCarthy: "Do you know if that property is scheduled for... have they given up on a casino or a riverboat or anything on that property or is... they've only given it up on this property?"

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Rita: "It states on the bottom of this Bill that the quick-take would not take away from any other local government."

McCarthy: "Well, they can't take it because it's not in the geographical..."

Rita: "Yeah, I know."

McCarthy: "...description of this property, so I mean, I read that thing, but I'm saying well, is there any other, I mean, that brings up a good question. Is there any other unit of government that's inside the quick-take..."

Rita: "No."

McCarthy: "...property?"

Rita: "No."

McCarthy: "Okay, so adding that line really didn't do anything, did it?"

Rita: "They... they were all concerned that the... Metropolitan Sanitary District was concerned about that so that's why that line was added in there."

McCarthy: "But they weren't in the district."

Rita: "No. So it didn't matter if it was on there or not, but it was added in to there."

McCarthy: "Okay, but there are discussions for some kind of a casino or riverboat on the Metropolitan Water Reclamation?"

Rita: "Yes."

McCarthy: "So, this property would be basically adjacent..."

Rita: "Adjacent."

McCarthy: "...to it and could be used for other things to coordinate like a hotel or something that..."

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Rita: "It could be. It's across from that property that they were talking about for the riverboat."

McCarthy: "Okay. Well, ya know, I hope that the ten contracts are signed. I hope those people got the best deal for their property. I still think that the eleventh person has the right to get what he thinks is the best deal for his property. I mean, when it's your own personal property, given the power of a local village to come in there and tell the man, take this offer or else we're just gonna quick-take it away, I think it's a dangerous precedent and I would think that at this time I'd ask the Body to vote 'no' on this measure. So, thank you for your answers."

Rita: "Yeah."

Speaker Novak: "Is there any further discussion? On this ques... Excuse me, the Gentleman from Cook, Mr. Molaro."

Molaro: "Yes, I'll be as brief as I can. From... maybe this has gotten away from us a little bit, but from what I understand of this, some village is moving forward and a lot of villages in the south suburbs have a very hard time attracting the economic development. They created a TIF. They're looking at a Super Menards and a Wal-Mart. They've made deals with all the property owners and the money given this individual apparently is fair market value. Apparently, he doesn't wanna move forward with this, doesn't wanna move his business, which nobody really does when there's... whether it's eminent domain or quick-take with the speed. The only reason I feel that there is... there is some speed to this or emergency as the previous

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Representative said, if Super Menards or Wal-Mart or a Home Depot, if you don't deal with them in a timely fashion you as village are gonna come up to 'em and say, yeah we'd like to ink a deal but it might take three or four years, they're off somewhere else. This allows this deal to take place. It'll bring over 2,000 new jobs. The construction, even though there may only be a thousand new jobs, knocking down and building a whole big Super Menards creates many, many jobs for the construction industry. And I think it's as good of an idea as any other quick-take that we've fought through this. Quick-takes are quick-takes, we know what they are and this is no different than the ones we have passed previously. Thank you."

Speaker Novak: "Further discussion? Mr. Rita to close."

Rita: "Just asking for a favorable vote."

Speaker Novak: "The question is, 'Shall Senate Bill 1740 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Hoffman. Mr. Clerk, take the record. On this question, there are 28 voting 'yes', 86 voting 'no', 3 voting 'present'. And having failed to reach the required Constitutional Majority, Senate Bill 1740 is hereby declared lost. Mr. Lang. The Gentleman from Cook, Senate Bill 1493. Mr. Lang. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1493, a Bill for an Act in relation to alcohol. Third Reading of this Senate Bill."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 1493 addresses the E2 tragedy in Chicago and the other nightclub fire in Rhode Island. It was written with the help of the state fire marshal and others. It deals with the issues of the use of pepper spray and mace and all those types of things. It talks about panic bars on the exits and is a good... a good start to make sure that our nightclubs in our state are safe. I would ask your support."

Speaker Novak: "Is there any discussion? The question is, 'Shall Se... The Gentleman from Cook, Mr. Fritchey.'"

Fritchey: "Almost... I had the... Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Fritchey: "I had the misfortune of actually reading the analysis, here. Just one thing caught my attention, I want to clarify. Does... This Bill makes it a Class IV felony to use mace or pepper... pepper spray on the premises?"

Lang: "I believe that's correct."

Fritchey: "Would that be... would that apply to the use of that in a hostile situation where the use may, in fact, be justified and warranted? You know where I'm getting at obviously, is we all want there to be adequately trained security at these facilities and there are times when properly trained security would prudently use pepper spray in certain situations and as long as we distinguish what's a proper and improper use it's one thing, but I just don't know if we wanna blanket prohibition."

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Lang: "Well, this would prohibit the licensee or any of their employees from using mace or pepper spray or other toxics. I should tell you that the state fire marshal has signed on to this as something that he believes is an appropriate clause in this Bill."

Fritchey: "The Bill's gonna fly outta here and I understand, obviously, the tragic genesis of this but it just seems to be a very broad stroke with which we're addressing a specific situation and to take a, you know, a potentially useful tool out of the hands of security. Yeah, I guess, one of my concerns is that if a violent incident does happen at one of these clubs and that security then comes in and says, 'hey, we couldn't do anything because we were restrained in taking action even if it was the warranted action to take and even if the action would have, in fact, saved lives.' We would in turn make these people a felon by trying to do that."

Lang: "It's an interesting question, Representative, but I'm ready to move the legislation."

Fritchey: "Enough said. Thank you very much."

Speaker Novak: "Any further discussion? The Lady from Cook, Representative Davis, Monique Davis."

Davis, M.: "Representative, I just have one question. Is there anything in your legislation that prohibits the use of pepper spray inside a building?"

Lang: "Yes."

Davis, M.: "It's in this legislation?"

Lang: "Yes."

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Davis, M.: "What does it say, Representative?"

Lang: "Well, it says that it's a Class IV felony for the... the retailer, meaning the person selling the liquor inside of a nightclub or restaurant or any of their agents or employees to use pepper spray. It does... it does not say anything beyond that."

Davis, M.: "Okay, that's fine. Thank you very much."

Lang: "Thank you."

Speaker Novak: "Any further discussion? The question is, 'Shall Senate Bill 1493 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 1493 is hereby declared passed. The Lady from Cook, Representative Graham, for what reason do rise, Ma'am?"

Graham: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Novak: "Please state your point."

Graham: "I'd like you guys to join in welcoming a school from the 78th District, Stevenson School, the eighth graders up in the balcony there. Please give us... them a warm welcome. Thank you."

Speaker Novak: "Welcome to the House of Representatives. The Gentleman from Fulton, on Senate Bill 1754, Mr. Smith. Mr. Clerk, read the Bill, please."

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Clerk Bolin: "Senate Bill 1754, a Bill for an Act creating the Western Illinois Economic Development Authority. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. We had this Bill yesterday when Mr. Black was trying to score several victories. I'll briefly go through it again. This would create the Western Illinois Economic Development Authority similar to other economic development authorities that we have in the State of Illinois. This applies to 13 counties in western Illinois. We see it as an excellent tool for helping us grow our economy locally. I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Mr. Turner, the Gentleman from Cook."

Turner: "Fini..."

Speaker Novak: "For what reason do you rise, Sir?"

Turner: "Mr. Speaker, I had a point of personal privilege. But I can..."

Speaker Novak: "State your point, please."

Turner: "Well, I wanted to welcome the eighth grade class of Providence-St. Mel School in the City of Chicago. They're in balcony here on the west side... east side. The eighth grade class of Providence-St. Mel."

Speaker Novak: "Welcome. Mr. Smith, will you continue with your Bill. There any discussion? Mr. Black. Mr. Black had required... had inquired recently how many votes it would

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take for this Bill to successfully pass and Mr. Uhe has a ruling."

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker and in response to your inquiry, Senate Bill 1754 does not increase state debt and therefore will require 60 votes for passage."

Speaker Novak "Thank you. And the question is, 'Shall Senate Bill 1754 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Graham. Mr. Beaubien. Mr. Clerk, take the record. On this question, there are 59 voting 'yes', 58 voting 'no', and 0 voting 'present'. Mr. Smith."

Smith: "Yes, Mr. Speaker, I'd like to ask that this be placed on Postponed Consideration."

Speaker Novak: "Place this Bill on Postponed Consideration. The Lady from Cook, Representative Hamos, on Senate Bill 1881. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1881, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Novak: "Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. I'm proud today to present Senate Bill 1881 and would like to thank all the people who have come on as cosponsors and the people who are sitting up there who have worked so hard on this. This response to a very pressing issue for a group of what we call special recreation districts, these are park districts that serve disabled children, adults and

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seniors. There are a hundred sixty-four Illinois park districts and municipalities that have formed 25 of these intergovernmental agreements. This is a model for the entire nation. What this Bill will allow is a very modest tax levy that will help support the great work of these organizations. And I am available for questions and I seek your support."

Speaker Novak: "Is there any discussion? The Gentleman from McHenry, Mr. Franks."

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

Speaker Novak: "Sponsor will yield."

Franks: "Representative Hamos, I wanna applaud you on what you're trying to do because we all wanna help people with special recreation issues. We have a wonderful one in McHenry County, it's the Northern Illinois Special Recreation Association. They do a wonderful job. What I'm worried though about your Bill here is what you're allowing is for property taxes to be increased. Is that correct?"

Hamos: "There is a possibility of a very modest tax increase. In most cases no more than two dollars per thousand. That would be the limit that's already in the law."

Franks: "Okay. And this would not be done by a referendum it would just be done my legisl... by this legislation which would allow the locals to raise taxes without a referendum. Correct?"

Hamos: "Well, Representative Franks, the reason for that and what makes this a compelling Bill is that what makes special recreation districts unique is that they come

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together in a very efficient way. Multiple districts and municipalities come together to form these special recreation district, in fact it's nearly impossible to expect that all of those park districts and municipalities would seek a referendum and pass referenda at the exact same time. And that's why we almost have to do this by legislation."

Franks: "Thank you. To the Bill."

Speaker Novak: "To the Bill."

Franks: "Reluctantly, I must rise in opposition to this, no matter how well-intentioned this legislation is, the problem we're going to have is there are a lot of other groups out there that also need money and this is a slippery slope. And it might be two dollars a month for the special recreation districts and then next... next time it can be five dollars a month for another very worthy item and then another ten dollars. Before you know it we've added a hundred dollars a month to our already overburdened property tax. I believe that, at least in my county, our property owners pay much too much in property taxes. I can't in good conscience vote to allow without referendum to have their property taxes increased again. If they wish to have their property tax increased it should go through referendum no matter how important and how well-intentioned this is. I think we'd be sending the wrong message. Let the voters decide for themselves if they wanna have increased taxes. I'd encourage you to vote 'no'."

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Speaker Novak: "Further discussion? Gentleman from Will, Mr. Meyer."

Meyer: "Thank you, Mr. Sponsor. Would the... Mr. Chairman. Would the Sponsor yield."

Speaker Novak: "Sponsor'll yield."

Meyer: "Representative, it's been very noisy over in the chamber here and it's been hard to hear the debate so far. Could you again tell us who does this affect?"

Hamos: "Yes, Representative Meyer, there are a hundred sixty-four park districts and municipalities that have formed 25 of these local intergovernmental agreements. So, in affects a hundred sixty-four but by very nature of what special recreation districts are, they are intergovernmental."

Meyer: "Do you know how many people use the special park districts?"

Hamos: "This year there will be 90 thousand people who will register for these programs, they are all disabled children, adults and seniors."

Meyer: "What is the... what's the tax increase that this allows?"

Hamos: "The average tax for a special recreation district currently is about two dollars per one thousand, so \$100 thousand home pays two dollars. Under this Bill it will go up to a maximum of four dollars. So, it's two additional dollars to provide these very important programs for disabled people."

Meyer: "Could you explain why a tax increase that you've described shouldn't go to referendum?"

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Hamos: "Well, the... because these are intergovernmental agreements it would require a special recreation district to seek a referendum in multiple municipalities and park districts at the same time. That makes it virtually impossible for them to go through that process, but I also want to point out that these special recreation districts receive their authority before we passed the Federal Law for American Di... for Americans for Disabilities Act. So by virtue of the Federal Law, there are all kinds of new responsibilities and obligations that these park districts, these special recreation districts have had to assume. And that makes it another compelling reason to do it this way."

Meyer: "Well, Representative, we have a multitude of taxing bodies out there that pass referendums in various parts of the district, for instance, junior colleges will have several communities in them, school districts will have referendums on ballots in several different communities, in fact, possibly even in multiple counties. So, it's not a... not an unheard of event for a taxing body to have multiple entries on different ballots as a part of a referendum. Why is it that you believe that this shouldn't be handled the same way? I've heard you describe the fact that it'd have to be handled in multiple taxing or in multiple areas, but why do you feel that this one shouldn't be handled that same way that other taxing bodies handle their referendums?"

Hamos: "Well again, I think that the most compelling case for this Bill is that these are intergovernmental agreements

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and each of those taxing bodies would have to go to referendum in their own way, in their own community, with their own constituents and that makes it exceedingly difficult, if not impossible, for these special recreation districts to seek the very necessary funding ever since we implemented the Americans for Disabilities Act."

Meyer: "Well, why wouldn't there be a joint effort? It still evades me, at least a little bit as to why there couldn't be a joint effort mounted in order to present this referendum to the people of that special recreation district so they in fact could decide for themselves?"

Hamos: "Well, I... Representative, I think I really tried to express how I feel about it and why it's so important for us to move ahead with this legislation. It's a very, very small incremental tax levy for a very important service for a group of municipalities and park districts that not be... that would not otherwise be able to get this kind of funding base."

Meyer: "Are there any other fees that would be associated with the taxing district that would pass this new property tax?"

Hamos: "I am not aware of any, no."

Meyer: "Does the legislation allow for fees to be charged for the services, even though the property tax might be increased?"

Hamos: "This legislation only deals with the property tax cap issue and I am not aware of whether or not additional fees might apply in some circumstances."

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Meyer: "Does the current legislation allow for additional fees to be passed along?"

Hamos: "I'm sorry, I'm not aware of... of that."

Meyer: "Is the... does the Chicago Park District, is that treated differently than other special taxing di... or special educa... or special district in this case?"

Hamos: "Well, under this Bill, the Chicago Park District will be allowed to form a special recreation district and seek a very small levy for their own disabled services. And I do want to point out that the Chicago Park District has not been able to renovate their field houses or to provide these very vital services, because they have not been able to secure the funding to do that. So, it's disabled people who have not been able to benefit from these park district programs."

Meyer: "Okay. Well, you've been most gracious in responding to the questions and I appreciate the input that you've given us. Thank you."

Speaker Novak: "Further discussion? Ms. Hamos to close."

Hamos: "Thank you. Ladies and Gentlemen, again I thank all of you who have been cosponsors, this is a very important Bill to help a very important service that will benefit 90 thousand disabled children and adults this year through park district facilities. And I encourage an 'aye' vote. Thank you."

Speaker Novak: "The question is, 'Shall Senate Bill 1881 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 42 voting 'no', 3 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1881 is hereby declared passed. The Gentleman from Macoupin, Representative Hannig, on Senate Bill 1980. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1980, a Bill for an Act in relation to higher education. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill deals exclusively with the Lincoln Land Community College. And this is the largest community college in the state based on square miles and we elect seven trustees throughout the district and as most community colleges do now, they're elected at large. Representative Watson and I have been working on a concept that actually is modeled after what Representative Holbrook did previously in a community college in his district and that's to allow the trustees to be elected by districts based on equal population, sub-districts. And so, this proposal would begin a transition from a community college here in Springfield, Lincoln Land Community College, where we have seven trustees elected at large to a system where we'll have seven trustees elected in seven separate, equal districts that are spelled out in the law. So, I worked with Representative Watson on the Bill and others who

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represent the district. We worked with them to try to make sure that the lines are as fair as anyone would want. And so that's what the Bill is about. It only affects Lincoln Land. I'd be happy to answer any questions. I'd ask for your 'yes' vote."

Speaker Novak: "Is there any discussion? The Gentleman from Sangamon, Mr. Poe."

Poe: "Will the Speaker... the... yeah, Sponsor yield?"

Speaker Novak: "Sponsor yields."

Poe: "Just got here. Hey Gary, have you worked with the Lincoln Land College or the Lincoln Land Board or anybody, the... if they have an advisory board or anybody from the college on this at all?"

Hannig: "Yeah, Representative, you may recall I actually introduced a House Bill early on in the process and I've talked to some but not all the trustees. A number of the trustees, at least one of the trustees were quoted in the paper saying, that they didn't think they had the expertise or the money to actually set up these districts and so that's why I've also taken it upon myself working with you and Representative Brauer and Representative Watson to try to set up... at least set up districts that we think are fair."

Poe: "Okay. And this map hasn't changed then from the original House map that you had drawn up and went to the Senate?"

Hannig: "No, it's... yeah, it's the same map that I shared with you and Representative Watson and Representative Brauer and you made some... gave me some suggestions and I think

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Representative Brauer and Watson did and we kinda made it a better map in my view, but it's the same map."

Poe: "Okay. Thank you."

Speaker Novak: "Any further discussion? The other Gentleman from Sangamon, Mr. Brauer."

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

Speaker Novak: "Sponsor'll yield."

Brauer: "Someone just called us the 'Sangamon Twins', who was that? I appreciate Representative Hannig, there's... I just had a phone call here and a concern that there are a lot of the trustees that are in the same district and I wonder if we could maybe take this out of the record for a little bit to where we could discuss this?"

Hannig: "Representative, ya know, we've been... I've introduced this Bill as a House Bill, I've tried to work with anyone who would come forward, yourself, Representative Poe, Representative Watson's a cosponsor with me, ya know we're coming to the last week and I think we just need to move this process along. And for that reason, ya know, I'm just asking that we vote on it now."

Brauer: "Well, I'd like to move along too, there's just this phone call that's come up and I have some issues with it. The way it is now, I can't support it."

Hannig: "Yeah, Representative, I think we've tried to work to set up a process that will be fair to everyone, that will give people all around the district, particularly in the rural areas like Representative Watson and I and to... and you represent, an opportunity to serve on the board.

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Someone from the agricultural community would have a chance to actually win one of these seats, so I think we've tried to address the concerns and at this point I'd just be happy if we could get a... an affirmative vote."

Brauer: "Well, I guess I have a question. How many board members live in each district now?"

Hannig: "Representative, I think that that's part of the problem that we face in the district where almost all the board members live within... live within a stone's throw from each other."

Brauer: "I'm sorry, did that question get answered? The question was, how many trustees live in one district, right now the way that new map is?"

Hannig: "Well, Representative, I think most all the trustees would live one... one representative... one district would have one, over in Jacksonville, and within Sangamon County, all the rest of the trustees would be within those districts, the other six. And..."

Brauer: "No, I'm... I'm talking 'bout the current map right now. It's my impression..."

Hannig: "Repre... Representative, I have to tell you I didn't draw this map with an intention of trying to favor one person or another, we were just trying to draw the map to be fair and set it up based on population. So, I really didn't put little flags on the map or anything and say, well, let's take care of this trustee or that trustee. In fact, in my view, part of the problem we have in this district is that it's the biggest district in the state in

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square miles and yet six out of the seven trustees live within a stone's throw of each other."

Brauer: "Well, four of the trustees are in one district with this new map."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall Senate Bill 1980 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Milner. Mr. Clerk, take the record. On this question, there are 74 voting 'yes', 42 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1980 is hereby declared passed. On page 8 of the Calendar there is Senate Bill 24. The Lady from Cook, Representative Soto. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 24, a Bill for an Act concerning transmitters of money. Third Reading of this Senate Bill."

Speaker Novak: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. Senate Bill 24 amends the Transmitters of Money Act. It includes stored valued cards within the scope of the Act. Senate Bill 24 also requires licensees to submit additional information regarding proposed authorized sellers to the Department of Financial Institution. It also creates TOMA, T-O-M-A, Consumer Protection Fund as a special fund in a statewide treasury and provides that an assessment of one cent per money transmission be paid into a fund. Monies in that fund are to be used to reimburse consumers who

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suffered losses arising out of a regulated transaction. The Bill also amends the State Finance Act and adds TOMA Consumer Protection Funds to the list of special funds. And I urge your support. Thank you."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 24 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Mr. Clerk, take the record. On this question, there are 71 voting 'yes', 43 voting 'no', 3 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 24 is hereby declared passed. On page 8 of the Calendar, Senate Bill 130. The Lady from DuPage, Representative Pihos. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 130, a Bill for an Act concerning the Children's Health Insurance Program. Third Reading of this Senate Bill."

Speaker Novak: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker. Senate Bill 130 deletes the repeal date of the Children's Health Insurance Program Act which was currently set to repeal on July 1, 2003. It amends the Children's Health Insurance Program to provide eligibility at 200 percent of the federal poverty level and also provides for eligibility for the family care program to be set at a level as determined by the Department of Public Aid by rule and the rule shall not specify a level lower than 90 percent."

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Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 130 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting... 117 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 130 is hereby declared passed. The Gentleman from St Clair, Mr. Holbrook, on Senate Bill 212. Mr. Clerk, read the Bill, please."

Holbrook: "Senate Bill 212, a Bill for an Act concerning civil procedure. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Holbrook."

Holbrook: "Thank you. Senate Bill 212 is the reauthorization of the quick-take for the Southwest Development Authority. This has been held for 14 years. We missed it last year at the very end of Session. The Senate sent the Bill back on the reauthorization. We didn't have time to get to it the last day. It also includes House Amendment #1, which was put in at the request of Representative Bassi, for an extension of her Palatine... quick-take for her TIF and a small expansion into TIF #2 in Palatine. And Floor Amendment #2 is at the request of Representative Granberg, which allows Clinton County to join this organization at their request. Be glad to take any questions."

Speaker Novak: "Is there any discussion? The Gentleman from Fayette, Mr. Stephens."

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Stephens: "Thank you, Mr. Speaker. To the Bill."

Speaker Novak: "To the Bill."

Stephens: "There's no better economic tool than SWIDA in southwestern Illinois. We extend this on an annual basis. I appreciate Representative Holbrook's help... work on this Bill."

Speaker Novak: "Thank you. Any further discussion? The La... the Gentleman from Cook, Mr. Davis, Will Davis."

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

Speaker Novak: "Sponsor yields."

Davis, W.: "Just one question, Sir. I was reading the analysis and this organization is in southern Illinois in the Belleville area, but apparently there is a provision for Palatine, which is the northern part of the state. Are these the only two areas affected by this piece of legislation?"

Holbrook: "The Metro East and Palatine, yes. And it was at Palatine's request of their Representative, yes."

Davis, W.: "Okay. 'Cause I remember a piece of legislation that also actually included Crestwood. Is this that same piece of legislation?"

Holbrook: "No, no."

Davis, W.: "So, it's just those two areas?"

Holbrook: "Just those two areas, only."

Davis, W.: "Okay. Thank you very much, Sir."

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall Senate Bill 21... 212 pass?' All those in favor vote 'aye'; all those opposed vote 'no'.

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 voting 'yes', 5... there are 59 voting 'yes', 57 voting 'no', 1 voting 'present'. Mr. Holbrook."

Holbrook: "I ask for future consideration, reconsideration."

Speaker Novak: "Place this Bill on Postponed Consideration. On page 9 of the Calendar, the Gentleman from Cook, Mr. Brosnahan, on Senate Bill 278. Mr. Brosnahan. Out of the record. Mr. Saviano, the Gentleman from Cook, on Senate Bill 487. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 487, a Bill for an Act in relation to the regulation of professions. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Senate Bill 487 is a culmination of a little over two years of work on the rewrite for the Private Security, Private Alarm, Private Detective Act. The reason we had to work on it that long is obviously because of the 9-11 occurrence. We wanted to insure that our security guards are guarding facilities such as, nuclear power plants and governmental buildings, requi... are required to have the proper training to protect these sites and protect the public. I commend everybody who worked on this Bill; all of the groups, all the security card agencies, local SEI... SEIU, which also played a major portion of rewriting this Act. I just wanna

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thank everybody for all the hard work they've put into this Bill. And I would ask approval of Senate Bill 487."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 487 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 5 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 487 is hereby declared passed. Senate Bill 496, the Gentleman from DuPage, Mr. Biggins. Is Mr. Biggins in the chamber? Out of the record. Senate Bill 684, the Gentleman from Cook, Mr. Saviano. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 684, a Bill for an Act concerning speech-language pathology. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. This is a companion Bill of the House version we passed out of here a few months ago. This is a cleanup of the Speech-language Pathology Audiology Practice Act. We amended it to clarify some of the requirements for the issuance of a school service personnel certificate. This is an initiative of the Speech-language Pathology and Audiology Association of Illinois. And I would ask for your favorable vote."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 684 pass?' All those in

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favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 684 is hereby declared passed. The Gentleman from Cook, Mr. Molaro, on Senate Bill 699. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 699, a Bill for an Act concerning electronic transmissions. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Molaro."

Molaro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is the Electronic Attendance Act. Provides that members of public bodies may attend meetings by electronic means subject to certain rules and restrictions and amends the Open Meetings Act to allow members of a public body to attend meetings by electronic means. It also has requirements of certain notices and other safeguards in the Bill. There are no known opposition, and this is being..."

Speaker Novak: "Is there any discussion? And on that question, the Gentleman from Lake, Mr. Mathias."

Mathias: "Will the Sponsor yield?"

Speaker Novak: "The Sponsor yields."

Mathias: "Could you, Representative, could you tell me exactly what this Bill does? I mean, wha... what does it mean as far as electronic attendance? Is this sort of like the... the

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'Matrix' movie that was just here? Or, could you tell me a little bit more about it?"

Molaro: "No, sometimes to get a quorum... First of all, you have to give notice, it has to be 48 hours in advance. And what it can be by teleconference or by speakerphone, it... to get a quorum it can be said that a seven mem... seven-member board, no more than two members can do this by electronic means. But you can attend the meetings by electronic means for say, purposes of a quorum. So, if it's a library board and there's seven members and you have four there and one's in their hotel room somewhere, then they can attend by electronic means."

Mathias: "Now, does it state anything in the Bill that there has to be at least somebody at the... at the actual meeting? Or can everybody be at seven different telephones?"

Molaro: "No, there can be no more than two."

Mathias: "No more than two. And let me ask you a question. If... if they... if these members want to go into an open meeting... I'm sorry, to a closed meeting, will they have to put a tape recorder in the hotel room, too, to cover anybody who wasn't present at the... at the meeting but doing it from some other location?"

Molaro: "Well, I don't know... you mean about that previous Bill that passed?"

Mathias: "Yes, I just wondered..."

Molaro: "I don't... I don't even know if the Governor's gonna sign that. So, I don't even know why even talk about something that may not happen?"

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Mathias: "I see. I just want to make sure that... that whoever is not present is still be able to take part... well, is this only for open meetings? Or would this apply to closed meetings, also?"

Molaro: "Well, if it's attendanced by me, if they went into executive session, apparently it would still apply."

Mathias: "So the..."

Molaro: "Because when you go into executive session you really don't move, you just have everybody leave the chamber, usually."

Mathias: "No, in some places every... they..."

Molaro: "They actually go into a different room."

Mathias: "Right."

Molaro: "Right, they do. And they would, apparently if he wants to take part at executive session, or she, they'd have to bring in whatever electronic means they could. Otherwise they're not taking part in executive session."

Mathias: "Th... thank you for your answers."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall Senate Bill 699 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Fritchey. Take the record. On this question, there are 116 voting 'yes', 1 voting 'no', 0 voting 'present'. And having received the required Constitutional Majority, Senate Bill 699 is hereby declared passed. The Lady from Cook, Representative

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Krause, on Senate Bill 726. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 726, a Bill for an Act in relation to executive agencies. Third Reading of this Senate Bill."

Speaker Novak: "Representative Krause."

Krause: "Thank you, Mr. Speaker. Senate Bill 726 is the creation of the Regional Transportation Task Force. This House has seen this before, we've discussed it before and it passed out of the House. This consists of setting up a task force in the northeastern area which will look at the issues of the public transportation. However, in addition now, there has been added to the Bill as part of the nonvoting task force two Members of Congress representing Illinois from different political parties. It has been provided that there shall be any resources from not-for-profit organizations to complete the work. And in addition, the report date shall be March 1, 2004 instead of the November 1, 2004 that we had previously. Otherwise, all of the other additions that have been in the House are contained in this Bill. I would be pleased to answer any questions."

Speaker Novak: "Is there any discussion? The Gentleman from Cook, Mr. Miller."

Miller: "To the Bill. I'd just like to..."

Speaker Novak: "To the Bill."

Miller: "...commend the Sponsor for her continuous work on this issue. This House had passed a transportation... a Bill similar to this, with the addition with the Members of

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Congress it provides an input on all levels of government which I think is important to our transportation needs in the region of, not just in Cook County, but all across the state. I'd ask for a favorable vote."

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall Senate Bill 726 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 726 is hereby declared passed. The Gentleman from Vermilion, Mr. Black, on Senate Bill 750. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 750, a Bill for an Act in relation to higher education. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Members of the committee. First of all, let me thank Speaker Madigan for allowing me to take this shell Bill that he had and try and do a pilot program. I think it's very important that we focus on the fact that this will be a pilot program that will affect a community college in my district. I'll make that very clear to you. We have a nursing school in Danville that is called the Lakeview Baccalaureate Nursing Degree Program that a hospital ran for a number of years, more than 80 as I recall. Lakeview Hospital is no longer in existence, it was purchased by the Franciscan Sisters

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and is now Provena. It's my understanding that Provena does not want to continue operating this nursing program. They have asked the community college about two years ago to take over the administrative function, now they are asking the college to take over the actual running of the program. Now, any of you with a community college knows that they cannot award a baccalaureate degree and we're not asking for that, that would... that would be a serious precedent-setting change in the Public Community College Act. What we are asking is that we amend the Public Community College Act by creating the Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program. We will have to get permission from the Board of Higher Ed and the North Central Association for Accredited, we'll have to enter into intergovernmental agreements with a four-year institution, because at some point only a four-year institution can actually award a baccalaureate degree. The college can administer the program, can do the first two years, we'll have to have an intergovernmental agreement with a four-year institution so that they can continue on to get their baccalaureate degree. I would not bring this Bill to you except we are a town of 36,000 people in a medically underserved area and this is the most cost-effective way to train people to go into the nursing program. And what's unique about this, particularly in rural areas, we have people in their late 20's and early 30's who are going into this program to be retrained. They've been laid off from the old industrial

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jobs that used to be so plentiful in the rural areas. That's all the Bill does, it's a pilot program. I'd be glad to answer any questions that you have."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. From Kankakee. To the Bill, Mr. Speaker. I applaud Representative Black for his efforts. I, too, have a community college and as Representative Black indicated in our areas in southern Illinois and central Illinois when we have layoffs people have to go to these programs to be retrained. And it's of critical importance. I know how much it's utilized by my community college. Similarly, Representative Black is faced with a situation where they had the program in existence, this is their only alternative. So, for the best interest of that area and for that region, I think the Representative has a good idea. No community college is opposed to it and I think we all should stand with Representative Black in giving him the ability to assist his area."

Speaker Novak: "Further discussion? The Lady from Peoria, Representative Slone."

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

Speaker Novak: "Sponsor yields."

Slone: "Representative Black, how far away is the community college from the University of Illinois Main Campus?"

Black: "The University..."

Slone: "In Champaign."

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Black: "The University of Illinois is approximately 35 miles one way from the current location of the Lakeview School of Nursing?"

Slone: "Does the University of Illinois have a nursing school as well, a baccalaureate nursing program at that campus?"

Black: "Representative, I... I honestly don't know if the University of Illinois has a baccalaureate nursing program or not. I'm simply not familiar with that particular program."

Slone: "Is there any precedent for offering a baccalaureate level course at the community colleges?"

Black: "Representative, I hoped I made myself clear, we are not about to establish a presid... a precedent. The community college will not award the baccalaureate degree."

Slone: "Right."

Black: "This is a pilot program. They will have to enter into a... an intergovernmental agreement with a four-year institution. It may be the University of Illinois, it may be Illinois State, it may be a private college like Illinois Wesleyan for example, that I'm fairly sure has a baccalaureate science degree program. We have no intention of establishing a precedent. We will not pursue it and there is no way without a substantive change in law that I would not support that any community college on its own can offer a baccalaureate degree."

Slone: "Thank you, Mr. Black."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall Senate Bill 750 pass?' All those in favor vote

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'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 750 is hereby declared passed. Is Mr. Hannig in the chambers? Out of the record. Senate Bill 1038, the Lady from Cook, Representative Howard. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1038, a Bill for an Act regarding schools. Third Reading of this Senate Bill."

Speaker Novak: "Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. Senate Bill 1038 is an initiative of the Illinois State Board. It changes the date by which a school district applies for the General State Aid. It'll be effective July the 1st. It changes the times based on the end of school years. I'll answer questions."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1038 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 1038 is hereby declared passed. Mr. Hannig on Senate Bill 820."

Clerk Rossi: "Senate Bill 820..."

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Speaker Novak: "Mr. Clerk, read the Bill."

Clerk Rossi: "...a Bill for an Act in relation to public employee benefits. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is a cleanup Bill for the Teachers' Retirement System and the language basically allows us to continue a program where teachers who take the 2.2 option can make the payments for that additional benefits even against their annuity when they retire. So, it's something that we currently do. When we started the program we put a sunset in. It has worked well. The system has asked us to remove the sunset, to extend the sunset. It also, the Bill provides that there be some cleanup as far as some language on depositing of money into an account. It's technical or it's not a significant change. So, this Bill's cleanup in nature. I'd be happy to answer any questions and ask for a 'yes' vote."

Speaker Novak: "Thank you. Is there any discussion? And on that question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, I thank you for bringing this Bill forward. Let me ask you one question, I think I know the answer, but many of my constituents have called. As you know, there is a... an offset, for years teachers were not given the option of being in social security, then that

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changed a few years ago. But now as some of these teachers approach retirement they're finding out that their pension and their social security benefit... the social security benefit will be reduced by their pension. And I keep telling them, I hope I'm right. This Bill doesn't address that and I'm not sure it's something that a State Legislature can address. It... it... I'm telling them it can only be addressed by Congress. I... I hope you'll back me up, otherwise I'm in trouble."

Hannig: "I agree with you Representative, that would be my view of what..."

Black: "So..."

Hannig: "...we need to do."

Black: "So, while..."

Hannig: "I think you've ident..."

Black: "...this gives..."

Hannig: "Yeah, I think you've identified the problem and the..."

Black: "Yeah."

Hannig: "...solution."

Black: "Yeah. So, this allows 'em the election for the Medicare but the pension offset we're gonna have to shift that discussion to Washington, right?"

Hannig: "That's correct, Representative."

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

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 820 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 820 is hereby declared passed. Senate Bill 1109, the Gentleman from Cook, Mr. Miller. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1109, a Bill for an Act in relation to public aid. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1109 essentially allows for prescription medications for a \$3 co-pay and eliminating the co-pay for generic medications under the Medicaid Illi... Program in Illinois. I ask for a favorable vote."

Speaker Novak: "And on that question, the Lady from Cook, Ms. Mulligan. Ms. Mulligan."

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

Speaker Novak: "Sponsor'll yield."

Mulligan: "Representative, in the particular climate we're having with the budget what is the reason you're Sponsoring this Bill?"

Miller: "Actually, thank you for the question. This is actually an Agreed Bill with the Governor's Office. The initial Bill the way it was... that it came over from the Senate, the cost was about \$13 million and is reduced to \$7 million with this Amendment. And it's in the Department of Public Aid's budget."

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Mulligan: "So you're eliminating... what was the co-pay on generic before?"

Miller: "The co... the co-pay on a generic before was a dollar."

Mulligan: "And the co-pay before on brand name?"

Miller: "Brand name is \$3."

Mulligan: "Well, it will be \$3."

Miller: "Yeah, it's gonna stay the same."

Mulligan: "It's going to st..."

Miller: "The... when the Bill was first presented the... the... the co-pay for brand names was \$2, but the Amendment moved it back to \$3 in addition to eliminating the co-pay for the generics."

Mulligan: "Well, the Medicaid drug line is one of the fastest growing issues on our budget that costs the most. I don't know how the Governor's Office can state that this is gonna be covered under that line when it's one of the most expensive parts of the Medicaid budget. And is it impossible that people do not... that the pharmacists do not collect the co-pay, they will not turn them down? What's the issue that's gonna cost us another \$8.3 million?"

Miller: "Well, I think it's... I think your argument is good, but the difference is it's gone down from \$13 million, with a \$2 co-pay, to \$7 million under an estimate with elimination. As you know when prescriptions are... prescriptions are filled the pharmacist is entitled to fill that prescription whether the person has the co-pay or not and so usually the pharmacist eats that co-pay if the person doesn't have it and ya know, just out, ya know, what

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they do. And so what this Bill does do is help small businesses in addition to reduced... reduced what was in the budg... what was initially in the... the Bill."

Mulligan: "But the Department..."

Miller: "Initial Bill."

Mulligan: "...of Public Aid said it was neutral, half of that \$8.2 million would be coming from Medicaid, which they will no longer have. And if you eliminate the \$1 co-pay for generic, no changes made for \$3, but it certainly pushes, once again, generic drugs over something that may or may not be the best drug for that person. I'm not... I'm not quite sure what the object of this is, because a dollar isn't a whole lot. If you're really... if you're elderly and very poor you probably qualify for SeniorCare or Circuit Breaker. We're adding a whole new class... in an area that is the fastest growing in the state. I have some concern about taking another... that amount of money, 8.2 million, out of the budget."

Miller: "Well, I think it helps... if anything it helps the pharmacist. Ya know, you're not talking... you're talking the mom and pops that are in... traditionally in some low income areas that they're just forced to eat that co-pay. Even though it's a dollar, it may not sound like a lot when we look at it. But however, as you know, many of our seniors are on multiple medications and you're talking about over a series of months, and so there is the option of that person could use a brand name prescription and ya know, pay the \$3 or name brand(sic-generic) prescription

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and pay nothing. I think that's fair, I think that's excellent and I... I think it's a very positive move."

Mulligan: "Representative, so is the Department of Public Aid just going to eat the difference obviously and pay what it costs and so the co-pay is gone and they're gonna pick up the cost."

Miller: "I don't know if they're gonna... yeah, I guess so."

Mulligan: "I'm concerned in this particular year, not that I don't agree with you to some extent, but in this year when we're making really hard decisions it seems strange to me that we've come up with cutting an additional amount of money out of the budget that is normally there, people are usually ready to pay for. We can't cover COLAs, we can't open to CILA slots, we can't do a whole lot of things. And in the fastest growing item in the Medicaid budget, which is drugs, we're having the department pick up more money and lose, probably, I don't know if they'll lose the match or pick it up. And I don't know if it's a total by looking at this, whether actually the department would be picking up 4.1 million or the whole total 8.2 and if the department picks it up, I presume it would be Medicaid matched, so it might be half of that. Can your staff tell you that?"

Miller: "Let me see if I can... You're asking if it's a Medicaid matched program, that I... that I do not know."

Mulligan: "I'm asking if the department is picking up the whole 8.2 or if they're picking up 4.1 which will be matched anyway?"

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Miller: "My understanding is, Representative, that it's within the Department of Public Aid's budget, it's \$8 million that's been allocated for this."

Mulligan: "No, I think you're not... you don't understand what I'm saying to you."

Miller: "I might not."

Mulligan: "If this is a Medicaid match because it's Medicaid drugs and the total cost of cutting it out would be \$8.2 million to the department, is half of that matchable so it's only 4.1 or is it a total of 8.2?"

Miller: "Now, I do understand your question."

Mulligan: "Our analysis says that according to the Department of Public Aid this change would have a fiscal impact of \$8.2 million or 4.1 million net. So, I'm presuming by going through ours that they would have to pick up 4... they would have to pick up 8.2 and we would get a 50 percent match. And I'm not sure if we'd now get the enhanced match in that area of 52.9 which is supposed to be coming or not. But, as much as I'd like to support this, I'm not quite sure what to do. I'm in a quandary about adding this back in. And was this part of the Governor's budget originally, because in many instances the Governor's budget as introduced did not mat... match his agency budgets and if this is over and above after the budget as presented, this went through Human Services and it certainly didn't come through the Appropriations Committee? I'm just wondering if this just adds another impact of either 4 million or 8

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million to the budget that we have to figure out where to get the money for."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Flowers."

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

Speaker Novak: "Sponsor yields."

Flowers: "Representative, just for a point of clarification, people on Medicaid who cannot afford to pay the co-pay, in spite of this legislation, does not have to pay anyway. Am I correct?"

Miller: "That is true. Federal regulations provide that if they may not... any pharmacist may not deny services to any eligible individual on account of the individual's inability to pay the cost of the sharing amount of the plan."

Flowers: "Okay. So now, what is the purpose of your legislation?"

Miller: "I'm sorry?"

Flowers: "What is the purpose of your legislation?"

Miller: "It eliminates the co-pay for generic medications, so the person, ya know, is supposed to pay under current law a dollar for generic medications and therefore, it eliminates that for those who can... for those who... who are... who need the medication."

Flowers: "Okay. But for those who are on Medicaid, as I stated before, they do not have to pay a co-pay, period."

Miller: "Well, they don't have... the pharmacist is obligated to fulfill the prescription under law and so when you say they

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do not have to pay, no, they're supposed to pay, but if someone cannot afford it, then usually the pharmacist will eat the cost."

Flowers: "Okay. I just... I don't want the misinformation out there. When you say they're supposed to pay, if they cannot afford to pay and they're on Medicaid the pharmist(sic-pharmacist) can't make them pay, they... the pharmist(sic-pharmacist) cannot withhold their prescription, he must fill their prescription and give it to them if they say I can't afford to come up with the co-pay, period."

Miller: "They... that's... they... if they say they cannot afford to pay the co-pay then the pharmacist is obligated to pay... to fill the prescription."

Flowers: "To fill the prescription. The pharmacist doesn't have to pay anything. Thank you very much."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall Senate Bill 1109 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 4 voting 'no', 2 voting 'present'. And having reached a required Constitutional Majority, Senate Bill 1109 is hereby declared passed. The Lady from Cook, Majority Leader Currie, on Senate Bill 100. Mr. Clerk, read the Bill."

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Clerk Rossi: "Senate Bill 100, a Bill for an Act concerning compensation of public officials. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. A year ago we abolished the cost-of-living adjustment for Legislators, for members of the executive branch, and for the judiciary, as well. Unfortunately, it has since come to our attention that it was not within our purview legitimately, under the Constitution, to take the COLA, the cost-of-living increase, away from the judiciary. Let me read to you from the Illinois Constitution, Article VI, Section 14, 'judges shall receive salaries provided by law which shall not be diminished to take effect during their terms of office.' When the pay... the Compensation Review Board authorized a cost-of-living adjustment for the legislative, executive, and judicial branches in 1991, the report made absolutely clear that that cost-of-living adjustment was to be considered part of compensation, part of salary, in each and every year that ensued. So, the two issues in this Bill are first of all, the constitutional prohibition against disparaging, reducing, the salary of a sitting judge. And that provision is there so as to make sure we value the integrity and the independence of the judiciary, that we do not use the salary schedule to intimidate or to discourage them from using their best judgment, their best intelligence, their best judicial expertise when they are trying cases. Second, the reason

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that provision is relevant is precisely because when the Compensation Review Board established the schedule for cost-of-living adjustments they did so as a promise, not just a 'maybe', from 1991 going forward. I would appreciate your support for the Bill. I would be happy to answer your questions. I do believe, Members of this chamber, that we have no constitutional choice but to vote 'yes' on Senate Bill 100."

Speaker Novak: "Is there any discussion? On this question, the Gentleman from Vermilion, Mr. Black."

Black: "Well, Ladies and Gentlemen of the House, you stay here long enough and you get to see almost everything. But this is the first time I've seen this. And I hope... put down your popcorn, put down your soda pop, look at your laptop because here comes, what I think, is the most... I won't even say that. I think this is the most interesting Bill that you're gonna get a chance to vote on all Session. Last year the Members of the General Assembly passed a Bill that said we will forego a pay raise, cost-of-living pay raise, that was recommended in the Compensation Review Board report. And along with that, came the constitutional elected officeholders and the judges. That saved \$12 million. I have a Bill pending to do the same thing this year but I don't think you'll ever get a chance to vote on it. But that's... that's for a later time. Now, here comes a Bill, retroactive, that says in effect, judges who make \$120 thousand a year or more... hey, you can't... you can't include us, our cost-of-living raise, uh-uh. You don't

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have the right to deny us a cost-of-living raise. Oh, really? Where is that in statute? I can't find it. I've had staff looking for a month. And you know what I was told? If you don't do this and you don't give us our raise back that you took away last year, we're going to sue you. Sue me. What judge in Illinois is gonna hear the case? What judge in Illinois is gonna hear the case? Not that any of 'em would have a conflict of interest. So, I was told today, 'we'll take it to the federal courts.' Take it to the federal courts. Come on into my district, tell people who can't find a job. Tell people who have had to sign union contracts, giving back money the last two contract terms. Tell people in my district trying to get by on \$24 thousand a year that you can't give up a 4.8 percent cost-of-living increase for one year when you make... Let's listen to this: the Supreme Court, a hundred and fifty-eight thousand, a hundred and three; the Appellate Court, a hundred forty-eight thousand, eight hundred and three; my good friends on the Circuit Court, the Circuit Court judges, a hundred and thirty-six thousand; associates, a hundred and twenty-seven thousand. Every one of these people would be getting more than a \$45 hundred raise. You didn't get a raise. The constitutional elected officeholders didn't get a raise, but the judges are comin' in and say, 'hey, we can't do without this raise. My God, we only make a hundred and fifty thousand dollars a year. What are you trying to do? They're going to repossess my Mercedes. They're gonna to take my cabin in Wisconsin. I

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won't have a second home.' And what do they do rather than stand up like upstanding men and women that they all are? My only hope is that I don't end up in court in the next six months. Rather than just come in and say, 'we don't want to give up our... our raise. We don't think we should, and we don't like it.' They come in and they raise a constitutional issue. How many times have we backed off a vote where somebody stands up and says, 'I don't think that's constitutional.' The courts will rule. And let them rule. But I say to you this, if the judges ask to be included in the Compensation Review Board report, as they did less than 20 years ago, then by God, they are subject to the will and the action of this Body. And why did they want in the Compensation Review Board report? Because those raises can become automatic. Those cost-of-living raises can become automatic. If you vote on a judicial pay raise all by itself, it didn't pass very often. So, they said, 'put us under the Compensation Review Board.' We did, we froze their pay. They don't like, they want a retroactive pay increase. However you vote is your business. But my... and I have campaigned, and that's another thing I love about this Bill. I've campaigned for many a judge, 'course the minute they're elected they can't talk to me, but I've campaigned and raised money to help elect a lot of judges in my district. And then here they come in with this kind of backwards pay increase saying that we don't have the authority. If you're under the Compensation Review Board, we have the authority. To quote

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that great American statesman, you all remember him, President Bill Clinton. That great American statesman said, 'I feel your pain. And we should share in your pain.' Well, Mr. and Mrs. Judge, I feel your pain. I think you should share in my pain. I didn't get a raise last year. Most everybody in my district didn't get a raise last year. There are people in my district who would think they'd died and gone to heaven if they could make a hundred and twenty-four thousand dollars a year. I think this is an affront to the state employees who have been laid off, to employees who not only won't get a raise, but now have to pick up their own pension contribution so they'll get a net loss. I think it's an affront to every community-based provider who will take a budget cut. I think it's an affront to every school district that will take a budget cut because of the fact we are in a serious budget crisis, the worst fiscal crisis, I daresay, since the Great Depression. Now, if you want to say judges don't have to share the pain, then you vote for this Bill. And you go home and explain to your voters that judges should be treated differently than any other classification of state employee. Is it unconstitutional? I don't know. Go to court, let's find out. But I will not be a part of standing on this floor and casting a vote that says the pain and the suffering caused by a budget crisis can be borne and shared by everybody in the State of Illinois except judges. I think this is morally wrong and reprehensible. And I urge a 'no' vote."

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Speaker Novak: "Further discussion? The Lady from Peoria, Representative Slone."

Slone: "I agree with Mr. Black."

Speaker Novak: "Further discussion? Representative Currie to close."

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

Speaker Novak: "Excuse me. Excuse me."

Currie: "Each of us..."

Speaker Novak: "Excuse me. Excuse me, Representative. Mr. Molaro had his light on. I'm sorry. Mr. Molaro."

Molaro: "Thank you, Mr. Speaker. There are certain things that, obviously, Representative Black talked about that made some sense. However, I just have to remind him that there are a lot of judges who, we won't get in... gave up practices and that, but there are judges who are with the State's Attorneys Office, became judges, they have children in college. They don't necessarily all drive Mercedes, they don't necessarily have to... where they're all multimillionaires. There are judges out there that live check to check, just like everybody else does. Now, the other thing that I might point out that I want to make clear for the record. We're not here voting a raise for the judges, the judges aren't getting a raise. What we're doing is, there was a raise that we voted on, previously. 'Pate' Philip and a few other Leaders decided that the cost-of-living part, we should take away from ourselves. Well, what we did do was we included the judges, we just didn't take away from ourselves. Very nice of us a year

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ago to take away from other people. And I think that's where the problem is. No judges come down here and say, 'I want a pay increase.' All they're saying is that... and no judge has really been down here doing this. This is something that we did that I don't think we had the right to do. Very simple to compromise and give something up, as long as it's not yours. We took something away from these judges we didn't have a right to take. All this does is put it back, we're not giving 'em a pay increase. This is something that was already voted on previously that we decided to do. And I do take... just want 'em... other people to know, there are judges living check... check to check, not all of 'em drive Mercedes. I just want to make that clear."

Speaker Novak: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. It's been suggested that the constitution is not our responsibility, we're to leave that up to the courts. Let me point out Members of this chamber, that each and every one of us, when we took the oath of office, swore that we would uphold the Constitution of the State of Illinois. And the constitution is clear, judges salaries may not be diminished during a term in office. Second, we've been treated to a bit of judge bashing on this House Floor. I would urge, Members of the Assembly, that perhaps one of the reasons for this very constitutional provision is that it's easy to intimidate the judges. It's easy to undercut their authority. It's easy to give them a hard time.

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Maybe that's why, to preserve their integrity and their independence, maybe that's why the Constitution is so specific that we may not take away their salary. There's no question, this is salary. The 1991 report makes that absolutely clear. If you want to get away without a huge cost to state government I would urge that you vote 'yes' on Senate Bill 100. Not only because that would show your respect for the Constitution you have sworn to uphold, but also because it will avoid the taxpayer bill for the substantial sums of money that we'll spend in court losing the battle to say that this was the wrong vote. I urge your 'aye' votes. It's time... whatever you think of judges, it's time to do the right thing. It's time to do the constitutional thing. Vote 'yes'."

Speaker Novak: "Further di... Mr. Biggins, for what reason do you rise? Okay. The question is, 'Shall the... shall the House pass Senate Bill 100?' All those in favor say... vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take... Mr. Clerk, take the record. On this question, there are 55... 55 voting 'yes', 53 voting 'no', 8 voting 'present'. Representative Currie."

Currie: "Thank you, Speaker. May I please have Postponed Consideration?"

Speaker Novak: "Put this on Postponed Consideration. Mr. Clerk, Supplemental Calendar #1. Mr. Black. Mr. Black, Sir, for what reason do you rise?"

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Black: "Yes, thank you very much, Mr. Speaker. I just called my wife and she informs me that we're living from paycheck to paycheck. So, I would like to amend that Bill since it's on Postponed Consideration on its face, with the permission of the Sponsor. I think these... I think Legislators who get a munificent salary should be included, too. I had no idea I was living paycheck to paycheck, my wife was in tears, so I hope we'll include the Legislature in Senate Bill 100 when it comes back."

Speaker Novak: "Thank you, Mr. Black. Mr. Biggins, for what reason do you rise, Sir?"

Biggins: "Thank you, Mr. Speaker. Coincidentally, you mentioned Supplemental Calendar #1. It was about 24 hours ago that we had the one from Tuesday, May 27. Now this one, it's improving. Yesterday I asked where the Republican Calendar was and you said you were looking for it. Well, today we have one Republican item on the Supplemental Calendar #1. Now, Mr. Speaker, I know that things advance incrementally down here, but can we increase the size of the incremental next time and maybe have more Republican Bills on it. I'll leave that to your good judgment."

Speaker Novak: "Mr. Biggins. Mr. Biggins, we're working on it."

Biggins: "Thank you."

Speaker Novak: "Thank you, Sir. Mr. Clerk, Supplemental Calendar #1, Senate Bills Second Reading. Senate Bill 31. Please read the Bill."

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Clerk Rossi: "Senate Bill 31, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 35."

Clerk Rossi: "Senate Bill 35, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 706."

Clerk Rossi: "Senate Bill 706, a Bill for an Act in relation to governmental ethics. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 823."

Clerk Rossi: "Senate Bill 823, a Bill for an Act concerning the executive branch. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 852."

Clerk Rossi: "Senate Bill 852, a Bill for an Act in relation to sanitary districts. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have

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been filed. No Floor Amendments approved for consideration."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1649."

Clerk Rossi: "Senate Bill 1649, a Bill for an Act in relation to public health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1650."

Clerk Rossi: "Senate Bill 1650, a Bill for an Act concerning juveniles. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1742."

Clerk Rossi: "Senate Bill 1742, a Bill for an Act concerning bioterrorism. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1848."

Clerk Rossi: "Senate Bill 1848, a Bill for an Act in relation to highways. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1865."

Clerk Rossi: "Senate Bill 1865, a Bill for an Act concerning securities regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1949."

Clerk Rossi: "Senate Bill 1949, a Bill for an Act concerning schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. It is the intent of the Chair to go to concurrences. Page 23 of the Calendar, the Lady from DuPage on House Bill 176, Representative Bellock on a Motion to Concur. Representative Bellock."

Bellock: "Thank you very..."

Speaker Novak: "House Bill 176, please explain the Amendment."

Bellock: "Thank you very much, Mr. Speaker. I move to concur with Senate Amendment #1, which deletes the lines and the... from the shelters other than animals from shelters other than no kill shelters."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Represello... Representative Bellock now moves that the House adopt Senate Amendments #1 to House Bill 176. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are 116 voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House... House does concur in Senate Amendments #1 to House Bill 176. Mr. Clerk, Rules... Rules announcement."

Clerk Rossi: "Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 28, 2003, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #5 to Senate Bill 150; Floor Amendment #2 to Senate Bill 172; Floor Amendment #1 to Senate Bill 774; Floor Amendment #1 to Senate 6... 969; Floor Amendment #3 to Senate Bill 1332; Floor Amendment #1 to Senate Bill 1634; Floor Amendment #1 to Senate Bill 1733, and Floor Amendment #2 to Senate Bill 2003; 'to the Order of Concurrence' a Motion to Concur with Senate Amendment #1 to House Bill 2860; a Motion to Concur with Senate Amendment #1 to House Bill 3023, House Bill and a Motion to Concur with Senate Amendment #1 to House Bill 3231."

Speaker Novak: "Anything further? Okay. Thank you. On page 23 of the Calendar, the Lady from Cook, Representative Feigenholtz. Is she in the chamber? Out of the record. On page 28 of the Calendar, the Gentleman from Cook, Representative Joyce. Is Mr. Joyce in the chamber? House Bill 1118 on a Motion to Concur. Mr. Joyce."

Joyce: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 1118 is the truth-in-tuition Bill. I would move concurrence on Senate Amendment #1. This

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Amendment extends the program to cover... educational programs that are designed to be five-year programs, some engineering programs, some educational programs. Pretty technical in its language. I'd move its concurrence."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the ques... Representative Joyce now moves that the House adopt Senate Amendment #1 to House Bill 1118. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1118. And this Bi... Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Feigenholtz, on House Bill 211 on a Concurrence Motion."

Feigenholtz: "Thank you, Mr. Speaker. Senate Amendment #2 simply clarifies that House Bill 211 does not require health insurance plans to cover abortions or surgical sterilizations which is what we knew in the original Bill that needed to clarify for some people. The HMOs support this Amendment. CMS supports House Bill 211. And was adopted in the Senate. Thank you."

Speaker Novak: "Is there any discussion? On that question, the Gentleman from Cook, Mr. Parke."

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

Speaker Novak: "The Sponsor yields."

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Parke: "Representative, there is some legislation in here that a lot of the pro-family and pro-life groups are objecting to. Is that correct?"

Feigenholtz: "Representative, the Amendment on the Bill was adopted in the Senate to reassure Senators that the Bill only requires coverage of contraceptives approved by the FDA to prevent pregnancy and clarifies that it does not mean abortions. There are some groups that now support the Bill and some that continue to oppose it. I am not clear on who is who."

Parke: "Well, Ladies and Gentlemen, I rise in opposition to the Lady's concurrence. This is a very controversial Bill. You need to pay attention. There is a large group of people that are opposed to this: the Illinois Association of Health Care Plans, the Catholic Conference of Illinois, the Illinois Manufacturers' Association, the Illinois Chamber of Commerce, Employment Law Council, Tooling & Manufacturing Association, Pfizer, National Federation of Independent Businesses, the Citizens for Life, the Catholic Health Care Social Services, and the Life Insurance Council. So, I rise in strong opposition to this legislation. And it... the problem basically defines outpatient contro... contraceptive services as consultants examination, procedures, and medical services provided on an outpatient basis and relates... related to the use of contraceptive methods including family planning to prevent unintended pregnancies. This has to do with prima facie abortions. And I stand in strong opposition and so do

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many other groups and many pro-family organizations rise in opposition to this legislation. I would require a 'no' vote on this Bill."

Speaker Novak: "Further discussion? The Gentleman from Fayette, Mr. Stephens."

Stephens: "Lady yield?"

Speaker Novak: "The Lady will yield."

Stephens: "Do you know if children that are born to someone who has a standard insurance policy would normally be covered?"

Feigenholtz: "You mean for a birth? Yes, they would."

Stephens: "Okay. Well, that pretty much says it all. But I stand in strong support of this. I am a cosponsor and I am pro-life and I'm pro-family. My credentials speak for themselves. And I would urge an 'aye' vote."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "The Sponsor yields, Sir."

Black: "Representative, when the Bill left the House, it was amended so that the state employees' insurance is now covered under the Bill. I don't necessarily oppose that. We usually exempt the state employees' insurance group, but that has a particularly... well, I shouldn't say that. That carries a cost to the taxpayers of the State of Illinois whenever you amend the state employees' health insurance plan. Do you remember what the fiscal impact was by

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mandating that the state employees' group insurance be impacted by this?"

Feigenholtz: "The number that I got, a revised number from CMS, is based on 35 percent utilization. And it has... this Bill has a January 4th effective date, so this number is halved. And I believe it is 5... 5,279,000, but actually, based on 35 percent and it being cut in half, 2,575,000, Representative Black. Those are the numbers that I'm looking at right now. Is that what you're seeing?"

Black: "No. The only number we were given by the Department of Central Management Services is that this will cost just the state employees' insurance plan, i.e. the taxpayers, \$10.2 million."

Feigenholtz: "You're looking at an old fiscal note, Representative Black."

Black: "Well, the staffer's right behi... right beside me and he isn't very old."

Feigenholtz: "Then they're looking at an old fiscal note."

Black: "He isn't very old and I trust him explicitly and he says the fiscal cost is \$10.2 million to the state employees' group insurance plan, alone."

Feigenholtz: "I'm looking at a re... final, revised analysis dated May 14, '03. I have a breakdown of the quality care health plan and the managed health care cost. Okay? So, that's that."

Black: "Our analysis dated the May 19, 2003. Well, to the Bill, Mr. Speaker."

Speaker Novak: "To the Bill, Sir."

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Black: "In a perfect world, I'd vote for it. I'm not yet that old that I can't remember some of the times that my wife and I worried if, in fact, we were going to conceive a child before we were ready, which tells you that we either had the coverage or paid for the pill, since we were the first generation to come along to be able to use the pill. In a perfect world, I know that my daughter certainly believes in family planning. I'm not gonna be ano... a hypocrite and stand up here and say, I think it's immoral. I don't think it's immoral. I think most everybody of childbearing age uses some kind of contraception unless their religion specifically prohibits that. There are those in the Senate who said this Bill should have a religious conscience objection and it doesn't, but I won't even go there. The problem is and it gets to be so easy here because we just simply... we just look at one Bill on its face and say, how could anybody be against this. It's not easy to stand up and speak against this Bill. You catch heck from a lot of different people. I'll catch heck from my daughter. I'll catch heck from organized groups. Some of the opposition that I'll get for this will be pleasant and some of it will be very unpleasant. But I figure my constituents sent me down here to do what I think is right based on the current fiscal situation of the State of Illinois. Now, if we're gonna sit here day after day and vote Bills out of this chamber that cost the taxpayers, just the taxpayers, on this Bill \$10.2 million to be... to pay for the additional insurance mandate, that doesn't...

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that doesn't even begin to cover the cost to private policies. And once again, I would remind you this has no impact on the majority of health plans in Illinois. If you're self-insured, this Bill does not impact your health insurance plan, whatsoever. So, the biggest health insurers in this state who are self-insured and represent the big corporate names that all of us would represent, they're not covered by this Bill. They'll do whatever they negotiate with their employees. I've given you the statistics about every mandate that we put on here about what private businesses do. More and more of them just get out of even offering health insurance. So, you know, at some point, collectively, you can argue with the Governor's figures, let's use the Governor's figures, \$5 billion out of balance. Schools are gonna take a hit, mental health providers are going to take a serious cut. Your community-based providers, I daresay, some of them who provide service to the disabled, the mentally ill, the aged, the blind, and the disabled, some of those community service providers will not be in business one year from today. They will not be able to absorb the budget cuts that the current fiscal crisis is going to necessitate this Governor making. The Governor said it more eloquently than I. The Governor's budget message was not intended to be popular, I'm paraphrasing him. He said it was something that had to be done. And we sit here day after day and we add millions of dollars to this Bill, millions of dollars to that Bill, with no rhyme or reason as to where we're gonna get the

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money. Identify a funding source, I'll cosponsor the Bill. But until we have the collective wisdom to say, the Governor may be right, the Governor may be absolutely on target and the Governor's message may be very accurate. This budget is going to hurt people and it won't be very popular. I cannot and will not sit here and push a 'green' button, that's the easy way out. It's the easy thing to do. But then I have to go home and explain to people, how can you add \$10 million to the employees, just the state employees' health insurance program when you're cutting every other program known that the state has. Once, just once, let's have the collective courage that the Governor has shown and say, we'd like to do this, but there's no way to pay for it for the state employees' plan, let alone some of the private businesses that are struggling to meet payroll and to stay in business. This is a difficult year. It will demand difficult choices and it will demand difficult votes. I wish I could vote for the Bill. I would rather vote for the Bill, but that would be intellectually and morally dishonest."

Speaker Novak: "Further discussion? Representative Feigenholtz to close."

Feigenholtz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am joined here by Senator Iris Martinez, the Senate Sponsor of this Bill. Let's welcome her, who is also very, very committed to seeing this pass. The previous speaker... okay. The previous speaker, I have a tremendous amount of respect for him, but I happen to

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disagree with him, but I understand his confusion about this Bill. Well, I really don't. And I think, honestly, that we save 15 to \$17 million a year in pregnancies and unwanted pregnancies and that this is solid public policy. Illinois will be the twenty-first state in the country to do this. This thing went out of here with 73 votes, it should have a hundred votes on it going to the Governor. Please vote 'aye'."

Speaker Novak: "Any further discussion? Seeing none, Representative Feigenholtz now moves that the House adopt Senate Amendments #2 to House Bill 211. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 39 voting 'no', 5 voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 211. And having reached the required Constitutional Majority, House Bill 211 is hereby declared passed. On page 29 of the Calendar there is House Bill 2301, the Lady from Iroquois, Representative O'Brien on a Motion to Concur. Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I seek an 'aye' vote on Senate Amendment 1 to House Bill 2... 2301. I don't have this up on my computer, excuse me. I'm having a little technical difficulty over here. I'm still on Sara Feigenholtz's Bill, but I'm pretty sure this has nothing to do with contraceptive coverage. This amends the Highway Code and it provides that there's a

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fine for obstructing the highway. It is not less than 50, no more than \$500. On Senate Amendment #1 alters the definition of 'local authorities' to include road districts highway commissioners among those that are covered under this legislation. And I would seek your 'aye' vote on the concurrence and I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? On this question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, bear with me because as the previous speaker insinuated I'm not very smart, I'm just an old country boy. Does this Bill allow a township highway commissioner the ability to write out a parking ticket?"

O'Brien: "Yeah. For... not a parking ticket, but a fine for obstructing the highway."

Black: "Does it let the highway commissioner issue a citation?"

O'Brien: "For... for obstructing the roadway. And it also allows them to enact... currently local authorities include every county, municipal, and other board or body having authority to enact laws relating to traffic and they just have never had the highway commissioners of the townships and this just adds them in to allowing them to make laws relating to traffic so they can pass resol... or ordinances within the township. But the original Bill gives them the authority to fine for obstruction of the highway."

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Black: "What I'm having trouble understanding is whether or not the highway commissioner will have under this Bill the legal authority to issue some kind of legal citation or warrant or ticket or whether the highway commissioner simply turns over the license plate or the name of the person who obstructed the road and then a sworn peace officer issues the actual summons or ticket."

O'Brien: "My understanding is the latter. That they have the ability to fine that but that they don't go out and actually write the ticket. But there is, it would be an ordinance violation, so what happens in township government just like in a lot of municipalities is that somebody is issued an ord... a ticket for an ordinance violation and that is by sworn officer or it can be done through summons. Because a lot of, as you know, a lot of local municipalities and a lot of townships... I mean, and they don't have a police force that does this so then they actually issue an ordinance violation, it's done... and then they're summoned to come to court and they have the, ya know, the whole proceeding goes on that way rather than getting like a uniform traffic citation handed to them with a road commissioner with red flashing lights, that's not going to happen."

Black: "It... is there a definition in the Bill itself as to what an 'obstruction' is?"

O'Brien: "There... there are starting with line 27 on page 1 of the Bill it talks about 'the highway authority having jurisdiction over such highway after having given 10 days

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notice.' So obstructing or plowing or digging ditches, interfering with the free flow of water in the side gutters or ditches of the obstruction, plowing or digging of ditches, interfering with the drainage of the encroachment of any fence.' It talks about far... empty... drainage emptying into a ditch upon the highway, excavation materials..."

Black: "It doesn't reference of implement of husbandry or motor vehicle?"

O'Brien: "No."

Black: "All right. You know where I'm going with this. Sometimes when you're working on a field and much of your area is rural, as is mine, you may park your pickup truck on the side of the township road while you're out trying to get one of your drains unplugged, or you might park there until the tractor brings the corn planter up so you don't have to drive out in the fields. I can't imagine any highway commissioner being so thickheaded as to tell the person to move along, but that's... implements of husbandry or pickup trucks or something of that sort, that's not the intent of this Bill, as obstructing a township highway?"

O'Brien: "No."

Black: "All right. Because I think you and I could probably agree, I've always maintained the most powerful elected official in the State of Illinois is a township highway commissioner. He's the only... he or she is the only person in the state that I know of that can close a road tomorrow

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morning for whatever reason they wanna close the road, as long as it's township road, right?"

O'Brien: "Exactly."

Black: "I mean they have extraordinary authority and this does not give them any additional authority. As I read the Bill, correct me if I'm wrong. I thought it was after somebody who may be dumping brush or piling construction material and getting... getting back to it six weeks later, that is what they were trying to say. You can't do that, you can't leave a tree that you sawed up or cut down, you can't leave it laying out in the drainage ditch or by the side of the road for a week or two, you gotta get rid of it."

O'Brien: "Right. And that would be the same in the circumstance of, ya know, like a grain wagon, if it sat there for ten days the highway commissioner would give notice to the owner if it was obstructing something, say you've gotta move it."

Black: "Okay. All right."

O'Brien: "And... and that... because I do have some circumstances where one farmer gets mad at another farmer so they park something so the other farmer can't get down the road and they put the highway commissioner in the middle of it. This would give him the authority instead of just a \$10 fine to say, ya know, you can be fined up to \$500, which as you know how close with dollars those farmers are, that gets their attention. And that's really... for brush or

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trying to drain their water across township roads, that's what this is really dealing with."

Black: "Okay. All right. Thank you for clarifying that, Representative, I appreciate it. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. Any further discussion? Seeing none, Representative O'Brien, moves that the House shall adopt Senate Amendments #1 to House Bill 2301. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative O'Brien, do you wish to vote. Have all voted who wish? Mr. Brosnahan. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2301. And having received the required Constitutional Majority, House Bill 2301 is hereby declared passed. On page 30 of the Calendar, the Gentleman from Lake, Mr. Mathias. Is Mr. Mathias in the chamber? Out of the record. Is Mr. Saviano in the chamber? On House Bill 2864. Is Mr. Saviano in the chamber? Out of the record. Mr. Saviano on House Bill 2864 on a Concurrence Motion. Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I would ask that we concur with Senate Amendments #1 and 2 to House Bill 2864. This is the identical Bill that we sent back to the Senate in, I think there was 864 or 684. This is for the Speech-Language Pathologist Association of Illinois. Various cleanup measures. There's no opposition to this. I ask for your favorable vote."

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Speaker Novak: "Is there any discussion? Seeing none, Representative Saviano moves that the House adopt Senate Amendments #1 and 2 to House Bill 2864. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2864. And having received a required Constitutional Majority, House Bill 2864 is hereby declared passed. Mr. Mathias, the Gentleman from Lake, on House Bill 2839 on a Concurrence Motion. Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 2839 was the JULIE Bill and what the Senate Amendment basically does, because the City of Chicago has their own system, I believe it's called the 'one call notice system', because of that the Senate Amendment becomes the Bill, but what it does is it provides that the city, their notice should be given under their system rather than under the JULIE system. And I ask for your 'aye' vote."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Mathias now moves that the House shall adopt Senate Amendments #1 to House Bill 2839. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 3 voting 'no', 0

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voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2839. And having reached the required Constitutional Majority, House Bill 2839 is hereby declared passed. House Bill 3142, the Gentleman from McHenry, Mr. Franks on a Concurrence Motion."

Franks: "Thank you, Mr. Speaker. I recommend that we concur in Senate Amendment #1. This passed the Senate unanimously 57 to 0. And it was some cleanup language where the Treasurer wished that the information be posted monthly by the 15th of the month. These are the changes was by Topinka's office. And also provided any information required to be posted must include information concerning the amount of funds held by each agency, the investment income and yield, asset allocation, and approved institutions. I'd be glad to answer any questions."

Speaker Novak: "Is there any discussion? On this question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor'll yield."

Black: "Thank you. Did the Senate Amendment clear up some of the concerns expressed by some of the agencies that posting may subject them to... posting a disagreement... I... that's the wrong word, some disputed information that the... that one of their banks or one of their investment houses might disagree with what they're posting?"

Franks: "There's specific language in the Bill that says information shall not be made available if it is exempt

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from inspection and copying under the Freedom of Information Act and.."

Black: "Okay."

Franks: "...I think that took..."

Black: "All right."

Franks: "...care of their concerns."

Black: "Thank you. Representative, let me just make one suggestion. You're young and have a great deal of energy, I think the website is the way to go. I think, I don't know if you've noticed lately, but I have, it's that time of the year towards the end of the fiscal year when we start getting these reports from various state agencies, some of which I've never heard of, and they are four-color, professionally bound, 120-page reports of what the interagency office counsel of coordinating of office counsels inc. did in the last year and mailed to my office by Federal Express. Now, I think the Governor mentioned the Federal Express. I might think you and I could get together next Session and say... and... and... seriously..."

Franks: "I agree."

Black: "...they don't need... we don't need these four-page, 100 percen... a hundred page bills that are nothing more than glorifying generally, the director of the agency. Post your annual report on the website, for god's sake, don't send them out to Legislators Federal Express. You talk about saving some money, I've got a hunch we can save some serious dollars."

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Franks: "I wou... I agree with you a hundred percent and I think we should put a Bill in to do that. And I think it's a very serious suggestion, it's one that I think would pass this Body unanimously."

Black: "I... and I make it seriously and I think what we ought to do instead of throwing them away, god forbid, I know we read every page, I know I do. But we ought to just bring 'em in here and just stack 'em on desks, because it's really, in the last ten years, gotten out of control. I mean we get glossy, annual reports on... I'm sure that you go through the Department of Mines and Minerals just page by page. I know it's a big issue in your district."

Franks: "It cures insomnia."

Black: "Yeah. Well... I... maybe it's something you and I can work on next year. And thank you for clarifying the issue of disclosure on the underlying Bill."

Franks: "Thank you."

Speaker Novak: "Any further discussion? Seeing none, Mr. Franks now moves that the House adopt Senate Amendments #1 to House Bill 3142. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3142. And having reached a required Constitutional Majority, House Bill 3142 is hereby declared passed. The Gentleman from Cook, Mr. McKeon, on House Bill

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3396. Mr. McKeon on a Concurrence Motion. House Bill 3396."

McKeon: "Thank you, Mr. Speaker. Move to concur in Senate Amendment #1 which cleans up the language in the orig... original Bill. First was an oversight in drafting that did not change multiple sections of the Bill to concur with the Amendment. That's been cleaned up in the Senate Amendment. And also, a clean up in language to make the original intent of the Bill clear. I'll gladly answer any questions. And I urge an 'aye' vote."

Speaker Novak: "Is there any discussion? On that question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "The Sponsor will yield."

Black: "Representative, I hate to get up on every Bill. But there's so many new people in here who think that concurring in Senate Amendments is exactly the same Bill as it left the House. The Senate Amendment changes it somewhat, but the underlying Bill is still in force. And that... that says, if I have in my possession, a majority of cards signed by employees that say they want to unionize, the union can then bypass the election. Correct?"

McKeon: "No, Representative. That is, in fact, the election."

Black: "I'm sorry, what?"

McKeon: "That is the election."

Black: "Oh, the card becomes the election?"

McKeon: "Right."

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Black: "What... what... what does the Senate Amendment have to do with it then on... on voluntary recognition?"

McKeon: "I have a copy of the Amendment here. Could you tell me what you're referring..."

Black: "I... I... I just have it on the laptop on the... on the analysis that... it makes the intent much more onerous by mandating the employers voluntary recognition of a bargaining unit. Is that... is that your interpretation of the Senate Amendment?"

McKeon: "Well, yes, it is in the sense as I responded to your original question. This is in lieu of a... a meeting for the purposes of election. In that case, if the board certified the election results as valid, in other words there's no fraud or deception, that they shall designate that as the representative labor organization."

Black: "Okay."

McKeon: "This... this in sense... in the original language that we put in there, we made it consistent with the card check, when that's used in lieu of an election."

Black: "Okay."

McKeon: "I believe that's on page 10, line 5."

Black: "Yeah, all right. We just got it off the printer. Thank you, Representative. As always, your forthright answers are appreciated. Mr. Speaker, to the Motion to Concur with the Senate Amendment. There... there is considerable opposition to this Bill. It... it narrowly got out of the Senate. It had a number of 'no' votes in the House. I have no doubt that it will pass. I... I simply

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would direct Members to look very carefully at the proponents and opponents. It does... it does make a substantive change, I think, in the way recognition and elections and those things have been handled in the past. And this does make a substantive change. But, as always, I thank the Sponsor always for giving forthright answers and willing to discuss and talk about any Bill that he's sponsored. And I certainly... that that continues, and I appreciate it."

Speaker Turner: "Representative Turner in the Chair. Seeing no further questions, the question is, 'Shall House Bill... Shall the House concur in Senate Amendment 1 to House Bill 3396?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Biggins. Karen May. Have all voted who wish? The Clerk shall take the record. On this question, there are 68 voting 'aye', 48 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, does pass. On the Order of Concurrences we have House Bill 3086. Read the Bill, Mr. Clerk. The Gentleman from Cook, Representative Miller. It goes straight to you."

Miller: "I thought he was supposed to read the Bill first. Okay. I would like to concur with Senate Amendment 1 on House Bill 3086. What it does is delete the provision... medical necessary provision for those individuals that wish to have their tongue split. I ask for adoption of the Amendment."

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Speaker Turner: "The Gentleman from Cook, Representative Joyce.
For what reason do you rise?"

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Joyce: "Representative Miller, I just have one question, ya
know, for the last four months I've been sitting next to
you and this is about the sixth time we've come across this
Bill whether it was in committee or on the floor and you
promised me after the first time that I wouldn't have to
look at anymore of these pictures. Do you plan on
publishing anything in the local newspapers or do you think
that picture will be in that... in any newspapers again
tomorrow after this is concurred upon?"

Miller: "Well, ya know, it's very interesting what the
colleagues in the media pick up. I mean educational
funding reform Bills have been passed. Who cares? Tongue
splitting, interviews out of this world. And so for me
this is a... was something that was important obviously as a
dentist and to protect the citizens of the State of
Illinois who wish to get this procedure done. But
personally, I don't plan on doing the procedure, nor
publishing any pictures from here on out, but I've got a
few if you wish to look at in my memoirs on this."

Joyce: "I thank you and would appreciate that... that if we
didn't have see anymore of those pictures that I think it
would be a better thing for this chamber and probably the
rest of the citizens of the State of Illinois."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill... shall the House concur in Senate Amendment 1 to House Bill 3086?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 115 voting 'aye', 0 'noes', 1 voting 'present'. And the House does concur on Senate Amendment 1 to House Bill 3086. This Bill, having received the Constitutional Majority, is hereby... the House does concur with Senate Amendment 1 to House Bill 3086. On the Order of Concurrences, we have House Bill 3528. The Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #3. Senate Amendment #3 simply changes the ad... the date in which this Bill would become an Act of law. There were some concerns among the insurance industry. I think we've all agreed upon this. This Bill went out of here on the Agreed Bill List. I'd appreciate your concern or your 'aye' vote and I would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 3528?' All those in favor should vote 'aye'; all those opposed should vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 1

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voting 'present'. And this Bill, having received a Constitutional Majority, the House does concur in Senate Amendment 3 to House Bill 3528. Supplemental Calendar #1 on the Order of Resolutions, we have HJR 9. Read the Resolution, Mr. Clerk. The Gentleman from Sangamon, Representative Poe, on House Joint Resolution 9."

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that we passed before and we've worked very hard to work with the Purple Heart Association here in Illinois. And what this would do, the interstate that cuts across to Danville to Quincy, would not change the interstate, but it's Interstate 72 and be just designated as the Purple Heart Memorial Highway. And it easily passed out of the House and we'd ask for your support here."

Speaker Turner: "The Gentleman from Morgan, Representative Watson, for what reason do you rise?"

Watson: "Thank you, Mr. Speaker. To the Bill. Many of you may not be aware that this Bill should hit home to both sides of the chamber. Representative Capparelli, Representative Stephens are both Purple Heart winners and I think it's appropriate and I commend Representative Poe for this Bill."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Joint Resolution 9 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0

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'noes', 0 'presents'. And this Resolution having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Joint Resolution 36, Representative Verschoore. Out of the record. On the Order of Resolutions, we have House Resolution 206, Representative Chapa-LaVia."

Chapa-LaVia: "Thank you, Mr. Speaker and Members of the House. 206 is a very simple Resolution. It just acknowledges the theatre that we're in in Iraq right now from the House of Representative here in Illinois that we stand behind our troops. And I would hope that everybody would support this and 'aye' vote. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Resolution 206 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... Monique Davis. The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Resolution, having received a Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Joint Resolution 36, Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker. What this Resolution does is it's going to name a stretch of road in Rock Island County, now John Deer Road, as Memorial Highway for all the veterans for the wars and conflicts we've had. And I'd be glad to answer any questions."

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Speaker Turner: "Seeing no questions, the question is, 'Hou... should House Joint Resolution 36 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill... this Resolution, having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Resolution 222, Representative Flider, the Gentleman from Macon."

Flider: "Thank you, Mr. Speaker. This Resolution is one which is simply directed at the conservation programs of our institutions of higher learning. And back in 1995, the... a program was created to enable the colleges and universities to implement conservation measures. And this Resolution simply requests a status report on how they are doing. And it was prompted by a visit... a couple of visits that I had with my daughter last year when we were visiting universities where we saw some single pane glass and the thought had crossed my mind that here we are at institutions of higher learning but I wondered what the thinking was where we weren't very energy conservation conscience at these universities. So, with this program that's been in effect since 1995, I thought it'd be a good time for us to have a status report on how the universities are doing, whether they're saving any money. And I would encourage your support."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Mr. Speaker, I had an inquiry on the previous Resolution. I'll hold it until you're through with this one."

Speaker Turner: "The Gentleman from Kankakee, Representative Novak. For what reason do you rise?"

Novak: "Well, Mr. Speaker, I'll wait until this Resolution is concluded. I have a question on the previous Resolution myself."

Speaker Turner: "The question is, 'Shall House Resolution 222 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And House Resolution 222, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Kankakee, Representative Novak. For what reason do you rise?"

Novak: "Yes, Mr. Speaker. On the prior Resolution, House Joint Resolution 36, my button... I inadvertently pressed the 'no' button and let the record reflect that it should've been 'green' for supporting that Resolution."

Speaker Turner: "The record will so reflect your wishes. And the Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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Black: "Yeah, Mr. Speaker. That... that was the point that I was going to ask. I saw the last Roll Call and it was obvious to me that somebody had voted Representative Novak's switch, he was a 'red' on a Resolution that he was a cosponsor. And I just wanna simply say, I've had the pleasure of working with Mr. Novak for a long, long time and if somebody thinks that's a joke to punch your switch on a 'no' on a Resolution on which the Gentleman was a cosponsor that... there's no way to correct that record and it will be in the Journal and I don't think that's funny and I... whoever did it if they think it's funny I'll be more than happy to go outside and talk to 'em about it. I don't think it's funny and by god that oughta stop. The Rules clearly prohibit voting for anybody else and we break that every minute of every day, but when you vote somebody 'no' on a Resolution on a Memorial Highway who's a cosponsor, I don't think anything's funny about that at all."

Speaker Turner: "Your wishes will be so recorded and I think the Gentleman explained that he inadvertently hit the wrong button, I don't think it was somebody else that hit it. Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker. Let me just explain the facts of this case. I was standing over by the men's restroom and I know this is gonna go on the record. But I was standing by the men's restroom and I motioned to one of our fine, competent staff members to vote my switch for me 'green'. But somehow my finger went like this and that person

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interpreted it as a 'no'. So, it was just a little confusion. I just wanna clear that up for the record."

Speaker Turner: "And the record reflects your wishes to vote 'yes' on that Resolution. On the Order of Resolutions, we have House Resolution 243, Representative Watson, the Gentleman from Morgan."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bi... House Resolution 243 supports the Upper Mississippi River Plan which includes flood control and also improving the lock and dam systems which have not been improved for over 70 years. And I appreciate your 'aye' vote."

Speaker Turner: "The question is, 'Shall the House Resolution 243 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 1 voting 'present'. And House Resolution 243, having received a Constitutional Majority, is hereby declared passed. House Resolution 267, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. House Resolution 267 is national... recognizing National Nurses Day. Nurses do such a fantastic job across the state and there's a shortage of nurses and hopefully, with this Resolution we will recognize their hard work, their efforts and hopefully, we can recruit more nurses across this state. So I would urge for everyone to support House Resolution 267."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Mr. Speaker, I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Why isn't this Resolution simply on an Agreed Resolution List?"

Speaker Turner: "I can't answer..."

Black: "Is there a particular... is there a particular section of the Rules that I've overlooked? I mean if there is an Agreed Resolution, if this isn't it, I've never seen one."

Speaker Turner: "I'm not sure, Representative, we could speed the process up by maybe just doing voice. But your comments are well-taken and I'm not clear as to why we didn't do the Agreed List."

Black: "Mr. Speaker... Mr. Speaker, in all due respect to you, just let me make an observation. I've been here long enough to know busy work when I see it. Now, if we're gonna sit here and piddle on Resolutions that should be on the Agreed Resolution List. I mean, hey, I've been here a long time and that's fine, you can piddle with me all you want. But while the state burns we're sitting here asking for a Roll Call Vote on a Resolution that is... should be an Agreed Resolution. If you want us to stay in for an hour, hell, just recess or call a break, but I don't think we have to resort to calling Agreed Resolutions so you can keep us here an extra half an hour, or an hour, so we look busy for the TV cameras or whatever, whatever the reason is, this is ridiculous."

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Speaker Turner: "Your point is well-taken, Representative. The question is, 'Shall the House adopt House Resolution 267?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 267 is adopted. On the Order of Resolutions, we have House Resolution 280, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This Resolution urges Congress to amend Title 38 of the United States Code to provide a guaranteed level of funding for our veterans' health care. And I'd appreciate an 'aye' vote. And thank you to my Veterans' Committee for getting on this Resolution."

Speaker Turner: "The question is, 'Shall House Resolution 280 pass?' All those in favor should say 'aye'... The Gentleman from Vermilion, Representative Black."

Black: "Well, Mr. Speaker, ya know, since this is important enough to put on the board and call and I can't get it to come up on my Etch-A-Sketch, will the Sponsor yield for questions? Now, this must be very important."

Speaker Turner: "She indicates she will."

Black: "All right. Representative, it says Cong funding vet health care. I grew up in the generation when 'Cong' meant the Viet Cong and 'vet' meant veterinarian. Is that what this Resolution is?"

Speaker Turner: "The Lady from Kane."

Chapa LaVia: "No, it's for our veterans."

Black: "It's for..."

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Chapa LaVia: "For the... the men and women who have served our country."

Black: "And who are currently in our veterans' facilities?"

Chapa LaVia: "Correct, Sir."

Black: "And as I recall not getting the level of treatment they were promised some years ago?"

Chapa LaVia: "Correct, Sir."

Black: "Outstanding. I still think this is an Agreed Resolution, but at least this is a good one. Thank you."

Chapa LaVia: "Thank you."

Speaker Turner: "The Lady from Cook, Representative Davis. For what reason do you rise?"

Davis, M.: "Mr. Speaker, to have an Agreed Resolution, what has to occur?"

Speaker Turner: "It has to be agreed."

Davis, M.: "By? It has to be agreed by?"

Speaker Turner: "A few people."

Davis, M.: "Two people on each side of the..."

Speaker Turner: "Correct."

Davis, M.: "Right. So on this side we agree."

Speaker Turner: "Correct."

Davis, M.: "Thank you."

Speaker Turner: "And on that side, they agree. Correct. Do we all agree? And we just agreed to pass House Resolution 280. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 280 passed. House Resolution 256, Representative Milner."

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Millner: "Thank you, Mr. Speaker. 256. One second, Mr. Speaker."

Speaker Turner: "Take your time."

Millner: "Is this the Everyday Heroes Week? This particular Resolution is requesting that truck weights and sizes do not increase, that they remain the same for safety reasons."

Speaker Turner: "The Gentleman from Cook, Representative Lang. For what reason do you rise?"

Lang: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Lang: "First, I have to say that was one of the great explanations of a Resolution I have ever heard on the floor of the House. I would just like to know, Representative, if these trucks have to drive in the right lane, based on your previous Bill that we sent to the Governor?"

Millner: "Unless they're passing, that's correct."

Lang: "All right. Then I'm for it."

Speaker Turner: "The question is, 'Shall House Resolution 256 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye', 5 voting 'no'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Parke. For what reason do you rise?"

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Parke: "Thank you, Mr. Speaker. Point of clarification. Why did the two previous Resolutions get passed with a voice vote and this one get passed with a Roll Call?"

Speaker Turner: "Representative, we weren't certain that this did not include some monetary consumption or something on our part and so if it spends money or has us doing something different then we must take a Roll Call Vote on it."

Parke: "Thank you."

Speaker Turner: "On the Order of Resolutions, we have House Resolution 280, Representative LaVia. Read the... I'm sorry. On the Order of Resolutions, we have House Resolution 298, Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 298 urges Congress to establish a Great Lakes Trust Fund, money that would be used to help cleanup the Great Lakes, as well as Lake Michigan as being part of the Great Lakes. It's based on a similar program in the Everglades. The matter is currently before Congress. And I would ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 298 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 298 passes. We have House Resolution 305, Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. The Save A Life Foundation has taught over 40 thousand children in Illinois how to do CPR, the Heimlich Maneuver and other

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life saving devices. This is a Resolution that honors their founder and honors the work they do. And I would ask your support."

Speaker Turner: "The question is, 'Shall House Resolution 305 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 305 passes. House Resolution 324, Representative Osmond."

Osmond: "Thank you, Mr. Speaker. This Resolution urges the Department of Natural Resources and the State Forester to join the National Wildfire Coordinating Group. This was brought to our attention by the recent fire that was in the Zion State Park where 500 acres burned. This is encouraging the Department of Natural Resources to join this. There is... most of the states are members of this group. There are two states, Illinois and we believe Iowa, that are not members. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 324 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 324 does pass. House Resolution 339, Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Resolution 339 is a Resolution about adult day care centers to ask for fun... if there's any additional funding that it would be sent to currently funded adult day care centers prior to any new ones, in order that those that are currently there don't get closed."

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Speaker Turner: "The question is, 'Shall House Resolution 339 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House 33... House Resolution 339 is adopted. House Resolution 345, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This Resolution urges the Governor and the General Assembly and the Illinois Congressional Delegation to make an effort at keeping Scott Air Force Base a top priority in the State of Illinois, 10 thousand jobs are involved and our national defense depends on it."

Speaker Turner: "The question is, 'Shall House Resolution 345 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. The Gentleman from Clinton, Rep... All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 345 is adopted. The Gentleman from Clinton, Representative Granberg. For what reason do you rise."

Granberg: "A point of personal privilege, Sir."

Speaker Turner: "State your point."

Granberg: "The people in this chamber don't realize the previous speaker, Representative Stephens, what an outstanding Legislator he is. Well, we know that. But he does a lot of great things for our country. And recently he raised a total of \$300 on behalf of the USO and he did that, and people say it was too cheap, by participating in the Bid for Bachelors in Vandalia Illinois. And Ron,

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Representative Stephens, raised a total amount, \$300. Now, I know the women here would think that's awfully cheap for him, but I think we should recognize him for his service and the fact that he was willing to undergo that embarrassment."

Speaker Turner: "Thank you for the information. The Gentleman from Fayette, Representative Stephens."

Stephens: "Well, I'd like to thank the previous Representative. There was rumor that he was gonna bid on me. The... in that auction a young lady came in and she had her boyfriend with her. Her boyfriend made a hu... a serious mistake because she didn't want to be auctioned off. It cost him \$800. All together we raised \$1500 for the USO, that brings us up to 5,000. I couldn't be prouder."

Speaker Turner: "Congratulations, again. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Mr. Speaker, point of personal privilege."

Speaker Turner: "State your point."

Black: "I shocked and appalled at the \$300 bid. I, personally... I, personally, would go to \$500 just to go out to dinner for one night with Representative Stephens. Come to think of it, I have been out one night with Representative Stephens and I withdraw the offer."

Speaker Turner: "On the Order of Resolutions, we have House Resolution 348, Representative Lang."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Resolution would designate September as Leukemia Awareness Month. I would appreciate your support."

Speaker Turner: "The question is, 'Shall the House adopt House Resolution 348?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, 'ayes' have it. And House Resolution 348 is adopted. On the Order of Resolutions, we have House Resolution 355, Representative Lyons. Representative Lou Jones. Out of the record. House Resolution 357, Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 357 urges... urges or in support of the National Biocontainment Laboratory in the City of Chicago at the University of Illinois Campus. Presently, there is an application into the National Institute of Health in Washington and the Congress is currently working on this and we're... we wanna show our support to establish this. I'd ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 357 be adopted by the...?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And HJR 357 is adopted. On the Order of Resolutions, we have House Resolution 359, Representative Munson, the Lady from Cook."

Munson: "Thank you, Mr. Speaker. House Resolution 359 directs the State Board of Education and the Illinois Advisory Council on Children with Disabilities to study existing

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state rules on special education and provide recommendations on possible rule changes that would promote best practices and insure children with special needs are getting the highest quality education. I'd appreciate your 'aye' vote."

Speaker Turner: "The question is, 'Shall... The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Yeah, thank you very much, Mr. Speaker. I'm having trouble getting my computer to work, I can't bring this Resolution up. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Black: "Yes. Representative, does this require a Roll Call Vote or a Voice Vote?"

Speaker Turner: "This would be a..."

Black: "Go ahead, I'm sorry, Mr. Speaker."

Speaker Turner: "This would be a..."

Black: "I defer to you."

Speaker Turner: "...Roll Call Vote, Representative."

Black: "A Roll Call Vote. Well then, what does the Resolution do?"

Munson: "It directs the State Board of Education and the Illinois Association of Children... for Children with Disabilities to study state rules on special education."

Black: "Physical education or special education?"

Munson: "Special education."

Black: "And who's going to study it?"

Munson: "The State Board of Education."

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Black: "Oh, the State Board of Education. Did we fund them?"

Munson: "Yes, we do."

Black: "Oh. And... and what are they gonna do with this report?"

Munson: "They are going to present it to the General Assembly on the first day of Veto Session."

Black: "Will it... will it be one of those really nice four-color, really nice covers, ya know, really nice report?"

Munson: "I don't think we can afford that."

Black: "I don't think we can either. Are you sure we can afford the report?"

Munson: "Yes, Sir."

Black: "All right. Are we fully funding special education this year in the education budget or do we know yet?"

Munson: "Don't know."

Black: "We don't know yet? Okay. And so this requires... Well, thank you, Representative, you've made this much more confusing than it was when I got up. But, Mr. Speaker, I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Why does this require a Roll Call vote? I don't see any expenditure of state funds?"

Speaker Turner: "Well, the very fact that we would have to do a report means that there would be state funds..."

Black: "Oh, oh, oh, they have to do a report."

Speaker Turner: "...even in doing the report."

Black: "All right. But I would like the record to reflect I would like to receive this report on a website. Please don't mail it to my office Federal Express. Please don't

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make the report four colors with all kinds of pictures of the deputy director of this and the assistant deputy director to that. Just put the... put the report on the website, save a little money, because it'll take a while before Representative Franks and I can get our Bill to stop this self-promotion of reports. I just want a nice simple report that we can access on the state website that the Clerk of the House does such a good job of maintaining for us over the summer. So if... so that the record reflects that, I am now ready to vote."

Speaker Turner: "The record will so reflect your request, Representative. Now the question is, 'Shall House Resolution 359 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk... Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 1 voting 'present'. And House Resolution 359, having received the Constitutional Majority, is hereby adopted. We have Senate Joint Resolution 33, Representative Giles. Out of the record. On the Order of Resolutions, we have House Joint Resolution 8, Representative McAuliffe.'

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution #8 was an initiative of the Veterans Classic Sports Foundation. What we're trying to do is have an Armed Forces game at New Soldier Field and we're targeting the year 2004 for an Army-Air Force game

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that would be played at Soldier Field. Maybe some of you are familiar, years ago, one of the first events at... or the first event at Soldier Field was an Armed Forces game. And I think the City of Chicago is behind this and I think it would be great for our members of veterans in the State of Illinois and also it would be a vital jolt for the restaurant and the hotel industry in the City of Chicago as being an honor. And I'd be happy to answer any questions and ask for the passage of this Resolution."

Speaker Turner: "The question is, 'Shall House Joint Resolution 8 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Joint Resolution 8 is adopted. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Yes, Mr. Speaker. Since we didn't have the ability to vote on HJR 8, I would like the Journal to reflect that I would've vote 'no'. I think the game should be in Champaign-Urbana. We have a better stadium. We're more centrally located and our hotels and motels and restaurants need money, too. Ya know, I walked into this chamber today and that giant sucking sound I heard is a vacuum cleaner that somebody turned on up north. And I just want the record to reflect that the Army-Navy football game should be played in Champaign at Memorial Stadium."

Speaker Turner: "Representative, I do want to remind you that it is a violation of the Rules to explain your vote. The Gentleman from Fayette, Representative Stephens. Fine,

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we'll go. HJR 13, Representative Mitchell. HJR 13. Bill Mitchell. The Gentleman from Macon."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This summer will be the 50th anniversary of the end of the Korean conflict. A group of veterans from Macon County as well as Logan County came to me a year ago and that they would like a bridge in the north bound and south bound bridge on Illinois Route 51 in Decatur designated as the Korean War Veterans Memorial Bridge and of course they'd like to be... dedicate that this summer. So, I would appreciate, Ladies and Gentlemen of the House, for your affirmative vote."

Speaker Turner: "The question is, 'Shall House Joint Resolution 13 be adopted?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Resolution, having received a Constitutional Majority, is hereby adopted. On the Order of Resolutions, we have House Joint Resolution 15, Representative Krause."

Krause: "Thank you, Mr. Speaker. This Resolution creates the displaced workers... displaced homemakers. It would setup a task force. It agrand... addresses the issues of displaced homemakers, predominately women who are underemployed or unemployed, have been working to assist family members. This task force would look at some of the current issues

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that are now facing these women, particularly responding to federal welfare reform and the work force development legislation."

Speaker Turner: "The question is, 'Shall House Joint Resolution 15 be adopted?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 1 voting 'present'. And this Joint Resolution 15, having received a Constitutional Majority, is hereby adopted. House Joint Resolution 17, Representative Bost, the Gentleman from Jackson. Out of the record. House Joint Resolution 20, Representative Bellock, the Lady from DuPage."

Bellock: "Thank you very much, Mr. Speaker. House Joint Resolution 20 is regarding the silver head in the... the bighead and silver carp as a major threat to the ecosystem of Lake Michigan. And this Resolution acknowledges that damage caused by these fish and urges the US Department of the Interior, US Fish and Wildlife to add bighead carp and silver carp to the list of injurious wildlife under the Lacey Act."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Oh, Mr. Speaker, will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Black: "Representative, I grew up in the 50's, I'm an original member of the 'rock-n-roll' generation. You're not old

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enough to remember some of those great days. My favorite rock group happens to be bighead and the silver carp. What in the world are you doing to bighead and the silver carp? As far as I know they did no damage except to my hearing. What in the world... what damage did bighead and the silver carp do?"

Bellock: "Do you want me to tell you?"

Black: "Sure. That's one of the all time great rock bands."

Bellock: "I know this sounds funny but this is a... Elvis has left the building."

Black: "It's a sign from 'rock-n-roll' heaven."

Bellock: "The bighead and the silver carp are fish that have come up the waterways from down in Mississippi and it's such a serious problem that the Army Corps of Engineers has built an underwater bridge in the sanitary canal around the Chicago area, now, to the tune of a couple of million dollars to prevent these fish from coming into Lake Michigan."

Black: "You say the bighead carp came from Mississippi?"

Bellock: "Yep."

Black: "Was he... ya know that's where Elvis Presley was born, are you aware of that?"

Bellock: "I thought that was Tennessee."

Black: "No, no, no, no, he lived in Memphis, he was born in Tupelo, Mississippi."

Bellock: "Oh, okay, that's right, I forgot."

Black: "Have you checked with the Governor on this? No, because anything that comes from Mississippi... did it have a

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banjo on its knee when it came up the river? How big is a bighead?"

Bellock: "They're big and they're flying."

Black: "Are they carnivorous?"

Bellock: "They can knock you out if you're driving a boat, they can literally fly out of the water and knock you out."

Black: "If they get into the... what did you say they're getting into? The sanitary canal?"

Bellock: "The problem is they're coming up the waterways and coming through the sanitary canal, the shipping canal and ya know, right on the south side of Chicago. And it's a serious..."

Black: "They're actually coming into..."

Bellock: "It is a serious problem."

Black: "Oh, I know, I'm getting worked up just thinking about the bighead carp. I... have you proposed... this could be a revenue source, tax that big sucker. If they're gonna come up the river and come into Illinois, surely there's a tax we can levy on whoever turned 'em loose. What... what are we gonna do? I mean is that what the Resolution is gonna try to tell us what we're gonna do?"

Bellock: "What the Resolution does is it suggests to the United States Department of the Interior to include these two fish under the Lacey Act which then prohibits the..."

Black: "Under the... I'm sorry, under the what Act?"

Bellock: "...it then prohibits the importation and the interstate transportation of the live specimen and eggs of these two species of fish."

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Black: "Representative, did you say include them under the Lazy Act?"

Bellock: "Lacey."

Black: "L-A-Z-Y?"

Bellock: "L-A-C-E-Y."

Black: "Oh, L-A-T-E-Y."

Bellock: "L-A-C-E-Y, it's a new 'rock-n-roll' act."

Black: "Oh, they're very good too, yes. Does this have anything to do with you being upset that Comiskey Park is now U.S. Cellular Field?"

Black: "Absolutely, it's gonna be called U.S. Cellular Lacey."

Black: "That's better than calling it bighead park, whatever. Representative, is this your first House Joint Resolution?"

Bellock: "I don't think so."

Black: "Oh, I've been."

Bellock: "I think I did one a couple years ago."

Black: "I've been misinformed. I... I... listen, I don't know, whatever it takes, I'm with ya. Department of Defense, appropriations, dumping Ron Stephens old athletic socks in the river which would certainly scare away the fish, whatever it takes, I wanna join you in getting rid of bighead and silver carp. But by the way, are they any good to eat?"

Bellock: "Pardon me?"

Black: "Can you eat them? Are they any good?"

Bellock: "No."

Black: "They're not any good. All right. Well..."

Bellock: "I don't think so."

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Black: "...thank you. Mr. Speaker, the Sponsor has convinced me that we have to pass this Resolution. The future of our waterways is at stake and I join with the Sponsor, let's move it."

Speaker Turner: "And on that, the question is, 'Shall House Joint Resolution 20 be adopted?' All those in favor should say... all those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And House Joint Resolution 20 is adopted. On the Order of Resolutions, we have House Joint Resolution 17, Representative Bost."

Bost: "Thank you, Mr. Speaker. House Joint Resolution 17 creates a task force on the implementation of the Illinois Resource Development and Energy Securities Act which we passed last year. And be... it would be created to collaborate and work with the state agencies in implementing this Act."

Speaker Turner: "The Gentleman from Morgan, Representative Watson. The question is, 'Shall House Joint Resolution 17 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Joint Resolution 17, having received a Constitutional Majority, is hereby adopted. On the Order of Resolutions, we have House Joint Resolution 27, the Gentleman from Morgan, Representative Watson."

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Watson: "Thank you, Mr. Speaker. House Joint Resolution 27 creates the Rural Water Task force which will study infrastructure into rural waters for rural districts."

Speaker Turner: "The question is..."

Watson: "Rural."

Speaker Turner: "The question is, 'Shall House Joint Resolution 27 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And House Joint Resolution 27, having received the Constitutional Majority, is hereby adopted. We have House Joint Resolution 29, Representative Molaro."

Molaro: "I... Inquiry of the Chair before I begin. I thought we... I thought we already passed this?"

Speaker Turner: "If you thought... No, Representative, this one didn't pass."

Molaro: "I think this has to do with then trying to... for us to ask Congress to help the airlines in their time of need and there's a Bill that's pending. We're gonna ask the Congress to pass that Bill so we can keep those friendly skies as friendly as possible and help United Airlines and American Airlines."

Speaker Turner: "And the question is, 'Shall House Joint Resolution be... 29 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And House Joint Resolution 29

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is adopted. We have House Resolution 19, Representative Hoffman. Out of the record. We have House Resolution 26, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. The Resolution is to encourage the Secretary of State's Office to maintain a data base for flexible fuel vehicles. Flexible fuel vehicles are those vehicles that are capable of running on either gasoline or gasoline with ten percent ethanol or gasoline with 85 percent ethanol. The purpose of the Resolution is to encourage this data base so that fuel companies can determine the sensibleness of putting stations in their areas. And I would urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 26 pass... or be adopted?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... Flider. Take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority... this Resolution, having received the Constitutional Majority, is hereby adopted. The Gentleman from McLean, Representative Brady. For what reason do you rise?"

Brady: "Point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Brady: "I'd like to remind my colleagues here in the House as well as both staffs that tomorrow will be our nice little Taste of Bloomington-Normal Day. We're going to start with

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donuts from Denny's in Bloomington over in the Stratton Building and we'll have for lunch served here in the House, Avanti's gondolas, as well as beer nuts from Bloomington and topped of with Nestle-Beich candy after that. So, shortly after 11:00 when we go in Session, please partake in our little Taste of Bloomington-Normal. Thank you."

Speaker Turner: "I do want to remind you, Representative, that there are a few of us who are not in the Stratton Office Building, you may wanna send a few donuts over to the Capitol. The Gentleman from Vermilion, Representative Black."

Black: "Yes, Mr. Speaker, I rise for a point of personal privilege. I need to ask you or Mr. Novak or Mr. Winters, what he's doing up there I have no idea. But... yeah, Liz what's the... what are you and Mr. Winter's up to?"

Speaker Turner: "They're trying to figure what time we're going to adjourn."

Black: "Oh, okay. All right."

Speaker Turner: "But go ahead."

Black: "That's what I wanted to ask you, any of you in the Chair, have you seen the movie Bruce Almighty?"

Speaker Turner: "What's the name of the movie?"

Black: "Bruce Almighty."

Speaker Turner: "Bruce Almighty. Oh yeah, that's the new movie..."

Black: "You... you... Jim Carey."

Speaker Turner: "...with Jim Carey."

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Black: "Yes, Jim Carey is the Lord. Are you aware that they give a phone number out to call the Lord, the phone number is 776-2323. Do you know whose number that is? That's Representative Burke's campaign number. Honest. Honest. I would just like to note for the record, I don't know whether you influenced the movie or the movie realizes that in Chicago you may be. And if that's the case... if that's the case, let the record reflect that I have always gotten along with you, I hold you in the highest esteem and if you have that kind of power, could we talk as soon as we adjourn. Oh, oh, I rest my case, Mr. Speaker."

Speaker Turner: "It's almighty."

Black: "I'm sorry, Mr. Burke."

Speaker Turner: "Representative Novak in the Chair. Representative Mendoza, for what reason do you rise?"

Mendoza: "A personal privilege."

Speaker Novak: "State your point."

Mendoza: "I just want for the record everyone in here to know that Dan said, 'and let there be light' and the lights came back up, I mean is that a coincidence? I think not. I sit next to this guy, I know, he's the man in my book. So, anyway that's really one of the things I wanted to announce. #2, is that tonight all the people who participated in COWL Capitol Capers are invited to watch a viewing of our show at the Governor's Mansion 8:00 p.m. tonight. Everyone who participated is invited, so please come join us for a night of fun and laughing and all the good stuff that goes along with Capitol Capers. Again, at

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the Governor's Mansion. And then the second... the third thing I guess I should announce is that tomorrow at 10:30 in the morning there is in... I guess it's a legislative luncheon, an informational hour on Illinois' child support program. That's sponsored by COWL as well. It will be at 10:30 in the morning. I passed out a flier but the room number is incorrect. We will be meeting in Room 114 at 10:30 following, I believe it's the Committee on Labor. So, 114... Room 114 in the Capitol at 10:30 in the morning for the child support program. I hope you can all attend. I'm sure it will be very interesting and would especially encourage the freshman to be there. Thank you."

Speaker Novak: "Mr. Holbrook, for what reason do you rise?"

Holbrook: "Members of the Tourism Committee should note that our committee time has been changed from 9 to 10:30 and the room has changed, I... it has something to do with a moving target, I think. Our committee meets at 10:30 in D-1 tomorrow."

Speaker Novak: "Thank you. Mr. Clerk, could you read the Committee Schedule, please."

Clerk Bolin: "The following schedules for tomorrow morning: at 10:00 the Agriculture & Conservation Committee will meet in Room D-1, Higher Education will meet in Room 122-B, Human Services will meet in Room 115, Judiciary I - Civil Law will meet in Room 118, Labor will meet in Room 114, and Local Government will meet in Room C-1; at 10:30 the Executive Committee will meet in Room 118, Revenue will meet in Room 122-B, and Tourism will meet in D-1 Stratton."

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Speaker Novak: "Mr. Mautino. You wanna turn..."

Mautino: "Thank you..."

Speaker Novak: "Mr... oh."

Mautino: "...Speaker, just a... an announcement for the House Insurance Committee. We will not meet tomorrow at 10:00. There was a typo on the Rules Report and so that needs to be straightened out. Once Rules meet we'll meet a little later in the day."

Speaker Novak: "Thank you. Mr. Lyons."

Lyons, J: "Thank you, Speaker. For an announcement. Not on the Calendar, but Space Needs Commission Members, Members on the Space Needs Commission, Lou Jones, Tom Holbrook, Rich Brauer, Raymond Poe, Skip Saviano, we have an 8:30 Space Needs Commission meeting up on the 6th floor of the Stratton Building. So, we'll be as quick as we can, but if you're there at 8:30 the quicker we can get going and get you off to your other committees later in the morning. Thank you."

Speaker Novak: "Thank you. The Gentleman from Cook, Mr. Turner, on House Joint Resolution 34."

Turner: "Thank you, Mr. Speaker. I won't prolong the evening, I know it's getting late, but I wanted to get this Resolution over to the Senate. Basically, this is a Resolution that deals with organ donor transplants. There's an issue that although we all sign on the back of our cards now that we may or may not wanna be a organ donor, the law says that you still need first person consent. And what this Resolution does is establish a task

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force to study how we're going to implement first person consent with the current and existing organ donor program that we currently have. And I move for the adoption of HJR 34."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall House Joint Resolution 34 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Bost. Mr. Will Davis. Take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Joint Resolution 34 is hereby adopted. The Chair is prepared to adjourn. Allowing perfunctory time for the Clerk, Representative Granberg now moves that the House stand adjourned until Thursday May 29, the hour of 11 a.m. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House stands adjourned."